

An aerial photograph of Virginia Beach, Virginia, taken at sunset. The sky is a mix of orange, yellow, and blue. In the center, a tall, modern building with a pointed top (the Westin) is prominent. To its right, another building with a large, bright light on its roof is visible. The city is spread out with various buildings, parking lots, and roads. A large blue rectangular box is overlaid on the bottom left of the image, containing white text.

# Monthly Cash Flow – June 2025

City of Virginia Beach Development Authority

July 8th, 2025

# Operating Account Summary: June 2025

**Beginning Cash June 1, 2025**

**\$ 7,420,060**

## Cash Receipts Detail

✓ \$ **12,586** Interest income

## Cash Disbursements Detail

✓ \$ **146,357** Insurance Policy Atlantic Park Entertainment Venue 5/1/25-4/30/26 – Venture Waves

✓ \$ **63,070** Offsite Infrastructure and Asset Construction through 5/31/2025 – MBP

✓ \$ **60,673** Offsite Infrastructure and Asset Construction through 4/30/2025 – MBP

✓ \$ **15,070** Monthly Conduit Management June 15th-July 15th– Globalinx

✓ \$ **10,350** Utility Markings - Corporate Landing Business Park – 1/1/2025-6/9/2025  
– MidAtlantic Surveying and Land Design

✓ \$ **3,947** Legal Services for Atlantic Park Project through 4/30/2025 –Davis Commercial Law

**Ending Cash – June 30, 2025**

**\$ 7,264,363**

# Cont. Operating Account Summary: June 2025

## Amounts paid and reimbursed by City of VB – June 2025

- ✓ \$ **2,992,834** Atlantic Park – Draw #28 Entertainment Venue – Venture Waves
- ✓ \$ **418,995** Atlantic Park – Draw #28 Offsite Infrastructure (City Asset) – Venture Waves
- ✓ \$ **237,304** Innovation Park – Draw #20 Offsite Construction Work through 5/31/2025 - Architectural Graphics
- ✓ \$ **1,460** Innovation Park – Construction Phase Services and Special Inspections through 4/30/25 – Kimley Horn
- ✓ \$ **199,647** Corporate Landing – Draw Request #1 for Bond Payments and Offsite Infrastructure Work – Seabreezy Enterprises



# Capital Maintenance: June 30, 2025

## Amphitheater

\$ 581,498

- ✓ No Activity

## Human Services Building

\$ 1,919,815

- ✓ Monthly Lease – July 2025 \$ 47,910
- ✓ Roof Replacement - Construction/Replacement  
Phase, Pay App #5 – Simpson Unlimited (\$ 123,745)
- ✓ Re-roofing and Cooling tower replacement  
Design Phase – HBA Architecture (\$ 10,228)
- ✓ Elevator Repairs and Modernization  
– HBA Architecture (\$ 9,856)

## Capital Maintenance: June 30, 2025 (Continued)

### VB National Golf Course

**\$ 2,037,966**

- |   |              |
|---|--------------|
| ✓ Monthly Revenue Share Agreement   | \$ 25,336    |
| ✓ HVAC Replacement. Pay App#1 Construction, parts, and Labor. – Adrian Builders Group | (\$ 104,415) |
| ✓ Roof Replacement. Construction, Materials, and Repairs. – Integral Contracting, LLC | (\$ 77,321)  |
| ✓ Roof Replacement and HVAC Replacement Construction Admin. - HBA Architecture        | (\$ 14,485)  |
| ✓ Pond 1 Maintenance plan – VHB   | (\$ 2,736)   |

## Incentive & Initiative Account Summary: June 2025

### Façade Improvement Grant \$ 83,227

- ✓ Repave Asphalt Parking Lot – MMM Coffee (\$ 3,250)
- ✓ Landscaping Improvements – Animal Medical Center (\$ 2,786)
- ✓ Landscaping, Install Lighting, Signage – Rockafeller's, Inc (\$ 6,322)

### Small Business Grant Program \$ 500,880

- ✓ Vehicle Repairs, Advertising, and Equipment Purchases  
- 757 Transport (\$ 5,454)
- ✓ Marketing & Advertising – Rekaya Gibson (\$ 3,250)
- ✓ New Flooring Installation for Spa and Pool area. Wall Painting  
and Equipment Purchases – Unique Skin and Beauty Bar (\$ 5,156)
- ✓ Business Supplies and Software Support – Security Scholars (\$ 6,989)

# EDIP Grant Summary Reporting: June 2025

**Ending EDIP appropriations 6/30/2025** **\$ 11,103,358**

EDIP Part A – Encumbered as of 6/30/2025 \$ 5,989,612

- ✓ Acoustical Sheetmetal(Phase 3) – \$828,130 Capital Improvement Grant awarded \$1 reimbursed for every \$54.34 invested (\$45.5M total investment).

