

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF THE
REDEVELOPMENT AUTHORITY OF THE COUNTY OF LANCASTER
JUNE 22, 2021
IMMEDIATELY FOLLOWING THE 4:30 P.M. MEETING OF THE
LANCASTER COUNTY HOUSING AUTHORITY
28 PENN SQUARE, SUITE 200
LANCASTER, PA 17603**

The members of the Board of the Redevelopment Authority of the County of Lancaster met Tuesday, June 22, 2021. The Board meeting was held at the offices of the Lancaster County Housing & Redevelopment Authorities, 28 Penn Square, Suite 200, and via Zoom Videoconference.

Members of the Board in attendance: Ed Fisher, Jim Eby, Jim Williams, and Laura Lyon Slaymaker.

Staff members present were: Justin Eby, Executive Director; Michaela Allwine, Director Housing and Community Development; Michael Brightbill, Controller; Aimee Tyson, Planning and Compliance Manager; Jocelynn Ritchey, CDBG Program Specialist; Steve Kaufhold, Technical Resources Coordinator; Audrey Steinmetz, Tenant Services Manager; Rebecca Santos, Program Coordinator; and Marian Joyce, Secretary.
Also in attendance: Ramiro Carbonell, *Stevens & Lee*; Juan Garcia, *County of Lancaster*.

Mr. Fisher called the meeting to order at 4:25 p.m.

Public Comments - None

Minutes of the May 25, 2021 meeting were approved. The motion was made by Ms. Lyon Slaymaker, second by Mr. Jim Eby and accepted.

The Treasurer's Report for the months of April and May were approved on a motion by Ms. Lyon Slaymaker, second by Mr. Jim Williams and accepted. Mr. Justin Eby, Executive Director, and Mr. Brightbill, Controller, provided input on how a future analysis report might be designed to depict allocation of administrative costs for the \$4.5 million in *Emergency Rent Assistance* monies received.

Report of the Executive Director: Mr. Justin Eby previewed agenda items for the Board. He also stated that Ms. Tyson, Planning and Compliance Manager, would be a panelist at the PA Human Relations Commission's *Fair Housing Conference* on June 24, 2021. He provided information on the speakers and details of the Event at the Stadium to celebrate Matthew Sternberg's retirement later in the week.

Communications – None

Committee Reports – None

New Business:

1) The Board approved a Resolution authorizing an amendment to the Rental Housing Projects Revenue Note (Bond 3 LP Project) Series A of 2018. Ramiro Carbonell, Esquire, *Stevens & Lee*, provided background. The motion to approve was made by Ms. Lyon Slaymaker, second by Mr. Jim Eby and unanimously carried. (A copy of said Resolution [June 21 #33] is attached hereto, and made a part hereof).

NOW, THEREFORE, BE IT RESOLVED by the Board of this Authority, as follows:

1. This Board hereby finds and determines (based on representations of the Borrower) that:
 - (a) the original project remains a "Rental Housing Project" within the meaning of that term as defined in the Act within the "Residential Housing Redevelopment Program" of the Authority as that term is defined in the Act;
 - (b) the Project is consistent with the public purposes of the Act; and
 - (c) the Project will provide residential housing for lower income residents of the Commonwealth.

2. This Board approves and ratifies all action heretofore taken in the name and on behalf of the Authority in connection with the proposed refinancing of the project by the Chairman, Secretary or other officers of the Authority and authorizes and directs any of such officers, after consultation with the Authority's Solicitor, to do any and all acts and things and to execute and deliver any and all documents, instruments, agreements, certificates, letters and the like necessary, proper or desirable to effectuate the terms of this Resolution.

Neither the general credit of the Authority nor the general credit or taxing power of the County of Lancaster (the "County") or the Commonwealth or any political subdivision thereof (including, without limitation, the County) is pledged for the payment of the Amended Note. The Amended Note will not be an obligation of the County or of the Commonwealth or any political subdivision thereof. The Authority has no taxing power.

Notwithstanding any other provision of this Resolution, the Amended Note, when and if issued, shall not be deemed an obligation of the County or of the Commonwealth or of any political subdivision thereof, and shall be payable solely from amounts paid by the Borrower under the provisions of the Loan Agreement. No recourse shall be had for the payment of principal, or redemption price of, or interest on the Amended Note, or for any other claim based on the Amended Note or any other document, instrument or agreement delivered in connection with the issuance of the Amended Note, against the Authority or any successor body, against any officer, board member or employee of the Authority, past, present or future, or against any other monies, accounts, rights or other assets that the Authority may possess.

