



AGENDA
NRHA Commissioners' Meeting
Thursday, November 16, 2023
555 East Main Street
Norfolk, VA 23501
9:00 a.m.

WELCOME AND REMARKS BY THE CHAIR OF THE BOARD

I. **APPROVAL OF MINUTES OF COMMISSIONERS' MEETING** **Pg. 2**
October 12, 2023 Board of Commissioners' Minutes

II. **PUBLIC COMMENTS**

III. **PRESENTATION**

- September Financials
Presented by Scott Pontz, Chief Financial Officer
(Handout to be provided at the Board Meeting)

IV. **RESOLUTIONS** **Pg. 22**

- Resolution for the Talbot Park Apartments Bond Issuance
Introduced by Delphine Carnes
Presented by McGuire Woods
- Resolution Approving the Conveyance of Land in East Beach Phase VI
Introduced by Michael Clark, Deputy Executive Director
Presentation by Rock Bell, General Manager, Each Beach Company, LLC

V. **EXECUTIVE DIRECTOR COMMENTS**

VI. **COMMISSIONER COMMENTS**

VII. **CLOSED SESSION** **Pg. 54**

- 1) Consultation with the Authority's legal counsel regarding probable or actual litigation requiring the provision of legal advice by counsel as authorized by Section 2.2-3711(A)(7) of the Act."

FUTURE MEETINGS

Board of Commissioners' Meeting
Thursday, December 14, 2023 at 9:00 a.m.
555 East Main Street

MINUTES OF MEETING

The Commissioners (the “Commissioners” or the “Board”) of the Norfolk Redevelopment and Housing Authority (the “Authority” or “NRHA”) met in a regular monthly meeting at 555 East Main Street in Norfolk, Virginia (the “City”) on Thursday, October 12, 2023.

The meeting was called to order at 9:00 a.m. by Vice-Chairman Alphonso Albert. Those Commissioners present were as follows:

Present: Mr. Alphonso Albert
 Mr. Terreon Conyers
 Ms. Amy Chudzinski (*arrived at 9:17 a.m.*)
 Mr. Earl Fraley, Jr.
 Mr. Elbert Louis
 Ms. Suzanne Puryear
 Dr. Philip Smith

Absent: Ms. Rose Arrington
 Mr. Donald Musacchio

Also present were Michael Clark, Interim Executive Director and Secretary, Delphine Carnes, Attorney, and various other NRHA staff members.

. . .

Welcome by the Vice-Chairman of the Board

Vice-Chairman Albert welcomed the Commissioners and thanked them for their participation. He announced that Chairman Don Musacchio will not be in attendance today as he has a medical appointment that could not be rescheduled. Vice-Chairman Albert noted that today’s meeting has a somewhat lengthy agenda which includes two Recognitions of Gratitude, two presentations, two Resolutions and a Closed Session.

. . .

I. Approval of Minutes of Commissioners’ Meetings

Vice-Chairman Albert presented for approval the minutes of the September 5, 2023 Board of Commissioners’ meeting. Upon motion of Mr. Louis, seconded by Dr. Smith, the minutes of the September 5, 2023 Board meeting were unanimously approved by all of the Commissioners present. Vice-Chairman Albert then presented for approval the minutes of the September 12, 2023 Board of Commissioners’ meeting. Upon motion of Mr. Fraley, seconded by Ms. Puryear, the

minutes of the September 12, 2023 Board meeting were unanimously approved by all of the Commissioners present. Vice-Chairman Albert next presented for approval the minutes of the September 14, 2023 Board of Commissioners' meeting. Upon motion of Mr. Conyers, seconded by Mr. Louis, the minutes of the September 14, 2023 Board meeting were unanimously approved by all of the Commissioners present. Vice-Chairman Albert then presented for approval the minutes of the September 29, 2023 Board of Commissioners' meeting. Upon motion of Mr. Louis, seconded by Mr. Fraley, the minutes of the September 29, 2023 Board meeting were unanimously approved by all of the Commissioners present.

. . .

II. Recognition

1) Resolution of Gratitude for Interim Executive Director Michael G. Clark

Vice-Chairman Albert acknowledged that the Authority has had many challenges to deal with, but has been blessed to have been guided by Michael Clark's steady leadership as Interim Executive Director. Vice-Chairman Albert read aloud a Resolution of Gratitude in recognition of Mr. Clark's services as Interim Executive Director of NRHA. Upon motion of Mr. Fraley, seconded by Ms. Puryear, the following Resolution was unanimously approved by all of the Commissioners present.

RESOLUTION 9552

WHEREAS, Michael G. Clark has served as Interim Executive Director of Norfolk Redevelopment and Housing Authority (the "Authority") since March 2023 and has been an employee of the Authority since 1985;

WHEREAS, throughout his career and his service as Interim Executive Director, Mike has demonstrated an unwavering support for the Authority's mission of providing decent, safe, affordable housing, as well as related essential services, for the citizens of Norfolk;

WHEREAS, Mike has been a strong advocate of empowerment opportunities for the citizens of Norfolk through his understanding, empathy and untiring dedication to the needs of NRHA's residents;

WHEREAS, Mike has provided exceptional leadership by creating solutions to improve the Authority's processes, and has worked tirelessly to resolve routine as well as unexpected challenges;

WHEREAS, Mike's calm demeanor, quiet strength, thoughtful and careful

consideration, sincerity, inherent fairness and reasonable voice prevailed in times of strife and served as a model of appropriate professional conduct; and

WHEREAS, Mike has consistently carried out his responsibilities as an employee of the Authority and as Interim Executive Director with integrity, dedication and perseverance.

NOW, THEREFORE, BE IT RESOLVED, that we, the Commissioners of the Authority, do hereby take this opportunity to express our sincere appreciation for Mike's service and many contributions to the Authority;

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners of the Authority is hereby directed to provide a copy of this Resolution to Michael G. Clark, and cause a copy of said Resolution to be placed on record in the office of the Authority.

Following approval of the Resolution, the Commissioners gave Mr. Clark a standing ovation.

2) Resolution of Gratitude for Commissioner Raytron L. White

Ms. Puryear introduced a Resolution of Gratitude for Raytron L. White in recognition of his services as a Commissioner; the Resolution had been previously approved by the Board. Ms. Puryear read the Resolution aloud to the Commissioners and Mr. White, who was present. The Board once again unanimously approved the following Resolution upon motion of Mr. Louis, seconded by Mr. Conyers.

RESOLUTION 9541

(previously approved at the July 2023 Board meeting)

WHEREAS, Raytron L. White has served as a member of the Board of Commissioners (the "Board") of Norfolk Redevelopment and Housing Authority (the "Authority") since August 1, 2022;

WHEREAS, throughout his tenure on the Board, Raytron has demonstrated an unwavering support for the Authority's mission of providing decent, safe, affordable housing, as well as related essential services, for the citizens of Norfolk;

WHEREAS, Raytron has served as a passionate advocate for the residents of NRHA's communities and a voice for the equitable treatment of such residents, regardless of race, age or economic circumstance;

WHEREAS, Raytron has been a strong supporter of resident programs, particularly educational and recreational activities for children residing in NRHA's communities, both through his service on the Board and through his work as the President of the Grandy Village Tenant Management Corporation;

WHEREAS, Raytron brought valuable insight to the Board and was instrumental in assisting the Board to better recognize the impact of NRHA's initiatives on the needs of NRHA's residents; and

WHEREAS, Raytron has consistently carried out his responsibilities as Commissioner with dedication, perseverance, and pragmatism.

NOW, THEREFORE, BE IT RESOLVED, that we, the Commissioners of the Authority, do hereby take this opportunity to express our sincere appreciation for Raytron's service to the Authority and his many contributions to the Board;

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners of the Authority is hereby directed to provide a copy of this Resolution to Raytron L. White, and cause a copy of said Resolution to be placed on record in the office of the Authority.

Following approval of the Resolution, Mr. White commented that he appreciates the recognition and is still working in the local community in various capacities. He stated that he wants to make sure that the Board knows that the policies of NRHA are critical and that the Board must continue to fight for the residents and staff. Mr. White then thanked Mr. Clark and the Board for the positive changes they are implementing. Vice-Chairman Albert thanked Mr. White for all of his community efforts.

. . .

III. Public Comments

Karen Rose, Security Programs Manager, presented an update on the call box initiative. She reported that NRHA has secured a vendor for installation of a call box at Calvert Square, which is anticipated to take place before the end of October. Ms. Rose stated that she is thankful for the support of the community and excited about this project that will involve a call box system similar to those used on college campuses. Mr. Conyers asked if the call boxes include cameras. Ms. Rose explained that the call box at Calvert Square has both a call button and a camera. Vice-Chairman Albert noted that NRHA had received citizen input requesting the installation of call boxes to improve neighborhood security; NRHA listened to this feedback, met with the interested parties and organizations, and started this pilot program in response to community input.

Mr. Fraley inquired whether only one call box will be installed at the present time. Ms. Rose responded in the affirmative, noting that this is a pilot program that NRHA is starting in the Calvert Square neighborhood based on security data. Mr. Fraley asked how long the system will be tested to determine whether it is effective. Ms. Rose noted that there is no specific time limit; NRHA owns the call box, which will remain in place and be assessed on an ongoing basis. Dr. Smith wondered what metrics will be used to measure the system's success and how the program can be adjusted based on that data. *[Ms. Chudzinski arrived at 9:17 a.m.]* Ms. Rose explained that usage of the call box and the number of calls for service from the new system, as compared to data currently collected by telephone and other means, will provide an indication of how well the system is working. Mr. Louis asked who will track and maintain the data. Ms. Rose indicated that she will be responsible for collecting and maintaining this information and reporting her findings to the Board. Mr. Fraley thanked Ms. Rose for keeping the Board informed about this initiative.

Vice-Chairman Albert expressed his condolences on behalf of the Board to Ms. Chudzinski on the loss of her grandmother. He noted that the Board is grieving with her and praying for her and her family. Vice-Chairman Albert added that the Commissioners feel her pain and are very grateful for her services. Ms. Chudzinski thanked the Commissioners for their support and the gift of a lovely orchid. She stated that their concern means a lot to her and mentioned that her grandmother came from Poland and went through a great deal in her lifetime. Ms. Chudzinski once again stated that she is very appreciative of the Board support, the beautiful plant and the thoughtful card.

The first speaker, Carl Poole, introduced himself and stated that he represents the New Virginia Majority. He noted that he had come to the meeting seeking an update on the call tower initiative and was happy to hear Ms. Rose's report. Mr. Poole observed that this is not new technology; although these systems are new to public housing, call boxes have been used on college campuses for years. He mentioned that he plans to meet with Ms. Rose to obtain more details about the system and concluded by thanking the Board for listening and implementing programs that the residents need and want.

