

**FREDERICKSBURG  
ECONOMIC  
DEVELOPMENT  
AUTHORITY**

706 Caroline Street  
Fredericksburg, VA 22401

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**ECONOMIC DEVELOPMENT AUTHORITY MINUTES (EDA)**

**February 12, 2018**

**8:30 a.m. • EDA Regular Meeting**

**Fredericksburg Center for Advanced Technology**

**1325 Central Park Blvd.**

**Fredericksburg, VA**

The Economic Development Authority of the City of Fredericksburg, Virginia met in regular session on Monday, February 12, 2018 beginning at 8:37 a.m. in Fredericksburg Center for Advanced Technology at 1325 Central Park Blvd.

**EDA MEMBERS PRESENT.** Bob Carter, Chairman, presiding. Will Mackintosh, Beth Black, Tom Crimmins, Joe Wilson, Mitzi Brown and Bill Beck.

**ABSENT.** None.

**ALSO PRESENT.** Germanna Community College: Dr. Jeanne Wesley; Martha O'Keefe; Ben Sherman; Citizen: Stacey Horne; EDA Counsel: Blanton Massey; Department of Economic Development and Tourism: Bill Freehling, Director; Angela Freeman, Business Development Manager; Amy Peregoy, Economic Development Specialist.

**DETERMINATION OF QUORUM.** Mitzi Brown.

**AGENDA.**

**MOTION** by Mitzi Brown, seconded by Will Mackintosh, the agenda was approved as presented: Ayes (6); Nays (0); Absent from Vote (1-Beck).

**PUBLIC COMMENTS.** None.

**PRESENTATION BY DR. JEANNE WESLEY, VICE PRESIDENT, ACADEMIC AFFAIRS AND WORKFORCE & PROFESSIONAL DEVELOPMENT, GERMANNA COMMUNITY COLLEGE, FREDERICKSBURG CENTER FOR ADVANCED TECHNOLOGY (FredCAT) UPDATE.** Chair Carter introduced Dr. Wesley. Dr. Wesley and Mr. Sherman presented updates since opening September 2017 on the following: number of classes (28), total headcount of classes (243), number of credentials earned by students (approximately 103), types of classes, registrations, student origination, apprenticeships, school tours, business and organization visits. A question and answer segment followed. Chair Carter thanked Dr. Wesley and Mr. Sherman for their time and hosting the EDA. The EDA was offered to tour the facility after the meeting.

**APPROVAL OF MINUTES.**

**MOTION** by Joe Wilson, seconded by Beth Black the minutes from the December 11, 2017 meeting were approved with one minor change: Ayes (7); Nays (0).

**TREASURER'S REPORT.** The financial statement and budget report for December 2017 and January 2018 were accepted and filed with the minutes. The EDA financial report for the year ended June 30, 2017 was distributed to the board. Mr. Wilson gave a brief overview.

**OLD BUSINESS.**

- a. **Adoption of Revised City Incentives Policy** – Mr. Freehling reviewed changes made by City Council to the policy. City Council should be ready to adopt on February 13. Mr. Mackintosh requested Curry Roberts name be removed from the policy. There was a brief question and answer segment followed by a discussion.

**MOTION by Tom Crimmins, seconded by Joe Wilson the board approved the adoption of the revised City Incentives Policy: Ayes (7); Nays (0).**

- b. **JumpstART Public Artwork Update** – Ms. Black stated she was very disappointed in the Arts Commission lack of interest regarding any discussions with rehabilitating the paintings and frames. The board discussed an auction or to rehabilitate and retain the paintings.

**MOTION by Mitzi Brown, seconded by Tom Crimmins the board approved for Ms. Black to obtain bids to rehab the paintings: Ayes (7); Nays (0).**

**NEW BUSINESS.**

- a. **2018 Business Appreciation Event** – Mr. Freehling informed the board the event will be held on May 3 from 5-7 p.m. He requested the event be moved to the Courtyard by Marriott. The board was in agreement to move the venue. Mr. Wilson requested a letter of appreciation be sent to Mr. Xavier Richardson to thank Mary Washington Foundation for the use of Snowden House for the past years. The Excellence in Business awards were discussed; Chair Carter requested nominations from the board during the next meeting. EDT staff will research the design of the awards.
- b. **Rezoning Application** – Mr. Freehling briefed the board on rezoning application. Mr. Conrad C. Hylton, President, of Hylton Venture, LLC has requested the EDA be appointed to act as their agent for the Gateway Boulevard PD-MC rezoning application.