3. In order to effect the issuance of the Notes and the financing of the Project as contemplated by this Resolution, the Chairman, Vice Chairman, Secretary or other proper officers of the Authority are authorized, empowered and directed to negotiate the terms of, to approve the form of and to execute, acknowledge, attest and deliver (i) the Loan Agreement by and between the Authority, the Borrower, and the Purchaser in such form and containing such terms and conditions as shall be acceptable to the Authority, the Borrower, and the Purchaser (containing such indemnification provisions, covenants, representations, warranties and other terms and conditions as shall be acceptable to the Authority in consultation with the Solicitor to the Authority); and (ii) such other documents, instruments, agreements and certificates as may be necessary, proper or desirable, in their discretion or in the opinion of the Authority's Solicitor or Bond Counsel, to accomplish the financing of the Project, including, any other documents, instruments, agreements and certificates as may be necessary, in the opinion of Bond Counsel, to comply with the requirements of applicable law, including, without limitation, Section 103 and

Sections 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code") as applicable, and the regulations promulgated thereunder, each of which shall be subject to the review and approval (as to both form and substance) by the Authority's Solicitor; the execution and delivery of all such documents, instruments, agreements and certificates to constitute conclusive evidence of such approval (all of the above described documents, agreements, instruments and certificates to be executed by the Authority being hereinafter referred to collectively as the "Authority Documents"). This Board hereby expresses its intent that the Authority's proper officers, subject to the review and approval by the Authority's Solicitor, shall have full power and authority in their sole discretion, to effect the issuance of the Amended Note and the financing of the Project in accordance with the terms and provisions of this Resolution and the Authority Documents.

4. This Authority hereby accepts Stevens & Lee, P.C., as Bond Counsel in connection with the issuance of the Amended Note as provided in this Resolution.

5. THE LIABILITY OF THE AUTHORITY UNDER ANY AND ALL OF THE DOCUMENTS, INSTRUMENTS, CERTIFICATES AND AGREEMENTS EXECUTED IN CONNECTION WITH THE ISSUANCE OF THE BONDS SHALL NOT CONSTITUTE ITS GENERAL OBLIGATION AND NO RECOURSE SHALL BE HAD AGAINST THE AUTHORITY ON THE BONDS, EXCEPT FOR THE PAYMENTS TO BE MADE TO THE AUTHORITY BY THE BORROWER UNDER THE LOAN AGREEMENT WHICH PAYMENTS WILL BE ASSIGNED BY THE AUTHORITY TO THE BANK OR THE TRUSTEE UNDER THE TRUST INDENTURE OR AGREEMENT WITHOUT RECOURSE TO THE AUTHORITY. IT IS EXPRESSLY UNDERSTOOD THAT THE AUTHORITY SHALL NOT OTHERWISE BE OBLIGATED AND THAT NONE OF ITS MEMBERS, OFFICERS OR EMPLOYEES PAST, PRESENT OR FUTURE SHALL BE OBLIGATED IN ANY WAY FOR ANY COSTS, EXPENSES, FEES, OR OTHER OBLIGATIONS OR LIABILITIES INCURRED OR IMPOSED IN CONNECTION WITH THE BONDS, WHETHER INCURRED PRIOR TO, ON, OR AFTER THE DATE OF ISSUANCE, AND THAT NO RECOURSE SHALL BE HAD AGAINST THE AUTHORITY AND ITS MEMBERS, OFFICERS OR EMPLOYEES.

6. This Board approves, ratifies and confirms all action heretofore taken by the Chairman, Vice Chairman, Secretary and other officers of the Authority and other persons in the name or on behalf of the Authority in connection with the undertakings herein contemplated.

7. This Resolution shall become effective immediately.

8. In the event any provision, section, sentence, clause or part of this Resolution shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this Board that such remainder shall be and shall remain in full force and effect. All previous resolutions of the Board are hereby repealed to the extent that they are inconsistent with provisions hereof.

The Board adopted New Business items 2 through 5 under one motion by Mr. Williams, second by Ms. Lyon Slaymaker and unanimously carried.