The next speaker, Javon Bennett, addressed the Board. He began his remarks by thanking Mr. White for his services as Commissioner and for holding everyone accountable. Mr. Bennett indicated that the turnover at NRHA has been good and observed that "you cannot help others if you don't help yourself." He stated that mental health is critical, noting that he has seen people work themselves to death, as well as have to work while they are going through various difficult situations. Mr. Bennett suggested that it is important to schedule mental health and vacation days to give everyone a chance to take a break and rejuvenate. He also expressed his sympathy to Ms. Chudzinski on the death of her grandmother. In closing, Mr. Bennett suggested that NRHA improve its technology.

Gwendolyn Wiggins introduced herself and noted that she has been an NRHA resident since 2019. She reported experiencing mold and mildew problems that have yet to be fixed despite her ongoing complaints. Ms. Wiggins explained that the mold and mildew have increased her children's asthma symptoms, as well as caused peeling paint in her unit. She added that she had to take her neighbors to court because of their continued threats and harassment. Ms. Wiggins also commented that her sons are afraid to go outside for fear of being shot or hurt by other residents of the community. She told the Commissioners that she has been asking for an emergency move since 2019 with no response, despite the fact that she has spoken with three different property managers since that time. Ms. Wiggins indicated that some windows were broken in her unit in July 2022 and were not repaired until March 2023. She stated that she wants the Board to know that her living conditions have been constantly deteriorating since 2019 and nothing has been done. Ms. Wiggins noted that she received a refrigerator from NRHA that had roaches in it. She also claimed that she reported a clogged toilet yesterday, but had to fix it herself since no one from the Authority responded. Ms. Wiggins added that NRHA misreported her income on her rent invoice. She summarized her comments by indicating that she feels unsafe in her home, her children (6 and 11) are frightened, she is being harassed by her neighbors, she has been denied a move to Grandy Village or Diggs Town despite her repeated requests, and she feels that nothing will be done until something very serious occurs, such as a death. Vice-Chairman Albert stated that the Board takes her concerns very seriously, but cannot solve the problem in the context of the Board meeting. He assured Ms. Wiggins that her comments would be referred to the appropriate staff members, who will follow proper protocol and address the issues she has raised.

Tiara Lassiter, the next speaker, stated that she is very happy about the call tower pilot program. She noted that the success of this initiative can be measured by asking residents if they feel safer with the new security equipment, as well as by calculating improvements in police response time. Ms. Lassiter thanked Ms. Rose and Julius Norman for being responsive to community concerns. She also thanked Mr. White for his facilitation of wonderful youth programs at Grandy Village. Ms. Lassiter noted that she remains concerned that there are not enough youth programs for NRHA's young residents. She stated that she recognizes there are now two Boys and Girls Club locations in NRHA's communities and added that she appreciates Mr. Norman's hard work in developing youth programming. Ms. Lassiter observed that the City has the funding so the only issue is getting City Council on board to utilize those funds in the community. She offered to partner with the Authority to make sure there are additional activities for children.

Ms. Lassiter also indicated that she would like to see a grocery store in the St. Paul's Area. She emphasized that this is a critical need since it is essential for residents to have access to affordable food. Ms. Lassiter noted that there are resources available to make this happen; it is not a matter of lack of funding, but of advocating with the City to realize this goal. She stressed that access to nutritious food will help children in the community succeed; this proposal need not be undertaken by NRHA alone, but should be a collaborative effort with the City who has funding available.

Kenya Gayden, a resident of Calvert Square addressed the Commissioners, stating that she is concerned about the safety of her 14-year-old daughter. Ms. Gayden explained that her daughter cannot go outside, even to the bus stop, because of gang activity. Ms. Gayden commented that her daughter lost her brother in 2013 and her sister in 2016 as a result of a police shooting, and since then, she has never been the same. Ms. Gayden reported that her daughter has PTSD from the experience and suffers from panic attacks and anxiety. Ms. Gayden indicated that assaults occur frequently in Calvert Square and Young Terrace. She mentioned that she has worked with Mr. Norman over the years and would like to move to a safer neighborhood. Ms. Gayden explained that she could not find a place that would accept her voucher last year and is extremely concerned about her daughter who falls to pieces every time there is a shooting in the community. Ms. Gayden observed that she was unable to move to Broad Creek a few years ago because she did not have sufficient income. She told the Commissioners that she no longer works full time because she needs to assist her daughter with her health problems. Ms. Gayden concluded by stating that she would like to move to a safer place because she has no family members in town other than her daughter so feels very alone and vulnerable.

Calvin Williams, Executive Director of the My 2K Foundation (the “Foundation”), spoke to the Commissioners. He indicated that Hampton Roads Ventures, L.L.C. (“HRV”) provided funds to invest in the community through the Foundation. Mr. Williams observed that his work in the community may go unnoticed, but it provides critical resources to address violence. He explained that Foundation volunteers wear identifying vests and help at bus stops, not as crossing guards, but rather to prevent violence and crime. Mr. Williams stated that the Foundation uses conflict resolution to help solve issues. He observed that it takes hard work, mediation skills and a significant amount of time to provide non-violent resolutions that bring about positive change. Mr. Williams reported that the Foundation has initiated conversations to prevent acts of violence, including murder. He commented that the Foundation can serve as a “bridge” to combat gang violence. Mr. Williams noted that there is the law of the land and the law of the street; it is essential that someone familiar with both serve as the mediator or go-between. He stated that the Foundation would like to partner with NRHA to obtain additional funding to expand the Foundation’s crime prevention activities in the communities, which have already been shown to be successful. Mr. Williams reported that violence has decreased by 40% due in large part to the Foundation’s efforts. He emphasized that the statistics prove that his work is bearing fruit, but more funding would help bring even more positive change to communities most in need.

Mr. Williams thanked NRHA, HRV and Julius Norman for their help. He explained that their collaborative efforts have helped residents navigate the system and work more effectively with NRHA. Mr. Williams mentioned that he has spoken with Vice-Chairman Albert numerous times to express his belief that it is time for a change. He acknowledged that initially he was not in favor of call towers, but has come to realize that they can be effective tools to reduce crime as well as show residents that NRHA cares and is taking steps to improve the safety of its communities. Mr. Williams emphasized the need to rebuild trust between the Authority and its

residents and commented that the Foundation can be the bridge to make this happen. He reiterated that the Foundation needs more funding and better lines of communication to expand its community services. Mr. Williams concluded by stating that things are improving even if many people are unaware of the efforts that are being made to bring about this positive change.

After checking the hallway and online site, it was determined that there were no other members of the public wishing to address the Commissioners.

. . .

IV. Presentations

1) St. Paul's/Tidewater Gardens CNI Housing Update

Steve Morales, Chief Community Development Office, introduced Brad Peters, Senior Vice President at Brinshore, who was participating by video conference. Mr. Peters thanked the Commissioners for inviting him to attend today's meeting and mentioned how much he appreciates the work done by the Board. He stated that he has been with Brinshore since February 2023 and most recently has been involved with the closings for Blocks 17 and 18. Mr. Peters noted that he has enjoyed working closely with NRHA staff and legal counsel. He began his PowerPoint presentation by reviewing the development map and mentioning that the parcels now have not only block numbers, but also names. Mr. Peters reviewed the slide that breaks down the types of units for each development phase and explained that the "replacement" units are Project Based Voucher ("PBV") units. He then turned to the next slide that provides information about the senior living Reunion property (Block 19). Mr. Peters commented that he spoke with the construction crew yesterday, who indicated that utilities are being installed, Certificates of Occupancy will be issued shortly, and families should be able to move into the units in the next couple of weeks. He also pointed out the waitlist website included on the slide.

Mr. Peters next reviewed the slide for the Origin Circle property (Block 20), which should be available for occupancy in December of this year. He mentioned that the waitlist is open until October 23, 2023. Mr. Peters explained that this development is for families. He noted that he is very excited about both the Reunion and Origin Circle facilities, both of which have beautiful units with Energy Star appliances and granite countertops. Mr. Peters added that both buildings will have commercial space on the ground floor. He stated that Brinshore is currently speaking with potential tenants and working with the City on Blocks 17 and 18 to obtain financial assistance for commercial tenants who need help with funding for the buildout of their space.

Mr. Peters commented that the groundbreaking for Blocks 17 and 18 was a great moment and thanked all who attended the event. Mr. Peters explained that this project involved a very challenging financing process that took a lot of teamwork to come to fruition. He reported that the buildings are financed with 4% Low Income Housing Tax Credits ("LIHTC") and Virginia state

credits (instead of the 9% LIHTC as originally planned), as well as many other state sources of funds, U.S. Department of Housing and Urban Development (“HUD”) Choice Neighborhood Initiative (“CNI”) funds, debt and tax credit equity. He indicated that Blocks 17 and 18 will incorporate significant commercial space in their design, including a McDonald’s. Mr. Peters noted that Brinshore is working to get construction started very soon and is very excited about this project that has been a long time in coming.

Mr. Peters spoke about the 191-unit Phase 3-Tidewater Gardens A development (Blocks 9, 10 and 16) that will include a number of larger units. He stated that this project is still in the predevelopment stage. Mr. Peters explained that the developer applied for Virginia Housing (“VHDA”) loans and traded in a 9% LIHTC award for state credits in order to increase the amount of equity. He added that Brinshore is working on coordination of the infrastructure work with the City, as well as working with the Norfolk Architectural Review Board. Mr. Peters reported that the funding sources will include VHDA Transformation Funding of \$1 million that NRHA was able to obtain. He stated that the closing is anticipated to occur in the first quarter of 2024.

Mr. Peters reviewed the Phase 4-Tidewater Gardens B1 project (Blocks 2, 4, 5, and 6). He observed that this project is still split into two developments that are expected to close at the same time, similar to Blocks 19 and 20, with a 4% LIHTC and 9% LIHTC “twin” deal. He explained that VHDA initially did not fund this deal, but later provided a 9% LIHTC award for Phase B1. He stated that the project has been through a plan review both with the Architectural Review Board and at HUD. Mr. Peters mentioned that the developer is pursuing a \$2 million Net Zero Energy award for this project, which would help finance the construction of very energy efficient units. He stated that a contractor has been selected and is working on pricing based on the plans; Brinshore is also working with the architect and contractor on the constructability review.

Mr. Peters reported that the closings for Phases B1 and B2 are projected for the summer of 2024. He then directed the attention of the Commissioners to the slide that illustrates Phase B2. He noted that a VHDA grant of \$700,000 was recently received and it is hoped that the project will also be awarded an energy efficiency grant; the project has already undergone an architectural review with both HUD and the Architectural Review Board. Mr. Peters reported that a 4% LIHTC application will be submitted in early 2024.

