

COMMISSIONERS' SPECIAL BOARD MEETING

*May 28, 2024*

**Resolution(s) Passed:**

24-09 Resolution approving contracts for Legal Services between Richmond Redevelopment and Housing Authority and award to two responsible offerors, Fox Rothschild LLP and McGuireWoods LLP and Harrell & Chambliss and authorizing the Chief Executive Officer, or their designee, to execute the Contracts on behalf of Richmond Redevelopment and Housing Authority

**MOTION:** (Parker/Lewis) Move to Adopt Resolution #1

**VOTE: Aye:** Hardiman, Jackson, Johnson, Lewis, Parker, Pitchford

**ABSTAIN:** None

**ABSENT:** Blount, Broidy, Elliott

24-10 Resolution approving a contract for the Grass and Grounds Maintenance Services between Richmond Redevelopment and Housing Authority and The Ground Guys of West End and authorizing the Chief Executive Officer, or his designee, to execute the Contract on behalf of Richmond Redevelopment and Housing Authority

**MOTION:** (Hardiman/Jackson) Move to Adopt Resolution #2

**VOTE: Aye:** Hardiman, Jackson, Johnson, Lewis, Parker, Pitchford

**ABSTAIN:** None

**ABSENT:** Blount, Broidy, Elliott

24-11 Resolution approving the Low-Income Public Housing Flat Rent for the Year 2024

**MOTION:** (Parker/Hardiman) Move to Adopt Resolution #3

**VOTE: Aye:** Hardiman, Jackson, Johnson, Lewis, Parker, Pitchford

**ABSTAIN:** None

**ABSENT:** Blount, Broidy, Elliott

24-12 Resolution adopting Revisions to RRHA's Bylaws

**MOTION:** (Hardiman/Lewis) Move to Adopt Resolution #4

**VOTE: Aye:** Hardiman, Jackson, Johnson, Lewis, Parker, Pitchford

**ABSTAIN:** None

**ABSENT:** Blount, Broidy, Elliott

24-13 Resolution authorizing the Richmond Redevelopment and Housing Authority's Chief Executive Officer, or His Designee, to execute and deliver the Ground Lease and any and all documents required to consummate the transactions contemplated in Ground Lease for Phase B of the Creighton Court Redevelopment

**MOTION:** (Hardiman/Lewis) Move to Adopt Resolution #5  
**VOTE: Aye:** Hardiman, Jackson, Johnson, Lewis, Parker, Pitchford  
**ABSTAIN:** None  
**ABSENT:** Blount, Broidy, Elliott

24-14 Resolution Authorizing the Richmond Redevelopment and Housing Authority's Chief Executive Officer, or His Designee, to execute an Amendment to the Master Development Agreement with The Community Builders, Inc.

**MOTION:** (Hardiman/Jackson) Move to Adopt Resolution #6  
**VOTE: Aye:** Hardiman, Jackson, Johnson, Lewis, Parker, Pitchford  
**ABSTAIN:** None  
**ABSENT:** Blount, Broidy, Elliott

MINUTES OF THE SPECIAL MEETING  
OF THE COMMISSIONERS OF  
RICHMOND REDEVELOPMENT AND HOUSING AUTHORITY  
HELD AT 600 EAST BROAD STREET, 5<sup>TH</sup> FLOOR BOARDROOM  
IN RICHMOND, VIRGINIA  
ON TUESDAY, MAY 28, 2024, 5:30 P.M.

**Board of Commissioners**

Charlene Pitchford, Vice Chair  
Barrett Hardiman  
Gregory Lewis  
Edward L. Jackson, Jr.  
Harold Parker, Jr. r

**Absent**

Veronica Blount  
Dyanne Broidy  
Kyle Elliott

**In Attendance Via GoToMeeting**

W. R. “Bill” Johnson, Jr., Chair

**RRHA Staff**

Steven Nesmith, Chief Executive Officer  
Tonise Webb, Associate Lead Counsel  
Kenyatta Green, Senior Vice President of Affordable Housing  
Precious Washington, Senior Vice President and Chief Financial Officer  
Alicia Garcia, Vice President of Real Estate and Community Development  
Colene Orsini, Vice President of Procurement and Contract Administration

**Counsel**

Gerald Carter, Counsel

**Call To Order**

Vice Chair Charlene Pitchford called the meeting to order at 5:32 p.m. A quorum was established.