Ms. Jocelynn Ritchey, CDBG Program Specialist, provided background. She referred Board Members to her Memo summarizing the 2021 CDBG Public Improvements infrastructure process, and she took questions on the applications submitted that were reviewed by the CDBG Steering Committee. She responded to a question from Mr. Fisher confirming that resolution #2 for the *Manheim Borough* project is using 2020 rollover funds. Regarding resolution #5, Ms. Ritchey stated that *The Factory Ministries* is located in Paradise Township near Gap.

2) The Board approved a Contract with *Manheim Borough* for the East High Street Pedestrian Improvements Project using Fiscal Year 2020 Community Development Block Grant Funds. (A copy of said Resolution [June 21 #34] is attached hereto and made a part hereof).

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Authority of the County of Lancaster to approve the execution of a contract with the *Borough of Manheim* for the East High Street Pedestrian Improvements project in an amount not to exceed Two Hundred Thousand And 00/100 Dollars (\$200,000.00) of Fiscal Year 2020 Community Development Block Grant funds.

3) The Board approved a Contract with *Elizabethtown Borough* for the College Avenue Sanitary Sewer Line Replacement Project using Fiscal Year 2021 Community Development Block Grant funds. (A copy of said Resolution [June 21 #35] is attached hereto and made a part hereof).

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Authority of the County of Lancaster to approve the execution of a contract with the *Borough of Elizabethtown* for the College Avenue Sanitary Sewer Line Replacement project in an amount not to exceed Two Hundred Thousand And 00/100 Dollars (\$200,000.00) of Fiscal Year 2021 Community Development Block Grant funds.

4) The Board approved a contract with East Cocalico Township for the Reamstown Heights Subdivision Stormwater System Repair Project using Fiscal Year 2021 Community Development Block Grant funds. (A copy of said Resolution [June 21 #36] is attached hereto and made a part hereof).

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Authority of the County of Lancaster to approve the execution of a contract with the Township of East Cocalico for the Reamstown Heights Subdivision Stormwater System Repair project in an amount not to exceed Two Hundred Thousand And 00/100 Dollars (\$200,000.00) of Fiscal Year 2021 Community Development Block Grant funds.

5) The Board approved a Contract with *The Factory Ministries* for the Gymnasium Renovation Project using Fiscal Year 2021 Community Development Block Grant funds. (A copy of said Resolution [June 21 #37] is attached hereto and made a part hereof).

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Authority of the County of Lancaster to approve the execution of a contract with the Factory Ministries for the Gymnasium Renovation project in an amount not to exceed Two Hundred Thousand And 00/100 Dollars (\$200,000.00) of Fiscal Year 2021 Community Development Block Grant funds.

6) The Board approved a Memorandum of Understanding with Mount Joy Borough for Participation in the Homeowner Assistance Program Grants. Ms. Ritchey and Mr. Justin Eby, Executive Director, provided background. The motion to approve was made by Mr. Jim Eby, second by Mr. Williams and unanimously carried. (A copy of said Resolution [June 21 #38] is attached hereto and made a part hereof).

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Authority of the County of Lancaster to approve and enter into a Memorandum of Understanding with the

Borough of Mount Joy establishing the eligibility requirements and administrative procedures to be followed for the operation of the Homeowner Assistance Program.

BE IT FURTHER RESOLVED to authorize the Director of Housing and Community Development, or other Staff Designee approved by the Executive Director, to approve grant applications submitted by individual homeowners in accordance with the terms of this Memorandum.

7) The Board approved a Memorandum of Agreement with the State Historic Preservation Officer for the Acquisition and Demolition of 332 Locust Street in Columbia Borough. Ms. Aimee Tyson, Planning and Compliance Manager, provided background. She and Mr. Justin Eby answered questions from Board Member, Jim Eby, re: exact location, problems, footprint, and control. The motion to accept was made by Ms. Lyon Slaymaker, second by Mr. Jim Eby and unanimously carried. (A copy of said Resolution [June 21 #39] is attached hereto and made a part hereof).

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Authority of the County of Lancaster to approve the MOA agreement with the State Historic Preservation Officer regarding the acquisition and demolition of 332 Locust Street in Columbia Borough.

