

McPherson Implementing Local Redevelopment Authority

Board of Directors Meeting

December 18, 2012

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Tuesday, December 18, 2012 at 1794 Walker Ave. Atlanta, GA 30310, the new office of the MILRA.

Board Members:

Felker Ward, Jr., Chairman
Kenneth Deleon
Chandra Houston
David Todd
Richard Holmes
John Akin
Brian McGowan
Ayesha Khanna

Staff, Legal Counsel and Others:

Jack Sprott, MILRA
Sandra Tennyson, MILRA
Darlene Hawksley, MILRA
Michael Lusk, MILRA
Daniel Sherman, Attorney, Greenberg Traurig, LLC
Kristen Denius, Attorney City of Atlanta
Jalal Slade, City of Atlanta Mayor's Office
Mike Carellas, BTC Fort Mac

Ex-Officio Members:

Councilmember, Joyce Sheperd

Guests:

B. McGowan, All Purpose Janitorial, LLC
Mark Siegel, Forest City
Will Voegel, Forest City
Ralph Brown, BDG
James Wilkes, NPU-R
Jocelyn Bivens, Council D 12
Barbara Patton, Associated Credit union
Mark Sanders, GRA
Doris Hines, Atl., Tech College
Kim Carter, for commissioner Mike Beatty
Shirley Harris, Atlanta Workforce
Eric Moore
Willie Dismuke, Citizen

Monica Robinson, Fulton County Dept., Health & Wellness]
Allean Brown, SWC
Barbara Guillory, Community Council
Lee M. Mayweather, Mayweather Enterprise
Joyce Rhoades, Fulton County
Regg A. Taylor, City of East Point
Monte Edwards, SRS, Inc
Hilton Joseph, CAPN Org

Chairman Ward called the MILRA meeting to order at approximately 1:12 p.m.
Chairman Ward recognized and announced that a quorum was in place.

Announcements and Welcome:

Chairman Ward thanked the audience for their continued support and welcomed them to the meeting.

He reminded the audience about the sign-in-sheet for public comment for non-board members and asking that anyone making a comment to the Board to please state their name, address and to limit their comment to three minutes.

Approval of Agenda:

Chairman Ward recommended the approval of the agenda. John Akin made a motion to approve and it was seconded by Richard Holmes. Approval was unanimous.

Approval of Minutes:

Chairman Ward recommended the approval of the November 15, 2012 Minutes. Brian McGowan made a motion to approve and it was seconded by John Akin. Approval was unanimous. *(Kenneth Deleon asked that the November 15, 2012 minutes reflect his suggestion that MILRA hold an evening or Saturday Board Meeting for the calendar year 2013.)*

Regular Session:

Item No. 4: Development Director Selection Subcommittee Report:

Mr. Spratt stated that at the August 21st meeting, MILRA selected members Richard Holmes, David Todd, John Akin and Chairman Felker Ward to serve on a Development Selection Subcommittee tasked with evaluating and selecting a candidate for the position of Director of Development and Operations for MILRA and recommending candidates to the Board.

Mr. Spratt stated that well over a hundred applicants had applied and all resumes had been screened for the qualifications that were posted for the position on the MILRA

website as well as being posted on the Link-In website. After carefully screening the applicants eleven were selected and from that eleven it was dwindled down to five strong candidates. Mr. Spratt stated that the five candidates will be called in mid January for interviews.

Item No. 5: 2013 MILRA Board Meeting Schedule:

Mr. Spratt stated that a tentative 2013 MILRA Board Meeting Schedule was attached for the Board's perusal and they should review their calendar and to pencil the suggested dates as placeholders and that at each meeting the date and time of the preceding meeting will be confirmed.

Public Comments:

Chairman Ward invited public comment and one member took advantage of the opportunity to speak.

Item No. 8: MILRA/US Army Deal Points Agreement Update:

Chairman Ward made an announcement to move into Executive Session and read the required statement.