Mr. Louis asked about commercial space and whether tenants other than McDonald’s have been obtained. Mr. Peters explained that the leases have not yet been signed so he is not at liberty to reveal the names of other potential tenants. He observed that one challenge for the Blocks 17 and 18 properties is that it is difficult to find tenants who are willing to sign leases two years before the space is ready. Mr. Peters reported that two businesses (a minority-owned hairdresser and a clothier) are about to sign leases in Blocks 19 and 20; negotiations are also underway with a non-profit. Mr. Morales commented that the McDonald’s was located in the community before the redevelopment began and that is why this business is already on board. Vice-Chairman Albert

acknowledged the reason for Mr. Louis' question and emphasized the importance of working with local vendors who supply healthier choices, rather than just fast food establishments. Ms. Puryear asked how residents get information about the waitlists. Mr. Morales answered that all Tidewater Gardens households received letters and invitations to community meetings before the waitlist opened since they have priority. He noted that waitlist information is also on the NRHA website. Dr. Smith asked about the categories of units available. Mr. Morales responded that the PBV replacement units are governed under Section 8 and the assistance is tied to the units. He explained that the LIHTC units are income and rent restricted, as well as open to residents who hold vouchers.

Dr. Smith commented that we have heard again today concerns from residents about their safety. He wondered whether safety issues have been taken into account when designing these new communities. Mr. Morales answered in the affirmative and stated that one core goal of the project design was connectivity of streets to ensure that the community is laid out for better accessibility. He added that there will be individual safety measures at each building, with controlled access to each phase. Mr. Peters noted that the CNI program focuses on housing, people and the community; all three of these focal points were considered when planning the new development. He stated that Brinshore worked with the City and NRHA to facilitate a walkable design that extends downtown so that the units are safe and the community is pedestrian-friendly, with lots of "eyes on the street."

Dr. Smith observed that there needs to be a specific strategy to meet the needs of the community. He mentioned that he is concerned about the first commercial tenant being an international fast food chain. Mr. Morales acknowledged his concern, but reiterated that McDonald's was included as a tenant because the business was already on the site before the development began. He added that there will be close to 40,000 square feet of commercial space, most of it situated on Blocks 17 and 18 along Freemason and Church Streets. Mr. Morales emphasized that a lot of effort went into the overall urban design, including streets, lighting and parking, to make the community successful. He noted that it was a very thoughtful design process, including significant forethought from 2018 forward regarding infrastructure. Ms. Puryear agreed with Mr. Morales' comments and observed that the community was very involved in the planning process. She mentioned that NRHA held numerous community meetings and design charrettes to hear what residents and stakeholders wanted and to try to address their needs. Vice-Chairman Albert agreed and mentioned the work of the St. Paul's Advisory Committee in collecting important data and input.

Mr. Conyers asked if the commercial space would have the capacity to include a neighborhood market. Mr. Peters responded in the affirmative, noting that there is a lot of flexibility in Block 17. He explained that it is important to identify the right tenant, but the spaces are configured with a "shell design" so they can be modified to accommodate a grocery store. Vice-Chairman Albert stated that he and Chairman Musacchio sit on the St. Paul's Advisory Committee through which they have been receiving neighborhood input from residents, stakeholders and thought leaders. Vice-Chairman Albert reported that the meetings take place at

the Food Bank on the third Tuesday of each month and a lot of information is provided as to where the process stands. He encouraged everyone to feel free to attend or to reach out to him or Chairman Musacchio with questions. Mr. Morales agreed and noted that the meetings are held from 6:00 to 7:30 p.m.

Mr. Louis asked if the community formulated specific desires/requests about commercial tenants during the charrettes. Both Ms. Puryear and Mr. Morales said that this was done. Mr. Morales reported that a “wish list” was drafted and included businesses such as a grocery store, clothing store and other establishments to meet usual community needs. He added that Brinshore is working with Colliers to identify and recruit these tenants. Mr. Morales acknowledged that one of the challenges they face is getting businesses to commit before the space is completed. He stated that attempts are being made to recruit small grocers for the commercial space in Blocks 17 and 18. Mr. Smith mentioned that he is new to the Board and therefore seeing a lot of this for the first time. Ms. Puryear noted that she understands his position and thanked Mr. Peters for his very thorough presentation. Dr. Smith commented that the Board’s responsibility is to connect the needs it hears from the public with the development initiative. Vice-Chairman Albert agreed and indicated that he would pass along this comment at the next St. Paul’s Advisory Committee meeting.

2) Community Engagement

Mr. Norman introduced Dr. Delores Dungee-Anderson of the Hampton Roads Community Empowerment Alliance (the “Alliance”). Before Dr. Dungee-Anderson spoke, Mr. Norman mentioned that years ago he worked at the Community Services Board and then came to work with NRHA at Calvert Square. He stressed that all of NRHA’s programs have a “restorative” piece for the individuals that the Authority serves. Mr. Norman observed that NRHA looks at social issues and personal well-being, rather than just bricks and mortar. He reported that NRHA is looking at social determinants of health to reduce inequities and to address social injustice. Mr. Norman noted that NRHA’s programs are specifically aimed at lessening disparities and improving the quality of residents’ lives. He stated that it is essential for staff to come to work with a healthy attitude and to encourage collaboration with local partners.

Mr. Norman then asked Dr. Dungee-Anderson to address the Board. She explained that the Alliance was organized in March of 2022. She then distributed a flyer to the Commissioners. Dr. Dungee-Anderson explained that she is the principal investigator at the Alliance and began her community work with the organization by creating links with local pastors. She explained that she heads a coalition of 24 pastors who work collaboratively to assist individuals at all levels of the community. Dr. Dungee-Anderson commented that Raytron White is being added to her team because of his work in the community and his many connections. She noted that the Alliance is currently working in Grandy Village and wants to expand its efforts to other communities where

there is a need. Dr. Dungee-Anderson stated that the Alliance is funded by the Hampton Roads Biomedical Research Consortium and has a close connection with Eastern Virginia Medical School (“EVMS”) and the Children’s Hospital of the King’s Daughters (“CHKD”). She observed that NRHA is an important part of the community and therefore the Alliance would like to partner with the Authority.

Dr. Dungee-Anderson stated that the Alliance plans to ask residents what resources and services they need that the Alliance could provide, such as after school programs for children, mental health programming and other medical resources. She mentioned that she is a mental health clinician and works with children who suffer from trauma. Dr. Dungee-Anderson acknowledged that the Alliance is a wonderful resource, but can be even more effective when it partners with other community organizations, such as NRHA. She stated that the Alliance is not seeking funding from NRHA, but simply wants its blessing and partnership to help the Alliance assess local needs and connect to other service organizations. Dr. Dungee-Anderson reported that the Alliance already has contacts with a number of other non-profits and would like to expand its collaborative efforts. Vice-Chairman Albert thanked Dr. Dungee-Anderson for addressing the Commissioners and stated that he hopes that NRHA, through its staff, will have the opportunity to work with the Alliance. The rest of the Board joined Vice-Chairman Albert in thanking Dr. Dungee-Anderson for her presentation.

. . .

V. Resolutions

1) Resolution Approving the Conveyance of the Land Comprising the Broad Creek Property to The Community Builders, Inc.

Mr. Morales introduced a Resolution seeking approval of the conveyance of land comprising the Broad Creek property to The Community Builders, Inc. (“TCB”). He reported that this has been a very long process with the ultimate goal of converting the community from Low Income Public Housing (“LIPH”) to Section 8 in order to ensure sustainability and to be able to proceed with needed renovations. Mr. Morales explained that the conversation started in 2015 when NRHA looked at various ways to accomplish these goals. He then gave a PowerPoint presentation on the Broad Creek renovation. Mr. Morales mentioned that Juan Powell from TCB is participating remotely and available for questions. Mr. Morales reminded the Commissioners that last April the Board approved the submission of a Section 18 disposition application for Broad Creek and NRHA is now working with HUD on that matter. He stated that NRHA currently owns the land (but not the housing units) and administers the funding assistance. Mr. Morales added that TCB owns the housing units and has hired S. L. Nusbaum as property manager. Housing Opportunities Unlimited (“HOU”) has been brought in by TCB to manage relocation. Mr. Morales stressed that there will be no displacement of residents, just temporary relocations during the renovation process. He added that J&G Workforce Development was retained to identify and

recruit minority and women-owned contractors to work on the job. Mr. Morales reported that Virtexco is the general contractor that has been on board for some time, during which the project has experienced some delays. Mr. Fraley asked what would happen if Virtexco exits the project. Mr. Morales explained that TCB would need to re-bid the job, which would result in additional delays.

Mr. Morales then reviewed Slide 3 that includes a map showing an overview of the project. He noted that there are a total of six phases, which will be combined and renovated in three separate phases, starting early in 2024 with Phase 1. Vice-Chairman Albert asked Mr. Morales to please explain that Broad Creek includes homeownership. Vice-Chairman Albert stated that he lives there and all of the single family-owned home lots have been developed. He mentioned that he is glad that S.L. Nusbaum has taken over as the property manager for the rental units because there have been significant improvements in the maintenance and appearance of these properties. Mr. Fraley asked about the age of the Broad Creek units. Mr. Morales responded that it has been almost 20 years since construction began to create this community. He added that the initial units were first rented in 2005.

Mr. Fraley asked about other units on the map near the red phase. Mr. Morales stated that these are additional units that are not part of the current renovation project; NRHA will consider renovation of these 50 units once the 15-year compliance period has expired. Mr. Morales then turned to Slide 4 that shows an updated project timeline. He reviewed the timeline for the closing of each new phase, stating that the goal is to complete all phases by the end of 2026 or early in 2027. Mr. Morales continued with Slide 5 that illustrates the renovation scope with a cost per unit of approximately \$124,000, which he acknowledged was quite high. He explained that, under the LIHTC program, NRHA has an opportunity to replace certain items that otherwise wouldn't be addressed at this time. Mr. Morales also mentioned that the renovations will need to deal with flooding and drainage issues that exist in the area. Mr. Fraley asked if all of the windows will be replaced or only those that are damaged. Mr. Morales responded that most of the units' windows will be replaced.

Dr. Smith asked Mr. Morales to confirm that the bulk of the funding will come from LIHTC. Mr. Morales responded that NRHA does not have capital funds for this project so the project will use debt and tax credit equity. Dr. Smith asked Mr. Morales to clarify that today's Resolution is not asking the Board to approve expenditure of NRHA's funds. Mr. Morales confirmed that this is accurate, noting that today's Resolution only seeks approval to convey the land. He emphasized that the project does not involve any NRHA funding or any financial risk to the Authority; TCB will obtain the debt. Dr. Smith noted that he and Mr. Fraley heard a presentation about the Broad Creek renovation through their participation as members of the Board Finance Committee. He observed that there is a timing issue involved so is aware that this conveyance needs to be approved prior to the arrival of the new Executive Director. Dr. Smith applauded this effort, that includes TCB and S.L. Nusbaum, as a wonderful example of a successful

public/private partnership. He indicated that he was unaware that Vice-Chairman Albert lived in the community, but is happy to hear that.