Commissioner W. R. “Bill” Johnson participated in the May 28, 2024 special board meeting remotely from his home in Richmond, VA for medical reasons.

**Motion (*Hardiman/Lewis*) Move to allow Chair W. R. “Bill” Johnson to participate in the May 28, 2024 Board of Commissioners Meeting remotely.**

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott**

### **Citizens Comment Period**

*Nathan Silveria* addressed the Board of Commissioners regarding RRHA's application process.

*Shakia Warden* addressed the Board of Commissioners regarding the Housing Choice Voucher Program.

*Umar Kenyatta* addressed the Board of Commissioners regarding the need to help children in RRHA's public housing communities.

*Lacrecia Harris* signed up to address the Board of Commissioners but was not present when called upon to speak.

*Keisha Cummings* signed up to address the Board of Commissioners but was not present when called upon to speak.

### **Chair Updates**

Chair W. R. "Bill" Johnson provided comments about attending board and committee meetings. He stated that it is of utmost importance that all Commissioners make a concerted effort to attend board meetings, be on time and be respectful of all the hard work that staff put into these meetings. He added that to not have board attendance at these meetings is not acceptable.

### **Resolutions**

***Agenda Item No. 1*** – Resolution approving contracts for Legal Services between Richmond Redevelopment and Housing Authority and award to two responsible offerors, Fox Rothschild LLP and McGuireWoods LLP and Harrell & Chambliss and authorizing the Chief Executive Officer, or their designee, to execute the Contracts on behalf of Richmond Redevelopment and Housing Authority

**(24-09)** WHEREAS, the Richmond Redevelopment and Housing Authority ("RRHA") issued a Request for Proposals on February 14, 2024, for Legal Services ("the Services"); and

WHEREAS, Fox Rothschild LLP and, McGuireWoods LLP and Harrell & Chambliss were the qualified respondents for the Services; and

WHEREAS, the Board of Commissioners of RRHA must take appropriate official action to approve the Contracts and to authorize the Chief Executive Officer, or their designee, to execute the Contracts on behalf of RRHA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of RRHA that Steven Nesmith, in his capacity as Chief Executive Officer, is authorized to execute Contracts between RRHA and Fox Rothschild LLP for a two (2) two-year term not to exceed \$800,000.00., with a one-year renewal option of \$400,000 the total value of the contract, inclusive of the renewal options, shall not exceed \$1,200,000 and; McGuireWoods LLP and Harrell & Chambliss for a two (2) year term not to exceed \$800,000, with a one-year renewal option of \$400,000 each; the total value of the contract, inclusive of the renewal options, shall not exceed \$1,200,000. The accumulated total value of both contracts shall not exceed \$2,400,000 over the three-year period of the contracts.

**Motion (Parker/Lewis) Move to adopt Resolution #1**

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott**

**Agenda Item No. 2** – Resolution approving a contract for the Grass and Grounds Maintenance Services between Richmond Redevelopment and Housing Authority and The Ground Guys of West End and authorizing the Chief Executive Officer, or his designee, to execute the Contract on behalf of Richmond Redevelopment and Housing Authority

(24-10) WHEREAS, the Richmond Redevelopment and Housing Authority ("RRHA") will enter into a Contract with The Grounds Guy of West End to provide Grass and Grounds Maintenance Services, and;

WHEREAS, the Contract will be entered into for an amount not to exceed \$234,240.22 for a period of one year; and

WHEREAS, it is necessary for the Board of Commissioners of RRHA to take appropriate official action to approve the contract award and to authorize the Chief Executive Officer, or his designee, to execute the Contract renewal on behalf of RRHA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of RRHA that Steven B. Nesmith, in his capacity as Chief Executive Officer, is authorized to execute a one-year contract for Grass and Ground Maintenance Services with The Grounds Guys of West End. The contract will be for a total of \$234,240.22 for one year.