EDIP Part B – Encumbered as of 6/30/2025 \$ 1,000,670

- ✓ Armada Hoffler - \$375,670 Capital Improvement Grant awarded \$1 reimbursed for every \$36.21 invested (\$13.6M total investment).

**EDIP Grant Funds Available as of 6/30/2025** **\$ 6,990,282**

*\* Actual EDIP Cash received from the City and held by the VBDA on June 30th, 2025 is \$1,044,988. The remaining \$10,058,370 is being held by the City and will be reimbursed to the VBDA when EDIP recipients receive their awards.*



# Town Center Security Updates

City of Virginia Beach Development Authority

July 8, 2025 | Open Session

*Emily Archer, Deputy Director of Economic Development*





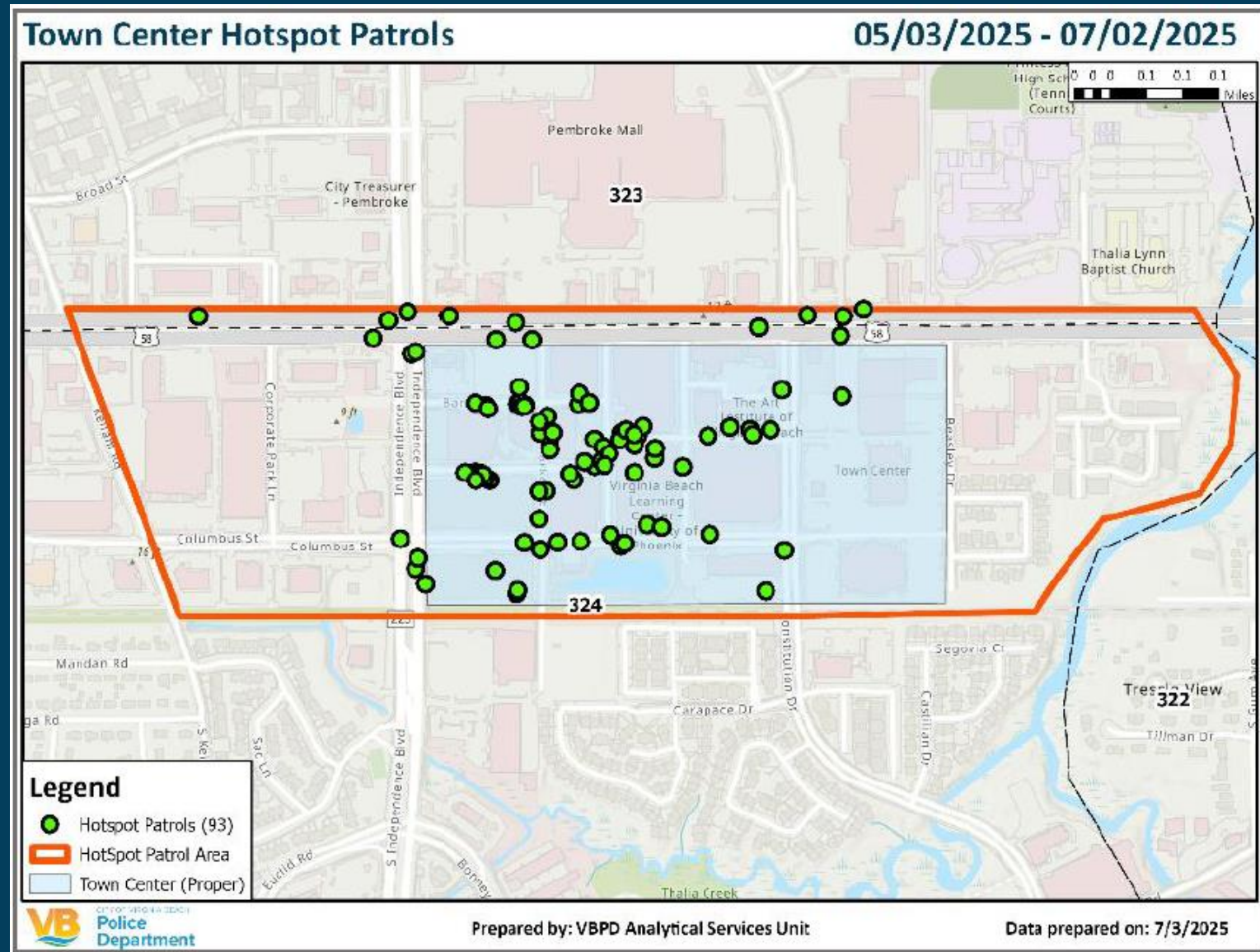
# The Town Center Advisory Board (TCAB)