Dr. Smith also asked about the market value of the property. Mr. Morales stated that the land is worth approximately \$1.5 million given the affordability restrictions and there will be a long-term promissory note and some funds paid to NRHA at closing. He specified that these funds are program income and therefore have restricted uses. Dr. Smith inquired about the difference between the market rate and restricted rate. Mr. Morales explained that the property could potentially be valued at \$10 million if it were used for a market rate apartment complex. He commented that it is not a market rate development and therefore it has long-term affordability restrictions on it, which lower the current value of the land. Dr. Smith asked what percentage of the market rate revenue will come back to NRHA. Mr. Morales responded that he does not know what that amount would be. Vice-Chairman Albert offered to discuss this issue with Dr. Smith in more detail at a future time and noted that this initiative was part of a program intended to develop a mixed-income community. Vice-Chairman Albert observed that, although the project doesn't use a traditional valuation strategy, it is part of a specific HUD program that has been a tremendous success. Dr. Smith agreed that it appears to be very successful and mentioned that the Finance Committee reviewed the project and would support approval of this Resolution. Mr. Louis asked if the project would generate any revenue for NRHA on an ongoing basis. Mr. Morales responded that the Authority will receive some revenue for the land over time.

Upon motion of Ms. Puryear, seconded by Mr. Louis, the following Resolution was unanimously approved by all of the Commissioners present.

RESOLUTION 9553

WHEREAS, Norfolk Redevelopment and Housing Authority (the "Authority"), in cooperation with The Community Builders, Inc. ("TCB"), redeveloped the Broad Creek community in the early 2000's using a variety of funding sources, including Low Income Housing Tax Credits ("LIHTC") and a HOPE VI grant from the U.S. Department of Housing and Urban Development ("HUD");

WHEREAS, the redevelopment was completed in six phases, each owned by a separate entity managed by TCB, and includes a total of 300 rental housing units (collectively, the "Project");

WHEREAS, the Authority owns the land on which all six phases of the Project were built (hereinafter collectively the "Land") and entered into long term ground leases with each of the six entities that developed and own the housing units that comprise the Project;

WHEREAS, the six phases have now reached the end of their respective fifteen-year LIHTC compliance period;

WHEREAS, by Resolution dated April 14, 2022, the Board of Commissioners of the Authority (the “Board”) authorized the submission of a Section 18 disposition application to HUD for the disposition of the Land to support the conversion of the public housing units to project-based Section 8 program and the renovation of the Project under the LIHTC program;

WHEREAS, the Project needs renovation and new capital to facilitate such renovation and the continued operation of the Project as a sustainable affordable housing community, which can be accomplished through a Section 18 disposition submittal to HUD to facilitate the renovation and conversion of the Project to project-based Section 8 rental assistance;

WHEREAS, at the conversion of each of the six phases, the Authority will administer the rental assistance through the Section 8 program, and the tax credit partnership(s) managed by TCB will assume full ownership of the Land and housing units;

WHEREAS, as part of the renovation and recapitalization of the Project, the Authority will receive development proceeds, which will be directed towards affordable housing projects in accordance with HUD program income rules; and

WHEREAS, the Board desires to authorize the conveyance of the Land to TCB and/or TCB’s affiliates as part of a transaction involving seller financing at less than fair market value in accordance with HUD disposition guidelines to facilitate the renovation and recapitalization of the Project.

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Norfolk Redevelopment and Housing Authority as follows:

1. The conveyance of the Authority’s interest in the Land to TCB and/or one or more entities created and managed by TCB is hereby authorized and approved.
2. The Interim Executive Director and other officers of the Authority are hereby authorized to perform such acts as may be required to implement the undertakings as set forth hereinabove and the conveyance of the Land, including but not limited to the submission and execution of any applications and documents as may be required by HUD, and the execution and delivery of any Deeds and other instruments as may be necessary or desirable to carry out these Resolutions.
3. This Resolution shall take effect immediately upon its adoption.

Following approval of the Resolution, Mr. Morales thanked the Commissioners for their input and participation and assured them that he would continue to provide comprehensive updates on the project to the full Board, as well as to the Finance and Development Committees.

2) Resolution Approving Tenant Write-Offs

Scott Pontz, Chief Financial Officer, introduced a Resolution to approve tenant write-offs. He explained that this is a voluntary reduction of an asset, so it is now handled by Finance, followed by Board approval. Mr. Pontz stated that this write-off was discussed with the Finance Committee. He acknowledged that the amount of the write-off is very large, noting that write-offs in the past generally averaged about \$30,000 per quarter. Mr. Pontz noted that we are coming out of the pandemic and the eviction moratorium, which have resulted in a higher write-off amount than usual. He indicated that NRHA tried to enter into repayment agreements with tenants rather than pursuing evictions. Mr. Pontz commented that the repayment agreements have to take into account what tenants can afford and therefore it may take 8 to 10 years until the Authority's write-offs are back to what they used to be. He explained that this first write-off is for tenants who have vacated their units. Mr. Pontz indicated that NRHA can still work to recover the balance owed; the balance will no longer be reflected on the Authority's books, but NRHA will continue to track the unpaid amounts. Mr. Pontz further explained that HUD encourages public housing authorities to write off these balances from their books.

Dr. Smith noted that this is a collectible debt, but asked Mr. Pontz to confirm that NRHA does not hire collection agencies to proceed against residents for any amounts owed. Mr. Pontz confirmed that this is the case since the Authority does not want to harass people who are incapable of meeting their obligations. Mr. Conyers inquired whether all of the residents owing the current amounts to be written off by this Resolution have vacated their units. Mr. Pontz responded in the affirmative.

Mr. Louis noted that NRHA couldn't have anticipated the pandemic and added that there was some confusion among residents as to whether they still had to pay rent during the eviction moratorium. Mr. Pontz commented that NRHA sent multiple letters with clear and consistent messages that tenants were required to pay rent throughout the pandemic. Mr. Louis asked if there was insurance that could have been obtained to defray the cost of the write-offs. Mr. Pontz said there is no insurance available that could have been used to offset the balance. Mr. Pontz observed that NRHA did receive CARES Act funding, as did the City. He explained that the City's funds were for rental assistance and NRHA was given some of that funding to help residents stay current on their rent.

Upon motion of Ms. Puryear, seconded by Mr. Fraley, the following Resolution was approved by all of the Commissioners present.

RESOLUTION 9554

WHEREAS, in the normal course of business, the Authority sometimes establishes receivables related to the advance of funds or tenant accounts; and

WHEREAS, NRHA records and tracks balances owed by tenants both vacated and in possession; and

WHEREAS, Generally Accepted Accounting Practices require the routine assessment of receivable balances to ensure proper valuation of assets carried in the Authority's books; and

WHEREAS, an assessment of receivable balances revealed receivables totaling \$207,833.17 which are deemed not collectable and unfair to represent as funding that will be available for future use and thus should be written-off; and

WHEREAS, under the Authority's accounting practices, the write off of Authority assets should be submitted to the Commissioners for approval; and

WHEREAS, it is appropriate to write-off vacated tenant accounts receivable in the Low Income Public Housing Program;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Norfolk Redevelopment and Housing Authority that the write-off of the receivable balances as presented at this meeting is hereby approved.

3) Resolution Approving the Conveyance of Land in East Beach Phase VII

Mr. Clark announced that consideration of the resolution regarding conveyance of land in East Beach has been continued to a future meeting.

. . .

VI. Interim Executive Director Comments

Mr. Clark reported that, on September 2, NRHA staff noticed unusual activity on its networks. He stated that the agency's servers were shut down to prevent further corruption and the authorities were notified. Mr. Clark explained that the forensic investigation confirmed that it was an attempted corruption via ransomware, but the attempt was interrupted and thwarted by NRHA staff. He commented that none of the Authority's files were lost or encrypted; some files were copied, but exactly which files is yet unknown. Mr. Clark told the Commissioners that NRHA has contracted with Experian to provide identity theft protection and is also notifying the public of the attempted breach. He stated that NRHA is notifying all of its residents and partners of the issue and has sent approximately 60,000 letters to residents, vendors, and employees. Mr. Clark added that the Authority is offering free identity theft services through Experian. He emphasized that the agency felt it was important to make people aware of what happened and NRHA has taken care of

fully addressing the matter within just one month of the incident. Mr. Clark acknowledged that it was a major undertaking, but reiterated that it was the right thing to do. He indicated that the Authority also notified the City and the Tenant Management Council before the individual letters went out. Mr. Clark commented that a lot of work was done behind the scenes in order to be able to safely turn the systems back on.

Mr. Clark noted that NRHA is still uncertain whether anyone's personal information was actually compromised. He explained that the Authority is being proactive by conducting a comprehensive notification effort and by offering free identify theft services. Dr. Smith asked if there was a ransom request. Mr. Clark said there was no request for payment of ransom; the incident was only an attempted ransomware attack that was prevented by shutting down NRHA's network. Mr. Louis asked how much NRHA has in its budget for IT enhancement. Mr. Pontz responded that \$800,000 was already in the budget, independent from this incident. He added that with each IT upgrade, NRHA also increases its cybersecurity software. Radu Bogdan confirmed that this is the case.

Mr. Clark thanked the Board for the Resolution of gratitude presented today. He added that none of the Authority's accomplishments could have been achieved without the round-the-clock assistance of staff, including IT personnel and the employees working in each housing community.

. . .

VII. Commissioner Comments

Ms. Chudzinski reported that Catholic Charities had a job fair on September 9 and NRHA sponsored a table. She stated that both she and Richard Archer helped man the NRHA booth where they provided information on jobs available at NRHA, as well as housing options and information on units becoming available in the newly redeveloped St. Paul's Area. Ms. Chudzinski also commented that on September 30 she attended the wooden boat workshop at NRHA's Ballentine office, which she noted was beautiful and well attended. She explained that it is a free program for children. Ms. Puryear added that it is a small program that runs on a shoestring budget; the program receives funding from the Hampton Roads Foundation, which they would be unable to obtain without NRHA providing free use of the office space where the workshop is held.

Mr. Louis thanked Ms. Rose for her participation in the Public Housing Committee meeting, which went very well. He commented that good ideas were discussed and the meeting was recorded for those who were unable to attend.

Dr. Smith thanked Mr. Morales and Mr. Pontz for the information provided to the Finance Committee and for their assistance in framing the role of the committee as it relates to NRHA funding and finance. He noted that the committee members are waiting for the new Executive

Director to start so that additional information can be tracked into a dashboard and shared with all of the members of the Board. Mr. Fraley also expressed his appreciation to Mr. Morales and Mr. Pontz.

Mr. Conyers thanked Mr. Morales and Mr. Pontz for sharing information with the Development Committee. In addition, he thanked Mr. Clark for providing information on various ongoing projects. Mr. Conyers expressed his thanks to Mr. Fraley for the productive discussions that took place during the Development Committee meeting and stated that he is looking forward to working with all of the Commissioners even more in the future.

Prior to commencement of the Closed Session, Ms. Puryear collected from each of the Commissioners the confidential binders that were used during the Executive Director selection process.

. . .

VIII. Closed Session

At 11:46 a.m. upon motion of Vice-Chairman Albert, seconded by Mr. Louis, the following resolution was approved by all of the Commissioners present.