**Motion (Hardiman/Jackson) Move to adopt Resolution #2**

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott**

**Agenda Item No. 3** – Resolution approving the Low-Income Public Housing Flat Rent for the Year 2024

**(24-11)** WHEREAS, by Resolution 14-33 approved on September 17, 2014, the Board of Commissioners (the “Board”) of the Richmond Redevelopment and Housing Authority (“RRHA”) approved and accepted the implementation of the complete Flat Rent Schedule for staff to provide to tenants a choice of rent in accordance with 24 CFR 960.253 and RRHA’s Admissions and Continued Occupancy Policy (“ACOP”); and

WHEREAS, the Flat Rent became effective on October 1, 2014 and RRHA has set its flat rental amount at no less than 80% of the applicable Fair Market Rent (FMR) adjusted, if necessary to account for reasonable utility cost;

WHEREAS, RRHA has continued to implement flat rent at no less than 80% of the applicable FMR on an annual basis and must implement the flat rental amounts to 80% of the published FMR for the year 2024 following the Flat Rent Schedule attached hereto as Exhibit A; and

WHEREAS, RRHA desires to set the flat rent for an efficiency bedroom to \$1,062; and

WHEREAS, RRHA desires to set the flat rent for a one-bedroom size unit to \$1,092; and

WHEREAS, RRHA desires to set the flat rent for a two-bedroom size unit to \$1,226; and

WHEREAS, RRHA desires to set the flat rent for a three-bedroom size unit to \$1,567; and

WHEREAS, RRHA desires to set the flat rent for a four-bedroom size unit to \$1,914; and

WHEREAS, RRHA desires to set the flat rent for a five-bedroom size unit to \$2,202; and

WHEREAS, RRHA desires to set the flat rent for a six-bedroom size unit to \$2,532; and

WHEREAS, RRHA applied the above flat rental amounts effective January 1, 2024; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes, approves, adopts, ratifies, and confirms in all respects the implementation of the 2024 flat rental amounts as described above in accordance with 24 CFR 960.253 and the Admissions and Occupancy Policy.

**Motion (*Parker/Hardiman*) Move to adopt Resolution #3**

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott**

***Agenda Item No. 4*** – Resolution adopting Revisions to RRHA’s Bylaws

(24-12) WHEREAS, RRHA, in accordance with relevant law and regulation, adopted Bylaws of the Richmond Redevelopment and Housing Authority (the “Bylaws”); and

WHEREAS, RRHA, with input from the Governance Committee of the Board of Commissioners, and in accordance with relevant law and regulation, has proposed revised Bylaws, as more particularly shown in Exhibit A, attached hereto; therefore

BE IT RESOLVED that RRHA’s Board of Commissioners hereby adopts the proposed Bylaws, as more particularly shown in Exhibit A, attached hereto.

**Motion (*Hardiman/Lewis*) Move to adopt Resolution #4**

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott**

***Agenda Item No. 5*** – Resolution authorizing the Richmond Redevelopment and Housing Authority’s Chief Executive Officer, or His Designee, to execute and deliver the Ground Lease and any and all documents required to consummate the transactions contemplated in Ground Lease for Phase B of the Creighton Court Redevelopment

(24-13) WHEREAS, by Resolution 15-01 approved on January 21, 2015, the Board of Commissioners (the “Board”) of Richmond Redevelopment and Housing Authority (“RRHA”) authorized and directed the Chief Executive Officer to execute and deliver the Master Development Agreement (the “MDA”) between RRHA and The Community Builders, Inc (the “Developer”) for the revitalization of the Whitcomb Court/Eastview area and the Creighton Court/Nine Mile Road area, including any changes acceptable to the Chief Executive Officer; and

WHEREAS, as required by the executed MDA, RRHA and the Developer have negotiated the terms of the Ground Lease for Phase B of the Creighton Court Redevelopment setting forth the obligations of RRHA and Creighton Court Phase B LLC, the owner entity, including the payment of rent in the amount of \$850,000;