- Created by the City Manager's office in 2004 to serve the interest of Town Center Residents and Tenants
- TCAB meets monthly and includes representatives from:
  - Economic Development
  - Parking Management
  - CVB
  - Divaris
  - CBDA
  - Westin
  - Armada Hoffler
  - 3<sup>rd</sup> Precinct

# Recent 3<sup>rd</sup> Precinct Activity

Activity	Total
Arrests	9
Incidents	54
Citations	62
Calls for Service	368
Traffic Stops	40

*\*Traffic stops are included in the Calls for Service total*



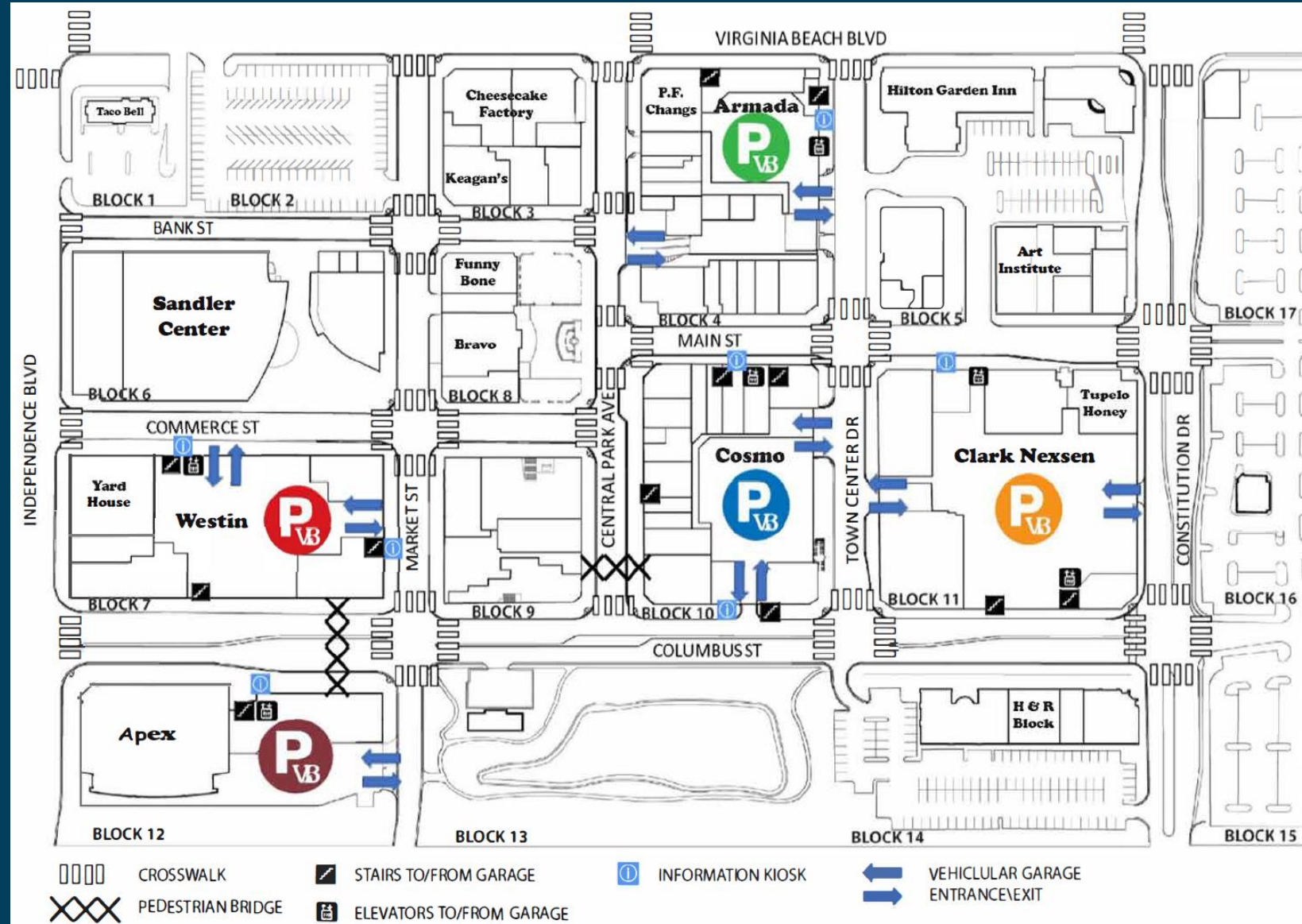
# Town Center Homeless Outreach

- The Virginia Beach Homeless Response System is a systematic and coordinated approach that includes City, nonprofit, and faith organizations working together to address homelessness and help people in need
- The Virginia Beach Homeless Response Team routinely engages 6-7 vulnerable residents in Town Center, 3-4 times per week, with a focus on garages
- Actively working with 3 individuals to connect them to services



# Town Center Garages

- 5 Garages (owned by VBDA and managed by Parking Management)
- 4,381 Spaces