"Ladies and Gentleman:

In accordance with O.C.A. SECTION 50-14-4(B), a quorum of the McPherson Implementing LRA is present and will enter into executive session by a majority vote. The purpose for the closed session is for members to (1) deliberate regarding the acquisition of interest in real estate. (2) Receive Attorney-Client Communication. The specific reason for the closed session is to (1) discuss the acquisition of real property at Fort McPherson. The specific reasons for the closed session will be entered in the official minutes and a notarized affidavit will be executed stating that the executive session was devoted to matters within the exceptions provided by law."

After Chairman Ward read the statement, Chandra Houston made a motion to approve and it was seconded by Brian McGowan. The vote was unanimous.

The Board went into Executive Session for approximately 1 hour and 15 minutes. Kenneth DeLeon made a motion to end the Executive Session and it was seconded by Chandra Houston. Approval was unanimous.

After the Executive Session ended Chairman Ward asked that the meeting be reopened to the public.

Item No. 9: MILR/ Forest City- Integral Cousins Letter Agreement:

Mr. Sprott stated that a draft letter of agreement between the MILRA and Forest City/Integral/Cousins (FIC-FM) was enclosed for the Board's perusal and approval.

Approval of Item No:9:

Approval of the letter of agreement between the McPherson Implementing Local Redevelopment Authority (MILRA) and Forest City-Integral-Cousins (FIC-FM) and authorize the chairman or executive director to execute all contracts and amendments subject to the following conditions:

1. MILRA and FIC-FM will revise the agreement to define "default" in a manner mutually agreeable to the Parties;
2. The Parties shall have agreed upon a mutually agreeable mechanism for determining the amount to be paid to FIC-FM in the event the agreement is terminated by MILRA; and
3. The Parties shall have agreed upon the rights of each party to terminate the agreement.

Richard Holmes made a motion to approve and accept the new additions/conditions to the letter of agreement between FIC-FM and it was seconded by Kenneth Deleon. Approval was unanimous.


Adjournment:

Richard Holmes made a motion to adjourn; it was seconded by Kenneth Deleon. Approval was unanimous. The MILRA meeting ended at approximately 3:03 pm.

Recorded By:


Sandra Tennyson
Executive Assistant

Approved By:

 2/19/13
Jack Sprott
Executive Director

OPEN MEETINGS AFFIDAVIT

PERSONALLY APPEARED before the undersigned attesting officer, duly authorized to administer oaths, Felker Ward, Jr., who, after being duly sworn in, deposes and on oath states the following:

- (1) I was the presiding officer of a meeting of the McPherson Implementing Local Redevelopment Authority (the "Authority") held on the 18th day of December, 2012.

- (2) I have been advised that *O.C.G.A* § 50-14-4(b) requires that when any meeting of the Authority is closed in accordance with an exception to the Open Meetings Law that:
 - (i) the specific reason for the closure is to be entered upon the official minutes of the meeting;
 - (ii) the meeting is to be closed only upon a majority vote of a quorum present for the meeting;
 - (iii) the minutes are to reflect the names of the members present and those voting for closure; and
 - (iv) the person presiding over the meeting is to execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

- (3) The subject matter of the closed meeting or closed portion of the meeting held on the 18th day of December, 2012 which was closed for the purpose of:

DELIBERATION REGARDING PERSONNEL MATTER

- X DELIBERATION REGARDING ACQUISITION OF INTEREST IN REAL ESTATE**
(To be spread on minutes upon conclusion of disposition of interest in real estate)


DELIBERATION REGARDING EXISTING LITIGATION

- X ATTORNEY-CLIENT COMMUNICATION**

as allowed by *O.C.G. A.*, Title 50, Chapter 14 and was devoted to matters within those exceptions and as provided by law.

(4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an affidavit be executed.

This 18th day of December, 2012.



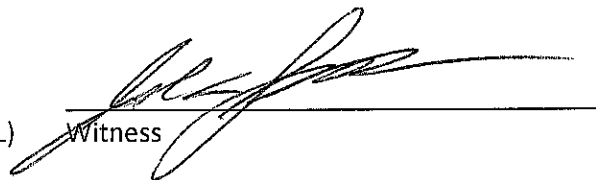
Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me
This 18th day of December, 2012.

Witnessed:



Notary Public (SEAL)



Witness

my commission
expires on May 19, 2015