**MOTION by Tom Crimmins, seconded by Joe Wilson the EDA hereby agrees to act as agent for Hylton Venture, LLC in regard to Hylton's application for rezoning and authorizes the EDA Chair, Robert Carter, to take any and all action necessary to carry out the intent of Resolution 18-01: Ayes (7); Nays (0).**

**COMMITTEE REPORTS.**

- a. **Parking Improvement Committee** – Mr. Beck and Mr. Wilson met with the College Heights Association and Ms. Lynne Richardson of UMW. They discussed the University staff and students parking on University property. The board reviewed options to assist with the issues.
- b. **Riverfront Park Taskforce** – Ms. Black informed the board there was nothing to report at this time.
- c. **Branding Committee** – Mr. Crimmins noted things were very busy with the RFP branding consultant process and would be presented this week for an approval.
- d. **Strategic Acquisitions Committee** – Mr. Crimmins and Mr. Mackintosh have been working together on a proposal.

**STAFF REPORT.**

Mr. Freehling gave updates on the following: Window Wonderland, Restaurant Week, Garden Week and the Economic Development website. Ms. Freeman gave an update on the HUBZone program.

**CHAIRMAN'S REPORT.** Chair Carter thanked the EDT staff on their good work on Fred Focus and Freehling Finds.

**BOARD MEMBERS COMMENTS.** Mr. Wilson stated his concerns regarding loitering and trash in the George Street parking lot. Mr. Freehling will notify the Police Department and Public Works Department.

**CLOSED SESSION.**

Ms. Brown moved for the adoption of Resolution 18-02 the discussion of the award of a public contract for professional legal services involving the expenditure of public funds and the discussion of the terms or scope of such contract, including terms or scope of a request for proposal for competitive negotiation, if applicable, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the Economic Development Authority of the City of Fredericksburg, Virginia, under Virginia Code §2.2-3711.A.29. Seconded by Will Mackintosh and passed by the following recorded votes: Ayes (6); Nays (0); Absent from Vote: (1-Black).

Where upon the members went into closed session.

Upon coming out of closed session, a motion was made by Ms. Brown, to adopt Resolution No. 18-03, certifying the proper conduct of the closed session. Seconded by Bill Beck; the motion was passed: Ayes (7); Nays (0).

A motion was made by Joe Wilson, seconded by Tom Crimmins; the EDA hereby accepts the terms of engagement set forth in the McDermott proposal dated February 5, 2018, obligating the EDA to an amount not to exceed \$40,000 for services rendered from February 1, 2018 until September 30, 2018, and authorizes the EDA Chair, Robert Carter, to take any and all action necessary to carry out the intent of Resolution 18-04 the motion was passed: Ayes (7); Nays (0).

Mr. Mackintosh excused himself from the meeting.

Ms. Brown moved for the adoption of Resolution 18-05 the acquisition of real property for the purpose of discussion or consideration of acquisition of real property for a public purpose, specifically, to acquire and enhance the attractiveness, usage and marketability of a vacant or underutilized parcel of real estate in the City of Fredericksburg, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Economic Development Authority, under Virginia Code 2.2-3711.A.3. Seconded by Bill Beck and passed by the following recorded votes: Ayes (6); Nays (0); Absent from Meeting (1-Mackintosh).

Where upon the members went into closed session.

Upon coming out of closed session, a motion was made by Mitzi Brown, to adopt Resolution No. 18-06, certifying the proper conduct of the closed session. Seconded by Bill Beck; the motion was passed: Ayes (6); Nays (0); Absent from Meeting (1-Mackintosh).

**ADJOURNMENT.** There being no further business to come before the Economic Development Authority at this time, Chair Carter declared the meeting officially adjourned at 10:43 a.m.

  
Mitzi Brown, Secretary

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**RESOLUTION 18-01 REGULAR EDA MEETING**

Proposal by: Crimmins  
Seconded by: Wilson

**RE: Hylton Venture LLC**

WHEREAS, the United States Department of Veterans Affairs (VA) seeks to lease land for an outpatient clinic in a delineated area which includes the City of Fredericksburg, and

WHEREAS, sites within the City of Fredericksburg offer better matches to the criteria for selection than those outside the City, of which City sites the adjoining sites owned by Hylton Venture LLC ("Hylton"), identified as GPIN 7769-93-9151 (3.77 acres), GPIN 7779-03-1528 (7.16 acres), GPIN 7769-94-7825 (77.97 acres) and GPIN 7779-02-1758 (1.16 acres) best match the criteria, and

WHEREAS, the EDA has been asked to serve as the agent for Hylton in applying for rezoning said parcel from CH/R2 to PD-MC, to accommodate the VA facility,

NOW, THEREFORE, RESOLVED, that the EDA hereby agrees to act as agent for Hylton in regard to Hylton's application for rezoning and authorizes the EDA Chair, Robert Carter, to take any and all action necessary to carry out the intent of this Resolution.