- O&M cost funded by the Town Center SSD and a dedicated CIP for capital expenses
- Garage and elevator assessments completed every 3 yrs



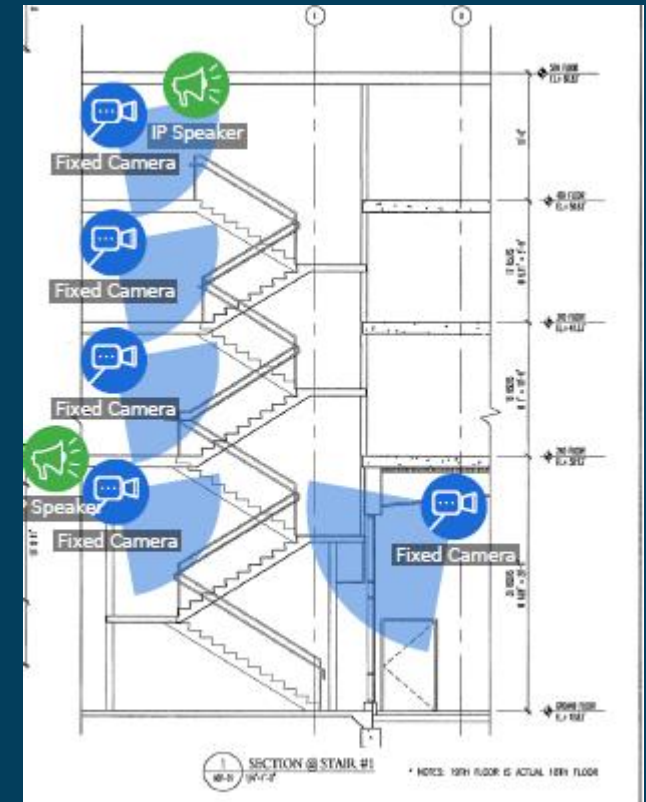


# Town Center Garages & Security

- Garage Operations and security are contracted with:
  - PCI for operations
  - Divaris and Securitas for Security (VBDA approved contract renewal in June 2025)
- Security incidents are monitored daily, reported to the police as needed, and tracked and reported monthly to TCAB
- Security contract includes:
  - Roving foot & vehicle patrols, 7 days a week
  - Monitoring security cameras, alarms and LPRs

# Potential Additional Security Measures

- Add an additional patrol officer, vehicle, and monitoring device Friday, Saturday and Sunday nights - \$50,000 amendment to security contract
- Garage stairwell camera and speaker system: \$1.5 Mil - \$3.0 Mil





QUESTIONS





# Oceana Development, LLC Request for Extension of Construction Commencement

The City of Virginia Beach Development Authority  
July 8, 2025 | Open Session  
Alexander W. Stiles, Senior City Attorney