8) The Board approved Submission of a Redevelopment Assistance Capital Grant (RACP) Application in Connection with the Chip Factory Site Project in Columbia on behalf of *Cimarron Investments LLC* and *Murphy Hospitality Group LLC*. Mr. Justin Eby, Executive Director, provided background. He explained that the Redevelopment Authority will be a pass-through to channel funding as a public authority for the project, on behalf of this development group. The motion to accept was made by Mr. Williams, second by Ms. Lyon Slaymaker and unanimously carried. (A copy of said Resolution [June 21 #40] is attached hereto and made a part hereof.)

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Authority of the County of Lancaster to authorize the appropriate officers, employees and solicitor of the Authority to **(1)** work with Cimarron Investments, LLC and Murphy Hospitality Group LLC to prepare an application for \$1,000,000 for Chip Factory Site Project through the Commonwealth of Pennsylvania's Redevelopment Assistance Capital Program (the Application), **(2)** to execute and submit the Application as the Applicant and **(3)** to enter into and carry out its obligations under a grant agreement with The Commonwealth of Pennsylvania (Acting through the Office of the Budget) and a cooperation and sub-grant agreement with Cimarron Investments, LLC and Murphy Hospitality Group LLC on such terms and conditions as are acceptable to the appropriate officers, employees and solicitor of the Authority.

9) The Board approved Submission of a Redevelopment Assistance Capital Grant (RACP) Application in Connection with the *Lancaster General Hospital Acute Care Kitchen Expansion Project*. Mr. Justin Eby, Executive Director, provided background. He answered questions from Mr. Jim Eby, Board Member about the administration fee, and from Mr. Ed Fisher, Board Chair, regarding staffing to handle RACP projects. The motion to accept was made by Mr. Jim Eby, second by Ms. Lyon Slaymaker and unanimously carried. (A copy of said Resolution [June 21 #41] is attached hereto and made a part hereof.)

NOW, THEREFORE, BE IT RESOLVED by the Board of the Redevelopment Authority of the County of Lancaster to authorize the appropriate officers, employees and solicitor of the Authority to (1) work with Lancaster General Hospital to prepare an application for \$1,000,000 for the Lancaster General Acute Care Kitchen Expansion Project through the

Commonwealth of Pennsylvania's Redevelopment Assistance Capital Program (the Application), (2) to execute and submit the Application as the Applicant and (3) to enter into and carry out its obligations under a grant agreement with The Commonwealth of Pennsylvania (Acting through the Office of the Budget) and a cooperation and sub-grant agreement with Lancaster General Hospital on such terms and conditions as are acceptable to the appropriate officers, employees and solicitor of the Authority.

10) The Board approved amending a Policy Statement to update authorized Signatories for Official Documents due to staff changes. Mr. Justin Eby provided background. The motion to accept was made by Ms. Lyon Slaymaker, second by Mr. Williams and unanimously carried. (A copy of said Resolution [June 21 #42] is attached hereto and made a part hereof.)

NOW, THEREFORE, BE IT RESOLVED, by the Board of the Redevelopment Authority of the County of Lancaster to approve the Policy Statement attached hereto amending authorized signatories for official documents required to administer the various programs of the Redevelopment Authority of the County of Lancaster.

11) The Board approved a resolution authorizing Signatories for Fulton Bank Accounts. Mr. Brightbill, Controller, explained that this was to update the Executive Director name and signature from Mr. Sternberg to Mr. Justin Eby. The motion to accept was made by Mr. Jim Eby, second by Ms. Lyon Slaymaker and unanimously carried. (A copy of said Resolution [June 21 #43] is attached hereto and made a part hereof.)

NOW, THEREFORE, BE IT RESOLVED, by the Board of the Lancaster County Redevelopment Authority to authorize the Chairman of the Board to execute the attached Fulton Bank document specifying authorized signatories for the Redevelopment Authority of the County of Lancaster Fulton Bank accounts.

Other Business: Mr. Justin Eby announced that there will be a **Special Meeting** of the Board of the Redevelopment Authority on **July 13, 2021 at 4:00 p.m.** regarding the Strategic Plan started over a year ago. This is to allow adequate time for discussion. However *formal* approval of the Plan will be at the next **Regular Meeting** to be held Tuesday, **July 27, 2021**, immediately **following the 4:30 p.m. meeting** of the Lancaster County Housing Authority.

The meeting was adjourned at 5:08 p.m.

Marian C. Joyce, Secretary