RESOLUTION 9555

BE IT RESOLVED, that the Authority will convene in a closed meeting pursuant to the Virginia Freedom of Information Act, as amended (the "Act"), to discuss the following matters which are specifically exempted from public disclosure by the code section referred to below:

Resolution Convening a Closed Meeting on October 12, 2023 for:

1) "Personnel matters involving the assignment, appointment, promotion, demotion, performance, salaries, or resignation of employees of the Authority, as authorized by Section 2.2-3711(A)(1) of the Act."

Update on the Executive Director recruitment process.

2) "Consultation with the Authority's legal counsel regarding actual or probable litigation and legal matter(s) requiring the provision of legal advice by counsel as authorized by Section 2.2-3711(A)(7) of the Act."

Discussion of pending litigation, including the Scarbor, Cherry and Waterside matters.

At 12:26 p.m. upon motion of Mr. Louis, seconded by Mr. Fraley, the following resolution was unanimously approved by all of the Commissioners present. (*Ms. Puryear had left the meeting prior to the vote certifying the Closed Meeting.*)

RESOLUTION 9556

WHEREAS, the Authority has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the 1950 Code of Virginia, as amended, requires a certification by this Authority that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, upon motion duly made and seconded, BE IT RESOLVED, that the Authority hereby certifies that, to the best of each Commissioner's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were heard, discussed or considered in the closed meeting, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Authority.

. . .

There being no further business, the meeting was adjourned at 12:27 p.m.

Secretary

Chair



Resolution Item

NRHA Board of Commissioners

Subject: Resolution of the Norfolk Redevelopment and Housing Authority Authorizing and Approving the Issuance of up to \$27,954,000 of Multifamily Housing Revenue Bonds for Talbot Park Apartments

Executive Contact: Scott Pontz

Date: November 16, 2023

BACKGROUND

This Inducement Resolution involves the proposed issuance of up to \$27,954,000 of multifamily revenue bonds ("Bonds") by Norfolk Redevelopment and Housing Authority ("NRHA" or the "Authority") to support the acquisition, construction, renovation, rehabilitation and equipping of the Talbot Park Apartments, which consist of 33 two-story buildings containing 271 one-bedroom units, 24 two-bedroom units, and a leasing office and other community amenities, located at 118 Warren Street, Norfolk, Virginia 23505 (collectively, the "Project"). The proceeds of the Bonds will be loaned to a special purpose entity, 118 Warren Street LLC, a Virginia limited liability company ("Borrower"), that is an affiliate of Genesis Properties, Inc. ("Genesis"). Genesis has extensive experience serving as the owner and developer of similar affordable housing projects.

The Authority's participation will be limited to its role as conduit issuer of the Bonds. In exchange for such participation, the Authority will receive an annual administrative fee in the amount of 0.125% of the outstanding principal amount of the Bonds. Such fee will be paid on the date of closing and on each anniversary each year after that while the bonds are outstanding. All costs and expenses in connection with the Project, including the Authority's administrative fee and all attorneys' fees, will be paid from the proceeds of the Bonds or by the Borrower. After the terms of the Bonds have been finalized, the Authority will be asked to consider another resolution approving the Bond issuance and related documents.

This Resolution (i) sets forth the Authority's agreement to cooperate with the Borrower in the proposed issuance of the Bonds, subject to the Authority's final approval and the approval of City Council, (ii) evidences the Authority's "official intent" to reimburse the Project for eligible costs with the proceeds from the issuance of the Bonds, and (iii) recommends that the City Council approve the issuance of the Bonds.

Recommendation: Adopt resolution.

RESOLUTION OF THE NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY
AUTHORIZING AND APPROVING THE ISSUANCE OF UP TO \$27,954,000
MULTIFAMILY HOUSING REVENUE BONDS FOR
TALBOT PARK APARTMENTS

WHEREAS, the Norfolk Redevelopment and Housing Authority (the "Authority") is empowered, pursuant to the Virginia Housing Authorities Law, Chapter 1, Title 36 (the "Act") of the Code of Virginia of 1950, as amended (the "Virginia Code"), to issue its bonds for the purpose, among others, of financing the Plan of Finance (as hereinafter defined), located within the territorial boundaries of the City of Norfolk, Virginia (the "City");

WHEREAS, to further the Act's purposes, at the request of 118 Warren Street LLC, a Virginia limited liability company (the "Applicant"), the Authority has determined to issue and sell its Multifamily Housing Revenue Bonds in a principal amount not in excess of \$27,954,000 (the "Bonds"), pursuant to the Act, for the purpose of assisting the Applicant or an entity affiliated with and controlled by, or under common ownership with, the Applicant (the Applicant or such resulting ownership entity hereinafter referred to as the "Borrower") in financing or refinancing (a) a portion of the costs of acquiring, constructing, renovating, rehabilitating and equipping an affordable multifamily residential rental community known as Talbot Park Apartments, consisting of 271 one-bedroom units and 24 two-bedroom units in 33 two-story buildings, and other site work and community-related improvements, such as a leasing office, all to be located on approximately 11.037 acres of land located at or around 118 Warren Street, Norfolk, Virginia 23505 (the "Project"), and (b) if and as needed, issuance costs for the Bonds and other eligible expenditures, including any required reserves (collectively, the "Plan of Finance"). Based on representations of the Applicant, the Project is structured to meet the requirements of a qualified residential rental project within the meaning of Section 142(d) of the Internal Revenue Code of 1986, as amended (the "Code"). The Applicant has represented that the Project will be owned by the Borrower;

WHEREAS, based on the representations of the Applicant and the information submitted concerning the Project, the Authority has determined that the issuance and sale of the Bonds will benefit the inhabitants of the City and the Commonwealth of Virginia by promoting their health, welfare, convenience and prosperity; and

WHEREAS, a public hearing has been held on November 16, 2023, with respect to the Plan of Finance and the Bonds in accordance with Section 147(f) of the Code and applicable Virginia law.

NOW, THEREFORE, BE IT RESOLVED BY THE NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY THAT:

1. The foregoing recitals are approved by the Authority and are incorporated in, and deemed a part of, this resolution.

2. It is hereby found and determined that the acquisition, construction, renovation, rehabilitation and equipping of the Project will further the public purposes of the Act by assisting in providing housing to low and moderate income persons in the City.

3. To induce the Borrower to acquire, construct, renovate, rehabilitate and equip the Project as a "qualified residential rental project" within the meaning of Section 142(d) of the Code, the Authority hereby agrees, subject to approvals required by applicable law, to assist the Borrower in financing the Plan of Finance by undertaking the issuance of the Bonds in an aggregate principal amount not to exceed \$27,954,000 upon terms and conditions as shall be mutually agreeable to the Authority and the Borrower. The Bonds will be issued pursuant to documents as shall be satisfactory to the Authority and its counsel. The Bonds may be issued in one or more series at one time or from time to time, and the Bonds of any such series may be either taxable or tax-exempt for purposes of federal income taxation.

4. It having been represented to the Authority that it is necessary to proceed with the acquisition, construction, renovation, rehabilitation and equipping of the Project, the Authority hereby agrees that the Borrower may proceed with the plans for the Project, enter into contracts related to the acquisition, construction, renovation, rehabilitation and equipping of the Project and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Borrower to obligate the Authority without its consent in each instance to the payment of any moneys or the performance of any acts in connection with the Project.

5. In adopting this Resolution, the Authority intends to evidence its "official intent" to reimburse the Project expenditures with proceeds from the issuance of the Bonds within the meaning of Treasury Regulations Section 1.150-2.

6. The Authority hereby designates McGuireWoods LLP, Tysons, Virginia, to serve as bond counsel and hereby appoints such firm to supervise the proceedings and approve the issuance of the Bonds.

7. As a condition of the issuance of the Bonds by the Authority, the Borrower shall agree to indemnify and save harmless the Authority, its commissioners, officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, losses, costs and expenses in any way connected with the issuance and sale of the Bonds.

8. All costs and expenses in connection with the financing of the Plan of Finance, including the fees and expenses of the Authority (including, without limitation, any application fee, origination fee or annual fee, as applicable), bond counsel, and counsel for the Authority shall be paid from the proceeds of the Bonds (but only to the extent permitted by applicable law) or from moneys provided by the Borrower. If for any reason the Bonds are not issued, it is understood that all such fees and expenses shall be paid by the Borrower and that the Authority shall have no responsibility therefor.

9. The Chairman, Vice Chairman, Secretary or any Assistant Secretary of the Authority, or the designee of any of them, any of whom may act alone, are hereby authorized to

request an allocation or allocations of the State Ceiling (as defined in Section 15.2-5000 of the Virginia Code) in accordance with the applicable provisions of the Virginia Code and any regulations or executive orders issued thereunder. All costs incurred by the Authority, if any, in connection with such proceedings shall be paid for by the Borrower.

10. No Bonds may be issued pursuant to this resolution until such time as (a) the issuance of the Bonds has been approved by the City Council of the City (the "City Council") and (b) the Bonds have received an allocation or allocations of the State Ceiling in accordance with the applicable provisions of the Virginia Code and any regulations or executive orders issued thereunder.

11. The Bonds shall be limited obligations of the Authority and shall be payable solely out of revenues, receipts and payments specifically pledged therefor. Neither the commissioners, directors, officers, agents or employees of the Authority, past, present or future, nor any person executing the Bonds, shall be liable personally on the Bonds by reason of the issuance thereof. The Bonds shall not be deemed to constitute a general obligation debt or a pledge of the faith and credit of the Commonwealth of Virginia or any political subdivision thereof, including the Authority and the City (and the Bonds shall so state on their face), and neither the Commonwealth of Virginia nor any such political subdivision thereof shall be generally liable thereon, nor in any event shall the Bonds be payable out of any funds or properties other than the special funds and sources provided therefor. Neither the faith and credit nor the taxing power of the Commonwealth of Virginia, or any political subdivision thereof, including the Authority and the City, shall be pledged to the payment of the principal of the Bonds or the interest thereon or other costs incident thereto. The Authority has no taxing power. The Bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

12. The Authority (including its commissioners, officers, directors, employees and agents) shall not be liable and hereby disclaims all liability to the Borrower and all other persons or entities for any damages, direct or consequential, resulting from the issuance of the Bonds or failure of the Authority to issue the Bonds for any reason. The Authority's agreement to exercise its powers to issue the Bonds as requested by the Applicant is contingent upon the satisfaction of all legal requirements and the Authority shall not be liable and hereby disclaims all liability to the Borrower for any damages, direct or consequential, resulting from the Authority's failure to issue Bonds for the Plan of Finance for any reason, including but not limited to, the failure of the City Council to approve the issuance of the Bonds.

13. The Chairman, Vice Chairman, Secretary or any Assistant Secretary of the Authority, or the designee of any of them, any of whom may act alone, is hereby authorized to execute and deliver any and all contracts, agreements, assignments, draws, instruments and other documents as may be necessary or desirable to consummate the transactions contemplated by the foregoing resolution and to take such other action and to execute and deliver such other documents as she may deem necessary or desirable to carry out the intent of this resolution.

14. All actions heretofore taken by the Chairman, Vice Chairman, Secretary or any Assistant Secretary of the Authority, or the designee of any of them, or other officers of the Authority in connection with the transactions contemplated by this resolution are hereby approved, adopted, ratified and confirmed in all respects.