**Date of Adoption: February 12, 2018**

**AYES: 7**

**NAYS: 0**

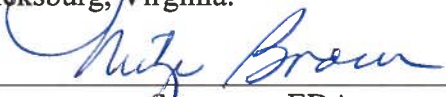
CERTIFICATION:

Secretary's Certificate

I, the undersigned, certify that I am the Secretary for the Economic Development Authority of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution 18-01 duly adopted at a meeting of the Economic Development Authority held on February 12, 2018, at which a quorum was present and voted.

Given under my hand and the official seal of the Economic Development Authority of the City of Fredericksburg, Virginia.

Date: 2/12/2018

  
\_\_\_\_\_  
Secretary, EDA

**Resolution 18-02 for Economic Development Authority to Hold Closed Meeting Under  
The Virginia Freedom of Information Act**

Date of Adoption: February 12, 2018

Proposed by: Brown  
Seconded by: Mackintosh

Vote: Ayes: 6; Nays: 0; Absent from Vote: 1-Black

Resolved that the Economic Development Authority convene a closed meeting under the Virginia Freedom of Information Act in order to discuss:

**Personnel** – specific City officers, appointees, or employees, for the purpose of considering such person’s assignment, appointment, promotion, performance, demotion, salary, disciplining, or resignation, under Virginia Code **§2.2-3711.A.1**

**Real Property** -

**the acquisition of real property**

for the purpose of discussing acquisition of real property for a public purpose, specifically, the expansion of an existing recreation facility, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Economic Development Authority, under Virginia Code 2.2-3711(A)(3).

**the disposition of publicly held real property,**

**Prospective Business** -

**a prospective business or industry, OR**

**the expansion of an existing business or industry,**

for the purpose of holding a discussion concerning financial assistance to a prospective business or industry in the form of a grant for capital investment, including renovation of facilities and purchase of equipment in facilities which the applicant will lease in the City of Fredericksburg, where no previous announcement has been made of the business or industry’s interest in locating or expanding its facilities in the community, under Virginia Code **§2.2-3711.A.5.**

**Legal Matters** -

**actual litigation** specifically, \_\_\_\_\_,

\_\_\_\_\_ with legal counsel, where such consultation in open session would adversely affect the negotiating or litigating posture of the Economic Development Authority, **OR**

**probable litigation** with legal counsel, staff, or consultants, where (1) litigation has been specifically threatened or on which the Economic Development Authority or its counsel has a reasonable basis to believe will be commenced by or against a known party, and (2) such consultation in open session would adversely affect the negotiating or litigating posture of the Economic Development Authority, **OR**

**legal matters,** \_\_\_\_\_, with counsel, where such matters require the provision of legal advice, under Virginia Code **§2.2-3711.A.7.**


**Other** – (Specify subject matter, purpose of discussion, and applicable Code Section) The discussion of the award of a public contract for professional legal services involving the expenditure of public funds and the discussion of the terms or scope of such contract, including terms or scope of a request for proposal for competitive negotiation, if applicable, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the Economic Development Authority of the City of Fredericksburg, Virginia, under Virginia Code **§2.2-3711.A.29.**

Secretary's Certificate

I, the undersigned, certify that I am the Secretary for the Economic Development Authority of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution 18-02 duly adopted at a meeting of the Economic Development Authority held on February 12, 2018, at which a quorum was present and voted. Given under my hand and the official seal of the Economic Development Authority of the City of Fredericksburg, Virginia.

Date:

3/12/2018

  
Secretary, EDA

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**RESOLUTION 18-03 CERTIFICATION OF CLOSED EDA MEETING**

Proposal by: Brown  
Seconded by: Beck

**IT IS HEREBY RESOLVED** by the Economic Development Authority of the City of Fredericksburg, Virginia, as follows:

**WHEREAS**, the Authority has convened a closed meeting under **subdivision 29** of Virginia Code §2.2-3711, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law (Chapter 37 of Title 2.2) were heard, discussed or considered in such closed meeting, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the Authority.


**Date of Adoption: February 12, 2018**

**AYES: 7**  
**NAYS: 0**  
**ABSENT FROM VOTE: 0**

**CERTIFICATION:** Secretary's Certificate  
I, the undersigned, certify that I am the Secretary for the Economic Development Authority of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution 18-03 duly adopted at a meeting of the Economic Development Authority held on February 12, 2018, at which a quorum was present and voted.

Given under my hand and the official seal of the Economic Development Authority of the City of Fredericksburg, Virginia.