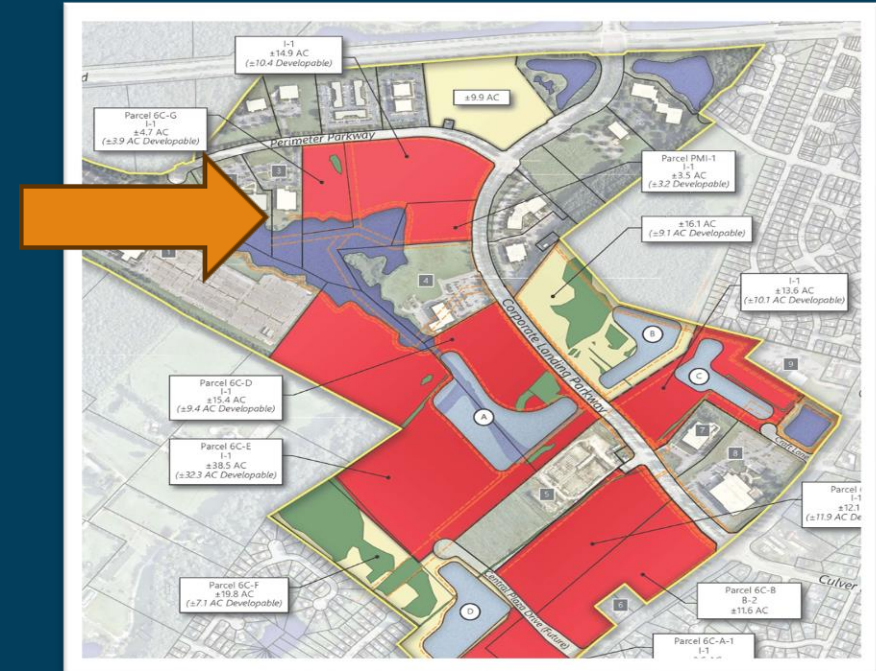
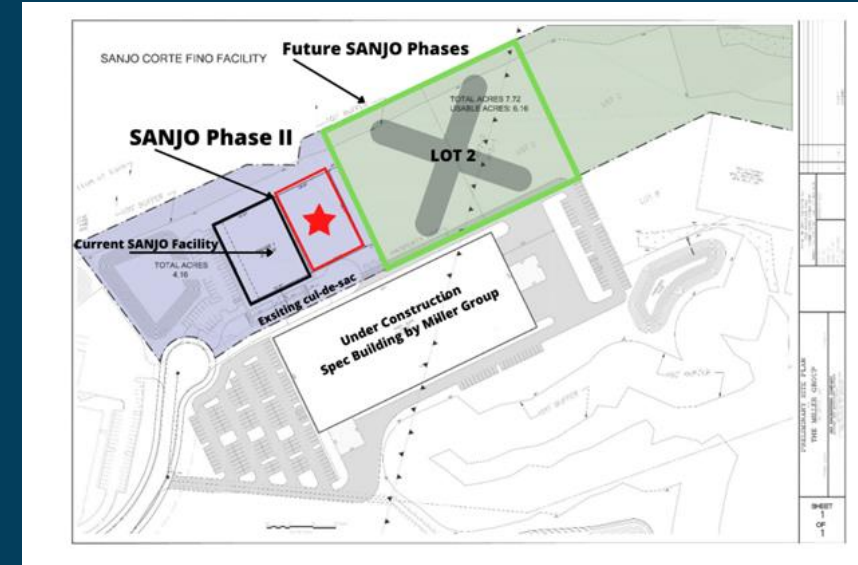


# Disclosures: Oceana Development, LLC

- Owner/Developer: The Miller Group
- Principals: Jerry Miller/ Timothy Harkins/Catherine Law
- Engineering: Kimley Horn
- Architect: Covington Hendricks Anderson
- Accounting: Wall Einhorn & Chernitzer, P.C.
- Legal: Sands Anderson PC

# Background

- 2022 Land Swap to Facilitate Expansion of Sanjo Virginia Beach Inc.
- VBDA acquired 7.72 acres next to existing Sanjo facility (465 Progress Lane / Oceana West)
- Oceana Development LLC acquired 10.4 acres in Corporate Landing



