

MINUTES
ECONOMIC DEVELOPMENT AUTHORITY
OF THE CITY OF NORFOLK
Wednesday, January 4th, 2017
Department of Development
500 E. Main Street, Suite 1500
Norfolk, VA 23510

Present:

Directors

Robert E. Garris, Jr. - Presiding
Michael Lee
Jeffrey Brooke
Kim Brown
Wayne Coleman
Michael Cox
Jaeson Dandalides
Richard Ottinger
W. Craig Reilly
Antonio Sisco

Counsel

George Consolvo – Kaufman & Canoles

Advisory Committee

Christine Garczynski – Director of Finance

Staff

Chuck Rigney – Executive Director
Andrew Yancey - Secretary-Treasurer
Dawn Ryan - Assistant Secretary-Treasurer

Guests

Glenn Hudson – Dept. of Development
Betty Myers – Finance & Procurement
Eric Hartley – Virginian Pilot
Jared Chalk – Dept. of Development

Absent

Ursula Rhodes

MEETING CALLED TO ORDER

A regular meeting of the Economic Development Authority of the City of Norfolk (the EDA) was held on January 4th, 2017. Chairman Garris called the meeting to order at 7:31 a.m. Chairman Garris welcomed the guests present at the meeting.

ANNOUNCEMENTS

Chairman Garris asked Mr. Consolvo to remind the Board members of their annual Conflict of Interest Statements that are due back to the City Clerk's office by January 15th, 2017. Chairman Garris advised the Board that Mr. Sisco was reappointed by City Council for another 4-year term ending in 2020. Mr. Consolvo noted that Mr. Sisco has not yet retaken his oath so he will not be able to vote on matters before the Board and will have to abstain voting during the meeting.

NEW BUSINESS

Chairman Garris asked Mr. Consolvo to explain the resolution approving the policy that provides for participation by remote means. Mr. Consolvo advised that the statute has two very limited provisions allowing participation by remote means and the policy identifies those provisions. Mr. Consolvo also advised that the statute also provides that the EDA may not utilize those very limited exceptions unless the EDA has a policy establishing those exceptions. (Attachment #1). Mr. Consolvo presented the policy and a resolution approving the policy. (Attachment #2). The policy tracks what Virginia FOIA provides regarding participating by remote means: (a) if there is an emergency or personal matter and the Member has informed the Chair in advance of the meeting and this body by resolution authorizes participation by remote means at that meeting and (b) permanent or temporary disability or other medical condition that prevents attendance in person. Virginia FOIA also provides that there has to be a quorum physically present and, with respect to an emergency or personal matter, a Member may only utilize that exception twice in a calendar year. There is also an exception if the Governor declares an emergency. There were no questions for Mr. Consolvo.

Upon a motion by Mr. Lee, and seconded by Ms. Brown, the resolution approving the policy that provides for participation by remote means was adopted. Vote: 9-0-1. Mr. Sisco abstained.

ENDORSEMENT OF HREDA

Mr. Rigney was asked to recap Mr. Rick Weddle’s presentation from last month’s meeting before the Board. He explained that Mr. Weddle’s role with the HREDA is to reestablish a much more effective prospect generating organization and he has requested the endorsement of the City of Norfolk and EDA board as it relates to the HREDA strategic plan and financial contributions to HREDA all subject to annual appropriations. Mr. Rigney noted that the endorsement of the City of Norfolk is currently only through this fiscal year. The sense of the Board was to approve the strategy but defer financial support beyond the current fiscal year.

Upon a motion by Mr. Lee, and seconded by Mr. Reilly, the EDA endorsed the HREDA Strategic Plan as presented at last month’s meeting for the year 2017. Vote: 9-0-1. Mr. Sisco abstained.

OLD BUSINESS

Chairman Garris asked Mr. Rigney to discuss the Track Patch loan application withdrawal.

CLOSED SESSION

Mr. Ottinger was asked to propose a resolution to enter into a closed session regarding the Embody LLC loan application.

“Mr. Chairman, I move that the Directors of the Economic Development Authority of the City of Norfolk meet in closed session, as allowed by Section 2.2-3711(A)(40) and Section 2.2-3705.6(3) of the Virginia Code, to discuss propriety information, voluntarily provided by Embody LLC pursuant to a promise of confidentiality from the Economic Development Authority of the City of Norfolk, used by this Authority for business, trade and tourism development or retention, specifically the making of a \$150,000 working capital loan to Embody LLC.” Seconded by Mr. Brook. Vote 9-0-1, Mr. Sisco abstained. Calling for a roll call vote to enter into closed session, Mr. Brook, Ms. Brown, Mr. Coleman,

Mr. Cox, Mr. Dandalides, Mr. Lee, Mr. Ottinger, Mr. Reilly, and Mr. Garris all so voted.

After the closed session was concluded, Mr. Ottinger proposed a resolution affirming that only the Embody LLC matter was discussed in the closed session and such motion was unanimously carried by roll call vote, Mr. Sisco abstaining.

EMBODY LOAN APPLICATION

After the closed session and discussion of the Embody LLC credit review, the Board agreed that the loan committee and loan review committee had both done a thorough job and the Chairman called for a motion to approve a \$150,000 loan to Embody LLC.

Upon a motion by Mr. Lee, and seconded by Mr. Brooks, the Board approved the loan application for Embody LLC and the making of the loan. Mr. Sisco abstained from the vote. The vote was 9-0-1.

MINUTES

Chairman Garris asked the Board to review the minutes in their packets. Hearing no questions or adjustments, he asked for a motion to approve the December 7th, 2016 minutes.

Upon a motion by Mr. Brooks, and seconded by Mr. Lee, the Board approved those minutes. Mr. Coleman, Mr. Sisco and Mr. Cox abstained from the vote. The vote was 6-0-3.

ADJOURNMENT

A motion was made, seconded and approved to adjourn the meeting at 8:42 a.m.

Approved by Robert E. Garris, Jr.

- Attachments: 1. Resolution regarding policy for remote meeting participation.
2. Policy Regarding Attendance of meeting by means of remote location