15. The Authority recommends that the City Council approve the issuance of the Bonds.

16. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Project or the Borrower.

17. This Resolution shall take effect immediately upon its adoption.

Adopted: November 16, 2023



Resolution Item

NRHA Board of Commissioners

Subject: Resolution Approving the Conveyance of Land in East Beach Phase VII

Executive Contact: Michael Clark

Date: November 16, 2023

BACKGROUND

Before the Board is a resolution granting approval to an Amendment to the Master Plan for the East Beach project in the East Ocean View Redevelopment Project in Norfolk, Virginia, and authorizing East Beach Company, LLC to proceed with the development of Phase 7 of the East Beach Project.

NRHA entered into an Option Agreement on July 9, 2002 with East Beach Company, for the purchase, development, and sale of approximately ninety-nine (94) acres located northeast of Shore Drive and Pretty Lake Avenue in the East Ocean View Redevelopment Project. Since entering into the original agreement, the East Beach Company has successfully completed all prior Phases with the approximately one-acre parcel at the Shore Drive curve remaining.

NRHA and the East Beach Company have determined that changes to the Master Plan for the Project relating to the development of the last portion of Phase 7 are now appropriate. Details of the proposed changes are outlined in the attached PowerPoint and those changes were reviewed and supported by NRHA's Development Committee on August 31, 2023.

Staff recommends approval of the resolution.

Attachments:

Board Resolution

PowerPoint



Committee Notes

NRHA Board of Commissioners

Committee: NRHA's Development Committee	Meeting Date: August 31, 2023
Subject: East Beach Phase VII Presentation	Executive Contact: Michael Clark

Committee Agenda and Attendees

Attendees: Commissioners Conyers and Fraley, NRHA Interim Executive Director Michael Clark. Rock Bell, Vice President for Development with Frye Development, LLC gave the presentation.

Agenda Items included:

- Review of the East Beach development
- Efforts to develop the "Triangle" dating back to 2007
- Lenders reluctance with financing mixed-use projects
- Reasons for moving to a residential development for the site
- Proposed "Gusfiddle" plan

Policy Discussion

In July 2020, former Development Committee members Richard Gresham and Ken Benassi supported moving to a more residential development for the "Triangle" site in East Beach. The committee examined concepts for the site with the goal of creating a cutting-edge development while still honoring design elements of East Beach. Recognizing the 2020 plan was considered a work in progress, Commissioners Gresham and Benassi endorsed the residential concept.

This plan presented to Commissioners Fraley and Conyers in August 2023 is more developed than the one reviewed by the previous Development Committee and incorporates elements from the Catfiddle and Earl's Court neighborhoods in Charleston, South Carolina. Features of the new development plan aka Gusfiddle include (but are not limited to):

- Architecture similar to other styles in East Beach with the new homes strategically placed closer together and smaller pocket parks located throughout the area.
- Vehicular alleys serving as the pedestrian network with extensive use of different pavers to delineate drive areas from pedestrian paths and driveways.
- A central pedestrian promenade in the western portion of the site.
- Careful placement of planting beds to help soften the space.

The developer is currently adjusting the master plan, civil site plans and subdivision plats to accommodate these updates. Once the site plan and subdivision plat are complete, they can be submitted to the City for review and approval. The site plan review process in Norfolk can take several months to complete however, NRHA approval is needed to continue the process.

Acknowledging there will be revisions to the plan as proceeds through site plan review, Commissioners Fraley and Conyers were pleased with the presentation and support presenting to the Board of Commissioners for approval.

Attachments and Handouts

Powerpoint Presentation



Resolution Item

NRHA Board of Commissioners

Subject: Resolution Approving the Conveyance of Land in East Beach Phase VII

Executive Contact: Michael Clark

Date: November 16, 2023

BACKGROUND

Before the Board is a resolution granting approval to an Amendment to the Master Plan for the East Beach project in the East Ocean View Redevelopment Project in Norfolk, Virginia, and authorizing East Beach Company, LLC to proceed with the development of Phase 7 of the East Beach Project.

NRHA entered into an Option Agreement on July 9, 2002 with East Beach Company, for the purchase, development, and sale of approximately ninety-nine (94) acres located northeast of Shore Drive and Pretty Lake Avenue in the East Ocean View Redevelopment Project. Since entering into the original agreement, the East Beach Company has successfully completed all prior Phases with the approximately one-acre parcel at the Shore Drive curve remaining.

NRHA and the East Beach Company have determined that changes to the Master Plan for the Project relating to the development of the last portion of Phase 7 are now appropriate. Details of the proposed changes are outlined in the attached PowerPoint and those changes were reviewed and supported by NRHA's Development Committee on August 31, 2023.

Staff recommends approval of the resolution.

Attachments:

Board Resolution

PowerPoint

RESOLUTION GRANTING APPROVAL TO AN AMENDMENT TO THE MASTER PLAN
FOR THE EAST BEACH PROJECT IN THE EAST OCEAN VIEW
REDEVELOPMENT PROJECT IN NORFOLK, VIRGINIA, AND AUTHORIZING
EAST BEACH COMPANY, LLC TO PROCEED WITH THE DEVELOPMENT OF
PHASE 7 OF THE EAST BEACH PROJECT.

WHEREAS, the Norfolk Redevelopment and Housing Authority (the “Authority”) has entered into an Option Agreement dated July 9, 2002 (the “Option”) with East Beach Company, LLC, providing for the development, purchase and sale of approximately ninety-nine (94) acres of land located immediately northeast of Shore Drive and Pretty Lake Avenue in the City of Norfolk (the “Project”) as more particularly describe in the option; and

WHEREAS, the Authority has, pursuant to the terms of the Option, entered into a series of Land Disposition and Development Contracts (the “Contracts”) with East Beach Company, LLC, relating specifically to the development of various Phases of the Project; and

WHEREAS, pursuant to the Option and the Contracts, the Authority and East Beach Company, LLC, have adopted and approved the Master Plan for the development of the Project, including Phase 7, which is the last phase of the Project; and

WHEREAS, the Authority and East Beach Company, LLC, have determined that changes to the Master Plan for the Project relating to the development of the last portion of Phase 7 are now appropriate, due to the types of development that the parties deem likely of success considering the current local, regional, and national economic conditions; and

WHEREAS, East Beach Company, LLC, has previously prepared and submitted to the Authority, and the Authority has approved, a number of exhibits documenting proposed changes to the Master Plan relating to the development of Phase 7 under Contract No. 5 to allow for the and modification of the master plan approved under that contract; and

WHEREAS, East Beach Company, LLC, has prepared and submitted to the Authority exhibits documenting the proposed changes to the Master Plan relating to the development of the final portion of Phase 7 of the project to allow for the development of approximately 26 single-family homes and associated parking, landscaping and amenities; and

WHEREAS, all of the proposed changes to the Master Plan relating to the development of Phase 7 for the Project have been presented to the Authority’s staff and to the Development Committee of the Board of Commissioners and are fully acceptable to the Authority; and

WHEREAS, East Beach Company, LLC is ready to proceed with the remainder of Phase 7 of the development of the East Beach Project and is prepared to have the remaining sites fully developed by December 31, 2025.

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Norfolk Redevelopment and Housing Authority as follows:

1. It is hereby declared that the proposed changes to the Master Plan relating to the development of Phase 7 of the Project, previously presented to the Development Committee of the Board of Commissioners and presented this date to the Board of Commissioners, are consistent with the principles necessary to achieve a high quality mixed-use residential community, pursuant to the terms of the Option and the Contracts, and are hereby approved.
2. The Interim Executive Director and other officers of the Authority are hereby authorized to perform such other acts as may be required to implement the undertakings as set forth hereinabove and in the Land Disposition and Development Contract, including the execution of any such other documents expressly contemplated in the said Contract, including any Deeds, Deeds of Trust or other instruments necessary to carry out the terms of the Contract.
3. This Resolution shall take effect immediately upon its adoption.





Currently
Approved-
multifamily
with parking lot
for apartment



Concept Layout

Northwest Corner of East Beach

July 31, 2023



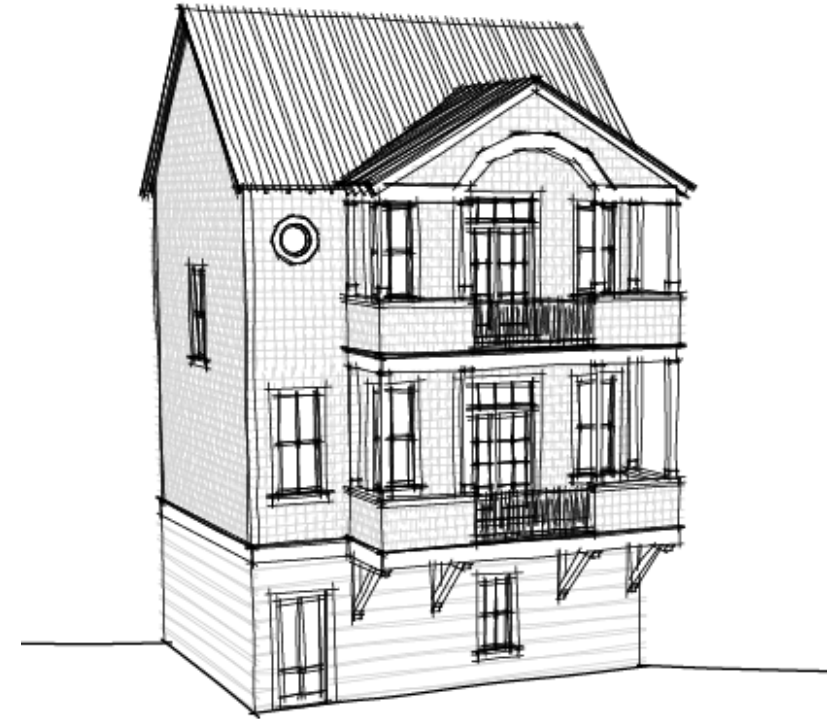
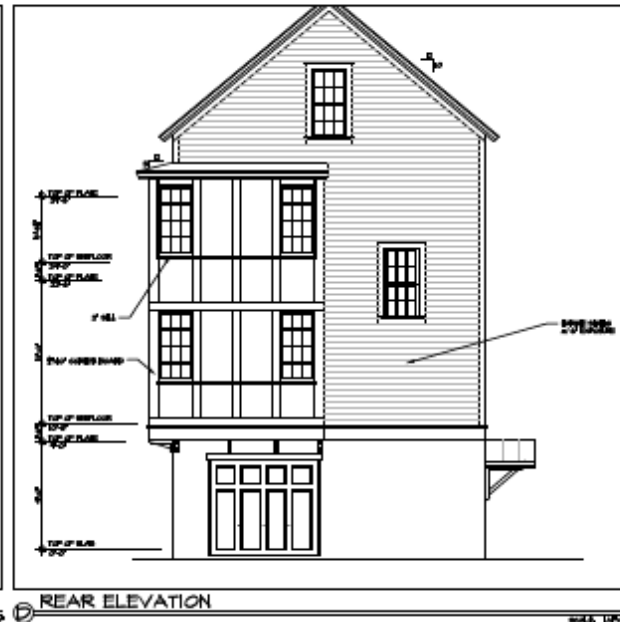
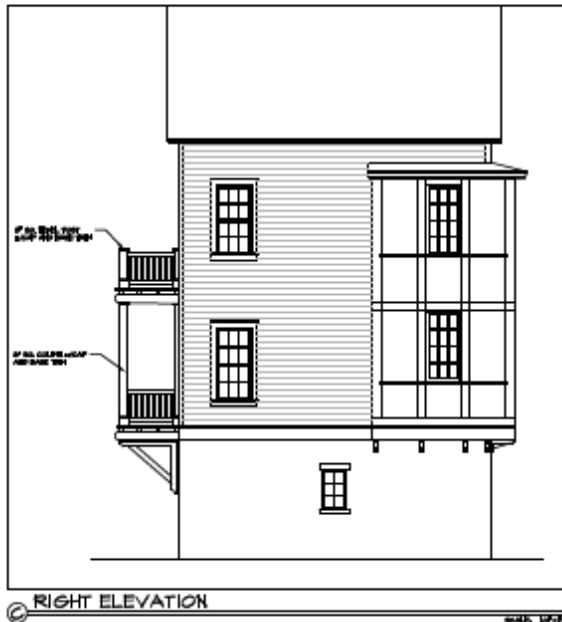
Proposed New Master Plan