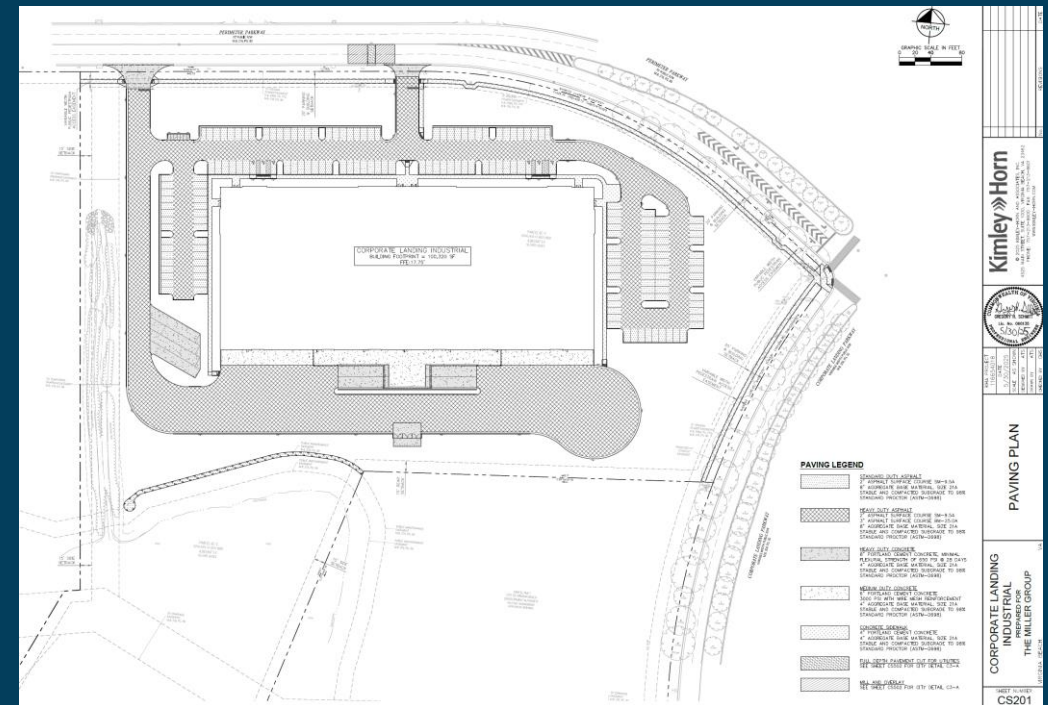
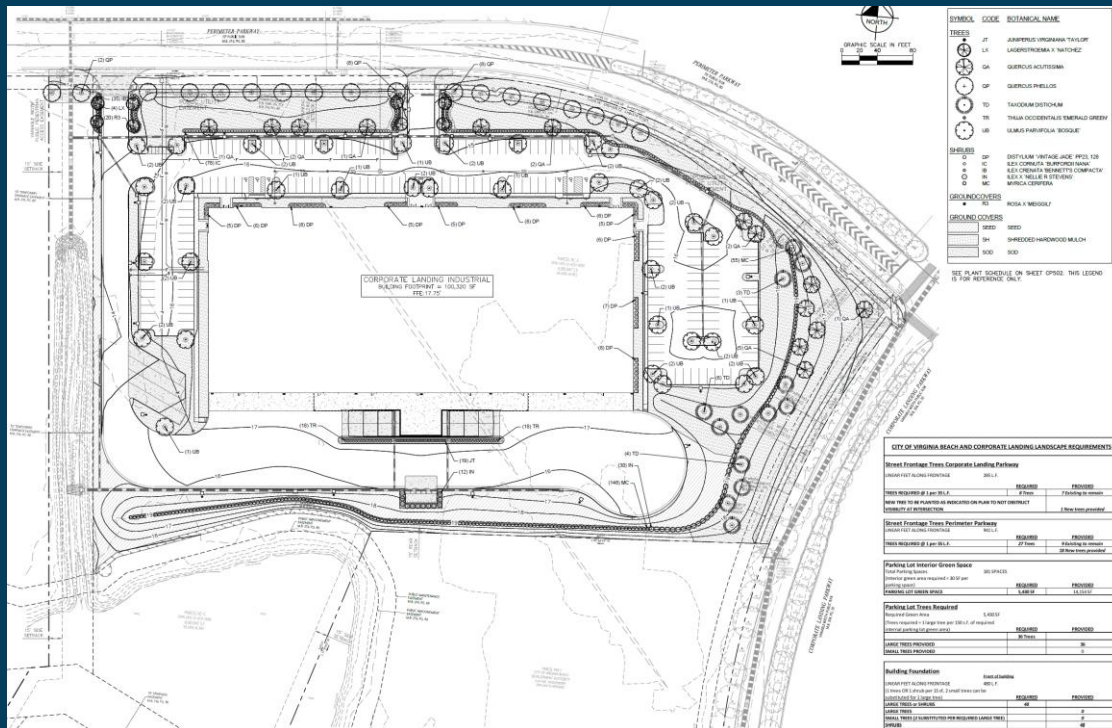
# Issue:

## Swap Agreement Requires Oceana Development LLC to Commence Construction by October 3, 2025

- Unanticipated additional facilities required to meet regulations.
- Stormwater issues in Corporate Landing delayed progress.
- Site Plan submitted and under review.
- 100K square feet industrial spec space proposed as proposed.

# Request:

Extend existing commencement deadline to March 1, 2026.





# QUESTIONS

# **Freedom of Information Act (“FOIA”)**

Deputy City Attorney Rod Ingram  
Virginia Beach Development Authority  
July 8, 2025



CITY OF  
**VIRGINIA  
BEACH**

# **Freedom of Information Act**

## **“FOIA”**

The Primary State Law Governing Citizen  
and Media Access to Public Records and  
Public Meetings

# Public Records

- The general rule is that all public records are open to public inspection and copying.