Date: 5/12/2018

  
Secretary, EDA

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**RESOLUTION NO. 18-04 REGULAR EDA MEETING**

Proposal by: Wilson  
Seconded By: Crimmins

**RE: McDermott Will & Emery LLP**

WHEREAS, the United States Department of Veterans Affairs (VA) seeks to lease land for an outpatient clinic in a delineated area which includes the City of Fredericksburg, and

WHEREAS, sites within the City of Fredericksburg offer better matches to the criteria for selection than those outside the City, and

WHEREAS, the EDA has agreed to participate in the costs of hiring McDermott Will & Emery LLP ("McDermott") to represent the EDA in advising and assisting the EDA in the EDA's efforts to have the Department of Veterans Affairs locate its facility in the City of Fredericksburg,

NOW, THEREFORE, RESOLVED, that the EDA hereby accepts the terms of engagement set forth in the McDermott proposal dated February 5, 2018, obligating the EDA to an amount not to exceed \$40,000.00 for services rendered from February 1, 2018 until September 30, 2018, and authorizes the EDA Chair, Robert Carter, to take any and all action necessary to carry out the intent of this Resolution.

**Date of Adoption: February 12, 2018**

**AYES: 7  
NAYS: 0**

CERTIFICATION:

Secretary's Certificate

I, the undersigned, certify that I am the Secretary for the Economic Development Authority of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution 18-04 duly adopted at a meeting of the Economic Development Authority held on February 12, 2018, at which a quorum was present and voted.

Given under my hand and the official seal of the Economic Development Authority of the City of Fredericksburg, Virginia.

Date: 2/12/2018

  
Secretary, EDA



**Resolution 18-05 for Economic Development Authority to Hold Closed Meeting Under  
The Virginia Freedom of Information Act**

Date of Adoption: February 12, 2018

Proposed by: Brown  
Seconded by: Beck

Vote: Ayes: 6; Nays: 0; Absent from Meeting: 1-Mackintosh

Resolved that the Economic Development Authority convene a closed meeting under the Virginia Freedom of Information Act in order to discuss:

**Personnel** – specific City officers, appointees, or employees, for the purpose of considering such person’s assignment, appointment, promotion, performance, demotion, salary, disciplining, or resignation, under Virginia Code §2.2-3711.A.1, more particularly, the performance of the Director of the Department of Economic Development & Tourism of the City of Fredericksburg, VA.

**Real Property** -

**the acquisition of real property**

for the purpose of discussion or consideration of acquisition of real property for a public purpose, specifically, to acquire and enhance the attractiveness, usage and marketability of a vacant or underutilized parcel of real estate in the City of Fredericksburg, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Economic Development Authority, under Virginia Code 2.2-3711.A.3.

**the disposition of publicly held real property,**

**Prospective Business** -

**a prospective business or industry, OR**

**the expansion of an existing business or industry,**

for the purpose of holding a discussion concerning : \_\_\_\_\_ ,  
where no previous announcement has been made of the business or industry’s interest in locating or expanding its facilities in the community, under Virginia Code §2.2-3711.A.5.

**Legal Matters** -

**actual litigation** specifically, \_\_\_\_\_

with legal counsel, where such consultation in open session would adversely affect the negotiating or litigating posture of the Economic Development Authority, **OR**

**probable litigation** with legal counsel, staff, or consultants, where (1) litigation has been specifically threatened or on which the Economic Development Authority or its counsel has a reasonable basis to believe will be commenced by or against a known party, and (2) such consultation in open session would adversely affect the negotiating or litigating posture of the Economic Development Authority, **OR**


**legal matters,** \_\_\_\_\_, with counsel, where such matters require the provision of legal advice, under Virginia Code §2.2-3711.A.7.

**Other** – (Specify subject matter, purpose of discussion, and applicable Code Section)

Secretary's Certificate

I, the undersigned, certify that I am the Secretary for the Economic Development Authority of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution 18-05 duly adopted at a meeting of the Economic Development Authority held on February 12, 2018, at which a quorum was present and voted. Given under my hand and the official seal of the Economic Development Authority of the City of Fredericksburg, Virginia.

Date: 3/12/2018

  
\_\_\_\_\_  
Secretary, EDA

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**RESOLUTION 18-06 CERTIFICATION OF CLOSED EDA MEETING**

Proposal by: Brown  
Seconded by: Beck

**IT IS HEREBY RESOLVED** by the Economic Development Authority of the City of Fredericksburg, Virginia, as follows:

**WHEREAS**, the Authority has this date convened a closed meeting under Virginia Code §2.2-3711.A.3, pursuant to an affirmative recorded vote adopting **Resolution 18-06** and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Authority hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law (Chapter 37 of Title 2.2) were heard, discussed or considered in such closed meeting, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the Authority.

**Date of Adoption: February 12, 2018**

**AYES: 6**

**NAYS: 0**

**ABSENT FROM MEETING: 1-**  
Mackintosh


**CERTIFICATION:**

Secretary's Certificate

I, the undersigned, certify that I am the Secretary for the Economic Development Authority of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution 18-06 duly adopted at a meeting of the Economic Development Authority held on February 12, 2018, at which a quorum was present and voted.

Given under my hand and the official seal of the Economic Development Authority of the City of Fredericksburg, Virginia.

Date: 2/12/2018

  
Secretary, EDA