Examples of Conceptual House Elevations



Comparison of originally approved 2002 Master Plan with Currently Proposed Master Plan.

Increase in the amount of single-family, decrease in overall unit count

2002 DPZ Master Plan referenced in Option Agreement								
	single fam lots	Townhouse Lots	Mixed Use lots	Total lots	single family	Town house	Multi family res units	Total res units
	LOTS				UNITS			
Phase 1	53	8	10	71	53	8	54	115
Phase 2	38	5	10	53	38	5	44	87
Phase 3	56	11	2	69	56	11	20	87
Phase 4	61	12	3	76	61	12	12	85
Phase 5	54	7	2	63	54	7	8	69
Phase 6	35	0	8	43	35	0	70	105
Phase 7	6	10	24	40	6	10	136	152
Totals	303	53	59	415	303	53	344	700
				Lots				Units
live works counted as townhouses								
Current Mix, February 2023								
	single fam lots	Townhouse Lots	Mixed Use lots	Total lots	single family	Town house	Multi family res units	Total res units
	LOTS				UNITS			
Phase 1	60	10	7	77	60	10	28	98
Phase 2	45	14	6	65	45	14	28	87
Phase 3	47	36	0	83	47	36	0	83
Phase 4	62	15	0	77	62	15	0	77
Phase 5	57	11	0	68	57	11	0	68
Phase 6	77	12	1	90	77	12	1	90
Phase 7	64	43	6	113	62	43	59	164
Totals	412	141	20	573	410	141	116	667
				Lots				Units

Comparison of Open Space, 2002 to Current

Original 2002 DPZ hand drawn										
	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6	Phase 7	Total	Beach	Total
Bayfront Path or Green	27,340	1,941	3,870	11,170	15,700	1,789	25,972	87,782		
Paths north of Pleasant	2,656							2,656		
Pleasant Ave			17,066				13,201	30,267		
Parks South of Pleasant	19,102	19,285	82,227	23,811	13,140	22,026		179,591		
Paths south of Pleasant							42,436	42,436		
Beach								-	270,095	
								-		
	60,763	25,133	124,619	45,780	34,521	29,739	81,609	402,164	270,095	672,259
acres	1.39	0.58	2.86	1.05	0.79	0.68	1.87	9.23	6.20	15.43
* note- the phase 3 pleasant ave property was originally a civic building lot, so not technically open space.										
Current (July 2023)- CAD										
	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6	Phase 7	Total	Beach	Total
Bayfront Path or Green	29,773	4,541	11,579	14,465	16,492	6,376	23,788	107,014		
Parks north of Pleasant	16,379	4,556	29,567	18,132	10,806	14,431	19,708	113,579		
Paths north of Pleasant			3,543			3,593		7,136		
Pleasant Ave			17,066				14,727	31,793		
Parks South of Pleasant	26,746	25,059	91,396	8,598	12,767	17,100	13,482	195,148		
Paths south of Pleasant			6,106			2,102	450	8,658		
Beach								-	270,095	
								-		
sq feet	72,898	34,156	159,257	41,195	40,065	43,602	72,155	463,328	270,095	733,423
acres	1.67	0.78	3.66	0.95	0.92	1.00	1.66	10.64	6.20	16.84

Joni Anderson

From: Joni Anderson
Sent: Tuesday, October 31, 2023 10:48 AM
To: k2togusa@mac.com
Subject: RE: East Beach NRHA discussion

Good morning,

Apologies for the late reply, I was out of the office on yesterday. I have received your email.

-----Original Message-----

From: k2togusa@mac.com <k2togusa@mac.com>
Sent: Sunday, October 29, 2023 3:34 PM
To: Joni Anderson <janderson@nrha.us>
Subject: East Beach NRHA discussion

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Ms. Anderson,

On Nov 16, Rock Bell will ask the NRHA for the final phase permission for the project his company (Frye properties, East Beach Developers) started with the NRHA and the city of Norfolk twenty years ago.

Last summer, it came to my attention that a group of residents presented themselves as speaking for the EBHOA to the NRHA/City council and told the NRHA that the residents did not want Frye properties to develop the final piece. This is false on two fronts - this group of residents were not deputized to speak on behalf of our HOA nor is their claim correct that a majority are not in favor of Frye properties final development.

I am the HOA president. Last April, our board, which represents the 610 households voted to support the developer completing the final piece which has become known as the "triangle lot". Subsequently, we did a survey of the neighborhood and the results of the survey reflected that the majority supported the developer.

I would also like to ask that Phil Smith not be allowed to vote on this issue as he has a deep conflict of interest. He has been actively working against the developer for two years. His appointment to the NRHA is surprising, as he has no public service record, no background in either real estate, public housing or development of any kind. He publicly worked to gain support against the developer prior to his appointment to the NRHA. Further, he could not come to terms with the developer about leasing a store. It would be difficult to prove that his vote wasn't his own personal vendetta. We need council members who support neighborhoods, understand development and are selfless in their efforts rather than working to promote their own interests.

Should you like to discuss this further, I would be happy to talk.

Thank you for taking the time to read this and I wish you the best in your new office as you work for the betterment of Norfolk.

Sincerely,

Lynette Hull

Joni Anderson

From: Michael Clark
Sent: Monday, November 6, 2023 12:16 PM
To: 'John Greene'
Cc: Don Musacchio; Joni Anderson
Subject: RE: Support for East Beach Company Triangle Plan

Email received and your comments are noted.

Thanks



Michael G. Clark

Interim Executive Director
555 East Main Street, Room 1625
PO Box 968 | Norfolk, VA 23501
757.533.4697 (direct) | 757.314.1304 (fax)
mclark@nrha.us | www.nrha.us

From: John Greene <greenie4720@yahoo.com>
Sent: Monday, November 6, 2023 12:15 PM
To: Michael Clark <mclark@nrha.us>
Cc: Don Musacchio <donmusacchio@aol.com>; Joni Anderson <janderson@nrha.us>
Subject: Support for East Beach Company Triangle Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mike,

I'm voicing my support for the most recent plan that Rock Bell from EBC briefed the EB Homeowners Association on 19 October. While it lacks some additional "green space" (i.e., native plants and trees) that I and many other owners would prefer, it does reduce the number of homes; adds or at least expands the available walkable area; eliminates a swimming pool, which there was little appetite for; and other requested changes. It is, to me at least, a far more acceptable design than the last one presented months ago, and what we understand has been worked with your staff. It's time to "move on," as NO ONE wants the only currently approved design for an apartment building there. R/John Greene, 4720 East Beach Drive

[Sent from Yahoo Mail on Android](#)

Joni Anderson

From: John Cook <mainecook@msn.com>
Sent: Monday, November 6, 2023 9:14 AM
To: Joni Anderson
Subject: Development of the Triangle area at the west end of East Beach

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr Anderson,

My name is John Cook. I have been a resident of East Beach since January 2013. I know there has been a great deal of discussion regarding the "final piece" of the East Beach Project. I would like to offer my "ten cents' worth of advice, for free. Hopefully, you find it has some value and contributes to your discussions in the upcoming NRHA meeting.

While there seems to be no limit to the number of options and concepts proposed as alternatives to the pending proposal from the East Beach Development Company, I am very concerned that disapproving the developer's proposal, which seems to be the desire of a small group of East Beach residents and some local politicians, would just lead to another long delay in "completing" East Beach. We need to finish the development and turn the community over to the complete control of its HOA .

Approving the developer's proposal for the development of the "triangle" will increase the tax base of the city of Norfolk, avoid a likely nasty legal fight, make most of the East Beach residents happy and allow the East Beach Community to move forward under the management of its HOA.

Respectfully,

John W Cook
4970 East Beach Drive

Joni Anderson

From: John Cook <mainecook@msn.com>
Sent: Monday, November 6, 2023 1:10 PM
To: Joni Anderson
Subject: Re: Development of the Triangle area at the west end of East Beach

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you

Get [Outlook for iOS](#)

From: Joni Anderson <janderson@nrha.us>
Sent: Monday, November 6, 2023 12:27:52 PM
To: John Cook <mainecook@msn.com>
Subject: RE: Development of the Triangle area at the west end of East Beach

Good afternoon,

Thank you for your email. It has been received and your comments have been noted.

Best,

Joni Anderson
Administrative Analyst
555 E. Main Street
PO Box 968 | Norfolk, VA 23501
757.314.1679 (direct) | 757.314.1405 (fax)
janderson@nrha.us | www.nrha.us

This communication is intended only for the recipient(s) named above and may be privileged or confidential. If you are not the intended recipient, any disclosure, distribution or other use is prohibited. If you received this communication in error, please contact the Norfolk Redevelopment and Housing Authority at (757) 623-1111 or by return e-mail to janderson@nrha.us.

-----Original Message-----

From: John Cook <mainecook@msn.com>
Sent: Monday, November 6, 2023 9:14 AM
To: Joni Anderson <janderson@nrha.us>
Subject: Development of the Triangle area at the west end of East Beach

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr Anderson,

My name is John Cook. I have been a resident of East Beach since January 2013. I know there has been a great deal of discussion regarding the "final piece" of the East Beach Project. I would like to offer my "ten cents' worth of advice, for free. Hopefully, you find it has some value and contributes to your discussions in the upcoming NRHA meeting.

While there seems to be no limit to the number of options and concepts proposed as alternatives to the pending proposal from the East Beach Development Company, I am very concerned that disapproving the developer's proposal, which seems to be the desire of a small group of East Beach residents and some local politicians, would just lead to another long delay in "completing" East Beach. We need to finish the development and turn the community over to the complete control of its HOA .