Va. Code §§ 2.2-3700, -3704(A)

- The Act applies to existing documents. The Act does not require the City or Authority Members to answer questions or to create documents.

Va. Code § 2.2-3704(D)



# Public Records Definition

- Public records include “all writings and recordings that consist of letters, words or numbers, or their equivalent, set down by handwriting, typewriting, printing, photostatting, photography, magnetic impulse, optical or magneto-optical form, mechanical or electronic recording or other form of data compilation, however stored, regardless of physical form or characteristics, prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business.”

Va. Code § 2.2-3701

# Public Records Examples

- Examples
  - E-mail (vbgov.com or personal accounts)
  - Text messages
  - A note written with a crayon on a napkin
  - Computer data
  - Draft documents
- Any document or recording of any kind, used in the transaction of public business and possessed by the Authority, its officers, employees, or agents

Va. Code § 2.2-3701

# Requests for Documents

Any Virginia citizen who is not in jail or prison, or any member of the press, may make a FOIA request. If we receive a request for public records from a non-citizen who is not a member of the press, or from an inmate or a prisoner, we are not required to respond.

Va. Code §§ 2.2-3704(A), -3703(C)

# Requests Need Not Be Written

- A request for documents need not be in writing, and the requestor is not required to cite the Act or refer to the request as a FOIA request. If a Virginia citizen or member of the press asks for a document, she has made a FOIA request.

Va. Code § 2.2-3704(B)

- The motive of the requestor in making the request is irrelevant under the Act, even if the request is made solely to harass a public body or to impede its daily operations.



# Reasonable Specificity

- The requestor must identify the records she seeks with “reasonable specificity.”

Va. Code § 2.2-3704(B)

- Example: A request for “anything that might help me when I sue the City” is not reasonably specific, but a request for “any documents referencing street repairs since 1995 on the 2600 block of Atlantic Avenue” is reasonably specific.
- If we have questions about what documents are sought, we may ask the requestor for clarification.

# Responses to Requests for Documents

- Within five working days of receipt of the request...
  - Provide the requested records
  - Redact the records and cite exemptions in writing
    - Must redact instead of withholding unless the entire record is exempt
  - Withhold records, citing exemptions in writing
    - Must disclose, in writing, the subject matter and quantity of any withheld documents.
  - Notify in writing of need for additional seven days
  - Request a deposit if we conclude that the cost to respond to the request will likely exceed \$200

Va. Code §§ 2.2-3704(B),(F),(H) and -3704.01

# Costs

- Actual and reasonable costs incurred in accessing, duplicating, supplying or searching for the requested records.

Va. Code § 2.2-3704(F)

- Search time should be assessed at the lowest compensated hourly rate of the employee who has the sufficient degree of familiarity with the requested documents that will enable an efficient search.

# Exclusions

- The Act contains a list of more than eighty categories of documents that are excluded from the Act's mandatory disclosure provisions.

Va. Code §§ 2.2-3705.1 to -3705.8

- Unless another provision of state or federal law explicitly prohibits the release of a document, we have discretion as to whether to invoke the exclusion.

Va. Code § 2.2-3700

- Exclusions must be narrowly construed.

Va. Code § 2.2-3700



# Exclusion Code Sections

- § 2.2-3705.1: General Exclusions
- § 2.2-3705.2: Public Safety
- § 2.2-3705.3: Administrative Investigations
- § 2.2-3705.4: Education
- § 2.2-3705.5: Health and Social Services
- § 2.2-3705.6: Proprietary Records/Trade Secrets
- § 2.2-3705.7: Specific Public Bodies & Limited Exceptions
- §§ 2.2-3706 and -3706.1: Law Enforcement Agencies

# Examples of Exclusions

- Personnel records. § 2.2-3705.1(1)
- Medical and mental health records. § 2.2-3705.5(1)
- Documents protected by the attorney-client privilege. § 2.2-3705.1(2)
- Certain records about the award of a contract (prior to award). §§ 2.2-3705.1(12), -3705.6(12)
- Appraisals and cost estimates of land subject to purchase or sale by the public body (prior to sale or purchase). § 2.2-3705.1(8)
- Documents created exclusively for use in a closed meeting. § 2.2-3705.1(5)
- Documents for which disclosure is explicitly prohibited by federal or state law.