WHEREAS, it is necessary for the Board of RRHA to take appropriate official action to approve the Ground Lease and rent payable thereunder in the amount of \$850,000 and to authorize the Chief Executive Officer, or his designee, to execute and

deliver the Ground Lease and any and all documents required in connection with consummating the transactions contemplated in the Ground Lease on behalf of RRHA;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of RRHA;

1. That the Ground Lease is hereby authorized, approved, adopted, ratified, and confirmed in all respects; and
2. That the Board of RRHA does specifically approve and authorize RRHA's Chief Executive Officer, or his designee, acting on behalf of RRHA, to execute and deliver the Ground Lease which provides for the payment of rent in the amount of \$850,000, with any changes thereto acceptable to the Chief Executive Officer, or his designee; and
3. That the Chief Executive Officer, or his designee, is authorized and directed to negotiate, execute, and deliver any and all documents required to consummate the transactions contemplated in the Ground Lease, including, without limitation, all closing documents required for Phase A of Creighton Court Redevelopment and any other agreements to effectuate the intent of this resolution.

**Motion (*Hardiman/Jackson*) Move to adopt Resolution #5**

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott**

***Agenda Item No. 6*** – Resolution Authorizing the Richmond Redevelopment and Housing Authority's Chief Executive Officer, or His Designee, to execute an Amendment to the Master Development Agreement with The Community Builders, Inc.

(24-14) WHEREAS, Richmond Redevelopment and Housing Authority ("RRHA") and The Community Builders, Inc. (the "Developer") previously entered into that certain Master Development Agreement, dated January \_\_\_\_, 2015 and executed by Developer on January 19, 2015 and by RRHA on February 5, 2015 (the "MDA"); and

WHEREAS, RRHA and Developer subsequently entered into certain amendments to the MDA; and

WHEREAS, RRHA and Developer now desire to further amend the MDA, as more particularly described in that certain "Addendum No. 6 to Master Development Agreement Regarding Development Services for Creighton Court Phase B" attached hereto as Exhibit A; now, therefore:

BE IT RESOLVED, that the Amendments are hereby authorized, approved, adopted, ratified, and confirmed in all respects; and

BE IT FURTHER RESOLVED, by the Board of Commissioners of RRHA that the Chief Executive Officer, or his designee, is authorized and directed to execute and deliver Addendum No. 6 to the Master Development Agreement between RRHA and Developer; and

BE IT FINALLY RESOLVED, by the Board of Commissioners of RRHA that the Chief Executive Officer, or his designee, is authorized and directed to negotiate, execute, and deliver any other document reasonably necessary to complete RRHA's obligations under Addendum No. 6.

**Motion (*Hardiman/Jackson*) Move to adopt Resolution #6**

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott**

**Closed Session**

At 6:24 p.m., Vice Chair Pitchford asked to go into Closed Session and read the following motion:

*I move that we go into a closed meeting to (1) consult with legal counsel regarding legal matters requiring the provision of legal advice and consult with legal counsel and staff about actual or probable litigation; specifically, matters related to lease enforcement as permitted by Section 2.2-3711(A)(7) and Section 2.2-3711(A)(8) of the Virginia Freedom of Information Act and (2) to discuss the performance and salary of an RRHA employee as permitted by Section 2.2-3711(A)(1) of the Virginia Freedom of Information Act.*

**Motion: (Pitchford/Hardiman) Move to go into Closed Session.**

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott**

At 6:46 p.m., the Board of Commissioners came out of Closed Session.

***CERTIFICATION OF CLOSED MEETING***

WHEREAS, the Board of Commissioners of Richmond Redevelopment and Housing Authority (the "Board") 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.

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

NOW, THEREFORE, BE IT RESOLVED that the Board 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 were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board

***Motion: (Hardiman/Lewis) Move to come out of Closed Session***

**Motion Carried Unanimously**

**Absent: Blount, Broidy, Elliott, Parker**

**Adjournment**

There being no further business, the meeting adjourned at 6:47 p.m.

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Chairman

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Chief Executive Officer/Secretary