Approving the developer's proposal for the development of the "triangle" will increase the tax base of the city of Norfolk, avoid a likely nasty legal fight, make most of the East Beach residents happy and allow the East Beach Community to move forward under the management of its HOA.

Respectfully,

John W Cook
4970 East Beach Drive

Joni Anderson

From: Michael Clark
Sent: Thursday, November 9, 2023 11:54 AM
To: Joni Anderson
Subject: FW: Re Triangle

Michael G. Clark
Interim Executive Director
555 East Main Street, Room 1625
PO Box 968 | Norfolk, VA 23501
757.533.4697 (direct) | 757.314.1304 (fax) mclark@nrha.us | www.nrha.us

This communication is intended only for the recipient(s) named above and may be privileged or confidential. If you are not the intended recipient, any disclosure, distribution or other use is prohibited. If you received this communication in error, please contact the Norfolk Redevelopment and Housing Authority at (757) 623-1111 or by return e-mail to mclark@nrha.us

-----Original Message-----

From: Elizabeth Gay <ehgdancer@aol.com>
Sent: Friday, October 6, 2023 6:58 AM
To: Michael Clark <mclark@nrha.us>; East Homeowners Association <Messenger@associationvoice.com>
Subject: Re Triangle

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

It has come to my attention that the "Triangle" in my East Beach neighborhood has had changes made not yet presented to the affected neighbors via adequate presentation by the developer. Please require prior to approval!

Elizabeth H. Gay
4725 Hammock Lane

Sent from my iPad

Joni Anderson

From: Michael Clark
Sent: Thursday, November 9, 2023 11:46 AM
To: Joni Anderson
Subject: FW: Support for East Beach Company Triangle Plan



Michael G. Clark

Interim Executive Director
555 East Main Street, Room 1625
PO Box 968 | Norfolk, VA 23501
757.533.4697 (direct) | 757.314.1304 (fax)
mclark@nrha.us | www.nrha.us

This communication is intended only for the recipient(s) named above and may be privileged or confidential. If you are not the intended recipient, any disclosure, distribution or other use is prohibited. If you received this communication in error, please contact the Norfolk Redevelopment and Housing Authority at (757) 623-1111 or by return e-mail to mclark@nrha.us

From: John Greene <greenie4720@yahoo.com>
Sent: Monday, November 6, 2023 12:15 PM
To: Michael Clark <mclark@nrha.us>
Cc: Don Musacchio <donmusacchio@aol.com>; Joni Anderson <janderson@nrha.us>
Subject: Support for East Beach Company Triangle Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mike,

I'm voicing my support for the most recent plan that Rock Bell from EBC briefed the EB Homeowners Association on 19 October. While it lacks some additional "green space" (i.e., native plants and trees) that I and many other owners would prefer, it does reduce the number of homes; adds or at least expands the available walkable area; eliminates a swimming pool, which there was little appetite for; and other requested changes. It is, to me at least, a far more acceptable design than the last one presented months ago, and what we understand has been worked with your staff. It's time to "move on," as NO ONE wants the only currently approved design for an apartment building there. R/John Greene, 4720 East Beach Drive

[Sent from Yahoo Mail on Android](#)

Joni Anderson

From: Michael Clark
Sent: Thursday, November 9, 2023 11:54 AM
To: Joni Anderson
Subject: FW: East Beach Phase 7 Triangle Parcel



Michael G. Clark

Interim Executive Director
555 East Main Street, Room 1625
PO Box 968 | Norfolk, VA 23501
757.533.4697 (direct) | 757.314.1304 (fax)
mclark@nrha.us | www.nrha.us

This communication is intended only for the recipient(s) named above and may be privileged or confidential. If you are not the intended recipient, any disclosure, distribution or other use is prohibited. If you received this communication in error, please contact the Norfolk Redevelopment and Housing Authority at (757) 623-1111 or by return e-mail to mclark@nrha.us

From: Gary A <garnoldvb@yahoo.com>
Sent: Thursday, October 5, 2023 12:34 PM
To: Michael Clark <mclark@nrha.us>
Cc: Tommy Smigiel <thomas.smigiel@norfolk.gov>; Andria P. McClellan <andria.mcclellan@norfolk.gov>
Subject: East Beach Phase 7 Triangle Parcel

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Michael,

I've written before and spoken at one of the Board of Commissioners meetings in the Spring expressing my personal concerns about the proposed development density on the Triangle (9688 Shore Drive) and adjacent final open spaces in East Beach. My opinions are shared by many others as documented in several polls, including the developer's own poll.

It's our community's understanding that East Beach company is currently meeting with NRHA staff and Board of Commissioners subcommittees to gain preliminary recommendations for approval of their latest site plan at the October 12 Board of Commissioners meeting. It's important for you to know that this revised plan has NOT been shared with the East Beach community in any format. The developer has not held an informational meeting as required in their development agreement, either with the East Ocean View Civic League or organized through the East Beach HOA. I cannot be sure if it was presented to the East Beach HOA Board in closed session, which Rock Bell is a member of, but they have not shared any knowledge of the newest plan.

It's also our community's understanding that only two units were eliminated from the Triangle so the site plan could be reconfigured to solve the Fire Department access that was preventing them from gaining permits. This is still extremely dense, especially considering that the number of units in build-out of Phase 7 currently stands at the agreed upon limit of units as defined in the development agreement between NRHA and East Beach Company. Adding a total of twenty-six more freestanding units will bring a lot of

parking to an area already struggling with it. Taking spaces out of the parking lot compounds the parking problems.

Please put a hold on approval and land transfer of the Triangle Parcel until after the NRHA and Developer have honored the requirement to hold a public meeting to get feedback from the community. The meeting should be attended by representatives of the NRHA Board of Commissioners to hear feedback. Enforcing this requirement is critical for the community's trust that NRHA is meeting their commitment to protect neighborhoods, as well as being an informed body before project approvals.

Thank you,
Gary Arnold

4843 Coventry Lane
Norfolk, VA
m 757.416.8208

Joni Anderson

From: Michael Clark
Sent: Thursday, November 9, 2023 11:55 AM
To: Joni Anderson
Subject: FW: EB Phase 7 Proposal Approval



Michael G. Clark

Interim Executive Director
555 East Main Street, Room 1625
PO Box 968 | Norfolk, VA 23501
757.533.4697 (direct) | 757.314.1304 (fax)
mclark@nrha.us | www.nrha.us

This communication is intended only for the recipient(s) named above and may be privileged or confidential. If you are not the intended recipient, any disclosure, distribution or other use is prohibited. If you received this communication in error, please contact the Norfolk Redevelopment and Housing Authority at (757) 623-1111 or by return e-mail to mclark@nrha.us

From: MARITZA JENNINGS <maritza.jennings@icloud.com>
Sent: Wednesday, October 4, 2023 5:53 PM
To: Michael Clark <mclark@nrha.us>
Subject: EB Phase 7 Proposal Approval

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Clark,

As residents of East Beach since 2011, we have enjoyed this beautiful community and loved watching it grow to near completion. That said, the final acts of the developer have left us feeling used and unsatisfied with our city government. We bought into an urban plan, not an overbuilt cookie cutter neighborhood. For that, we could have moved to southern Virginia Beach and paid less city taxes every year. We are respectfully requesting that the NRHA not approve the transfer of land to EBC without a public presentation of the revised plan and an opportunity for the NRHA board and EOVC to hear feedback from the community regarding what is presented.

Thank you for your consideration in this matter.

Sincerely,

Maritza Jennings

East Beach homeowner

Joni Anderson

From: Michael Clark
Sent: Thursday, November 9, 2023 11:55 AM
To: Joni Anderson
Subject: FW: Opposition to East Beach Company plan to build 28 homes in the Triangle area/Phase 7



Michael G. Clark

Interim Executive Director
555 East Main Street, Room 1625
PO Box 968 | Norfolk, VA 23501
757.533.4697 (direct) | 757.314.1304 (fax)
mclark@nrha.us | www.nrha.us

This communication is intended only for the recipient(s) named above and may be privileged or confidential. If you are not the intended recipient, any disclosure, distribution or other use is prohibited. If you received this communication in error, please contact the Norfolk Redevelopment and Housing Authority at (757) 623-1111 or by return e-mail to mclark@nrha.us

From: Sandy Herbert <sjvher@gmail.com>
Sent: Wednesday, October 4, 2023 4:53 PM
To: Michael Clark <mclark@nrha.us>
Cc: Ned Herbert <nedherbert2@gmail.com>
Subject: Re: Opposition to East Beach Company plan to build 28 homes in the Triangle area/Phase 7

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr Clark,

It has come to my attention that East Beach Company is planning to make a presentation to NRHA concerning phase 7 plans on October 12 in hopes of obtaining release of the property by NRHA

As detailed below, in my email to you on May 3, I am again asking that East Beach Company restore some of the originally approved plans and that NRHA reject building 27 homes without green space on 3/4 of an acre of land. East Beach Company is not honoring their commitment to our community and to the city of Norfolk.
Sandy Herbert

On Wed, May 3, 2023 at 11:59 AM Edward Herbert <j48m53a81@gmail.com> wrote:

Dear Mr. Clark,

When I bought my house in East Beach in 2006, I bought into the concept of public green space and mixed use housing. Over the years I have seen this vision abandoned with mixed use changed to residential, less green space, and the construction of large apartment buildings on Pretty Lake Ave and Shore Drive that have no green space and surround our community. The current plans by East Beach Company to build 28 homes on the 3/4 acre Triangle area in Phase 7 continues this abandonment of the early vision. The original plans approved by NRHA were designed by Duany Plater-Zberck & Company, a master planning firm approved by NRHA that included public green space and a mixed-use community for the Triangle. Duany Plater-Zberck & Company have recently created an alternative plan to the East Beach Company's current plan that would restore some of the original elements of Phase 7 that were approved by

NRHA. I am asking the NRHA to reject the East Beach Company plan to build 28 homes on the triangle and return the original concept approved by NRHA that included public green space. This overcrowding of a small 3/4 acre plot of land with so many homes will overwhelm available parking spaces as well as eliminating work/live areas that were designed to create a village community. The original intentions are in keeping with improving Ocean View for everyone. Thank you for your consideration.

Edward Herbert

[9561 27th Bay St](#)

[Norfolk](#)

757-381-5932

j48m53a81@gmail.com



Resolution Item

NRHA Board of Commissioners

Subject: Resolution Convening a Closed Session

Executive Contact: Nathan Simms, Executive Director

Date: November 16, 2023

BACKGROUND

BE IT RESOLVED, that the Authority will convene in a closed meeting pursuant to the Virginia Freedom of Information Act, as amended (the "Act"), to discuss the following matters which are specifically exempted from public disclosure by the code section referred to below:

- Consultation with the Authority's legal counsel regarding probable or actual litigation requiring the provision of legal advice by counsel as authorized by Section 2.2-3711(A)(7) of the Act."