# Enforcement

- Anyone who believes that a public body or public official has violated the Act may file suit in general district or circuit court.
- The case must be heard within seven days of filing.
- The public body has the burden of establishing by a preponderance of the evidence that a record is exempt from the requirements of the Act. Any failure of a public body or official to follow the procedures established in the Act shall be presumed to be a violation of the Act.
- FOIA violations can subject an official or employee to civil penalties ranging from \$100 to \$5000 per violation.



# If Someone Asks You for Public Records

- Contact Public Policy Attorney Rod Ingram
  - [ringram@vbgov.com](mailto:ringram@vbgov.com)
  - (757) 831-5784 (cell)
  - (757) 385-8212 (work)
- FOIA requests may be sent to [foia@vbgov.com](mailto:foia@vbgov.com) or submitted via the City's online FOIA portal, GovQA
  - On the City's webpage, search for "FOIA request" to reach the FOIA Request Center

# Public Meetings

- The Act requires that all meetings of public bodies be open to the public, and that notice of those meetings be given to the public.
- The Authority is a “public body” and thus subject to the Act’s requirements.

Va. Code §§ 2.2-3707(A),(C)

# “Meeting”

- A “meeting” is any gathering of three or more members of a public body during which public business is discussed (unless the public body has less than four members, in which case a gathering of two or more members would constitute a “meeting”).
- The term “public body” includes the Authority and any committee or subcommittee created by the Authority to advise the Authority or perform a delegated function.

Va. Code § 2.2-3701



# Notice of Meetings

Every public body shall give notice of the date, time, and location of its meetings by:

- Posting such notice on its official public government website;
- Placing such notice in a prominent public location at which notices are regularly posted; and
- Placing such notice at the office of the clerk of the public body

Va. Code § 2.2-3707

# Closed Meetings

- A closed meeting is a meeting from which the public is excluded.

Va. Code § 2.2-3701

- Closed meetings may only be held for purposes authorized by the Act.

Va. Code §§ 2.2-3707(A), -3711(A)

# Closed Meeting Topics

The Act authorizes closed meetings to discuss several topics, including:

- Award of a public contract (if discussion in open session would adversely affect the public body's bargaining position). § 2.2-3711(A)(29)
- Consultation with legal counsel. § 2.2-3711(A)(7)
- Discussion of acquisition or disposition of real property. § 2.2-3711(A)(3)
- Discussion concerning a prospective business or industry, or expansion of an existing business or industry where no previous announcement has been made of the business's or industry's interest in locating or expanding in the locality. § 2.2-3711(A)(5)

# Closed Meetings: Procedures

- Motion to convene in closed session: identify (1) the subject matter, (2) purpose of the closed session, and (3) the Virginia Code section that authorizes the closed meeting.
- At the end of the closed session discussion, must immediately reconvene in open session and certify that only the identified matters were discussed during the closed meeting.

Va. Code § 2.2-3712



# Closed Meetings and the Conflict of Interests Act

- If the Virginia State and Local Government Conflict of Interests Act (Va. Code § 2.2-3100 et seq.) prohibits an official from participating in a transaction, the official may not attend a closed session meeting on that transaction. Va. Code § 2.2-3112(A)(1)
- The Conflict of Interests Act prohibits the use of confidential information for the economic benefit of one's self or another. Va. Code § 2.2-3103(4)
- Knowing violation: Class 1 misdemeanor. Va. Code § 2.2-3120

# Electronic Meetings

- Except as provided below, no meeting may be held wherein public business is discussed through telephonic, video, electronic or other communication means where the members are not physically assembled.
- Special exception, under strict conditions, when the Governor has declared a state of emergency. Va. Code § 2.2-3708.2
- If the Authority adopted a Remote Participation Policy, individual members could participate in a meeting from a remote location under certain circumstances; strict procedures must be followed. Va. Code § 2.2-3708.1

# Training

- Authority members must complete FOIA training within two months after assuming office and at least once each consecutive period of two years thereafter.
- Training may be provided by the City Attorney's Office or the Virginia FOIA Council.

Va. Code § 2.2-3704.3

You have now fulfilled your FOIA training requirement for the next two years.

# City of Virginia Beach Freedom of Information Office

- First local government Freedom of Information office in the Commonwealth (created in 2003)
- Staffed by a full-time paralegal, Melena Johnson
- In 2024, the FOI Office responded to 2,304 requests, provided copies of more than 97,482 pages of records and 709 audio files or Body Worn Camera videos, and facilitated inspection of additional records.
- Certain departments—including Human Services and Police—process routine FOIA requests directly. Their employees have received FOIA training and seek advice from the City Attorney's Office when needed.