

# **McPherson Implementing Local Redevelopment Authority**

Board of Directors Meeting

February 19, 2013

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Tuesday, February 19, 2013 at 1794 Walker Ave. Atlanta, GA 30310, the new office of the MILRA.

## **Board Members:**

Felker Ward, Jr., Chairman

T. Rogers Wade

Joseph Macon

Kenneth Deleon

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

James McCormick, MILRA

Ken Neighbors, Attorney, Greenberg Traurig

Jalal Slade, City of Atlanta Mayor's Office

Tom Weyandt, City of Atlanta Mayor's Office

Mike Carellas, BTC Fort Mac

## **Ex-Officio Members:**

Councilmember, Joyce Sheperd

## **Guests:**

Daniel Green, CH2M

Frank Goulding, Newell Recycling

John Tate, Newell Recycling

David Scott, FIC-FM

Scott Trubey, AJC

Edward Powers, Hope Atlanta

Eric Pinckney, FIC-FM

Checha Reddy, Stand Up

Mark Sanders, GRA

Ralph Brown, BDG  
Matthew, BAT  
Kim Carter for Commissioner Mike Beatty  
Glenda knight, MACC  
Stacey Jackson  
Darrell Fitzgerald, HKS  
Hilton Joseph, CAPN  
Marvin Taylor, MT Realty  
Joyce Rhoades, Fulton County  
Judy Walker, OCCO  
Maxine Hicks, DLA Piper  
Ross Wallace, Epsten Group  
Shirley Harris, Atlanta Workforce  
Barbara Patton, ACU  
Greg Floyd, MARTA  
Tammi Randolph, Fort McPherson  
Barbara Guillory, Community Council  
Lewis Brown, Brown Electrical Services  
Al Rosado, VA  
Cyrus Slaton  
Jocelyn Bivens, Council D 12

Chairman Ward called the MILRA meeting to order at approximately 1:05 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. Brian McGowan made a motion to approve and it was seconded by Richard Holmes. Approval was unanimous.

#### **Public Comments:**

Chairman Ward invited public comment however, no one had signed in to take advantage of the opportunity to address the Board.

**Item No. 4 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 section 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, Joseph Macon made a motion to approve and it was seconded by Kenneth Deleon. The vote was unanimous.

The Board went into Executive Session for approximately thirty-three (33) minutes. Joseph Macon made a motion to end the Executive Session and it was seconded by Richard Holmes. Approval was unanimous.

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

**Approval of Minutes:**

Chairman Ward recommended the approval of the December 18, 2012 Minutes. Joseph Macon made a motion to approve and it was seconded by Kenneth Deleon. Approval was unanimous.

**Regular Session:**

**Item No. 6: Quarterly Financial Report:**

Mr. Michael Lusk gave a financial report for the second quarter of the 2013 Fiscal Year July 1, 2012 thru December 31, 2012, a handout was enclosed in the Board's member's packet for their perusal and it was self explanatory.

**Item No. 7: Excused Absence Resolution:**

Chairman Ward read an excerpt from Section 3(h) of the McPherson Implementing Local Redevelopment Authority Act (HB 817) states:

**“A vacancy on the authority shall exist in the office of any member of the authority who...fails to attend three consecutive regular meetings of the authority without an excused approved by a resolution of the authority.”**

Chairman Ward was given the name of Board member John Eaves who was absent from three or more consecutive meetings and recommended that this member be granted an excused absence.

**Approval of Item No.7:**

Mr. Kenneth Deleon made a motion to approved the proposed resolution granting an excused absence to Board member(s) who were absent from three or more consecutive meetings since October 9, 2012. It was seconded by Joseph Macon. Approval was unanimous.

**Item No. 8: Veteran’s Administration project Update:**

Mr. Alvin Rosado, Acting Assistant Director at the VA Medical Center was invited to the MILRA Board meeting to give an update on the renovations and improvements to the Lawrence Joel Clinic at Fort McPherson.

Mr. Rosado stated that the project has now turned into three phases and that phase one is complete and the Mental Health Outpatient Department will open its doors the week of February 25, 2013 and that phase two is scheduled to open May 2013 and this outpatient facility will provide x-ray services to include dental care, the women center of excellence and will have forty beds. Mr. Rosado stated that it is also their goal to add eye care and audiology to the list of services to be provided at the Lawrence Joel Clinic.

There will also be a shuttle service to and from the Clairmont facility to the Fort McPherson facility and vice versa as well as a shuttle service to and from the East Point facility. Mr. Rosado also stated that they are in talks with MARTA about shuttle service from the Lakewood MARTA station to the Fort McPherson facility.

A grand opening is scheduled for July 2013 and Mr. Rosado stated that phase three is scheduled to be completed by fall of 2014 and fully operational. It will also employ two hundred employees and 50% of these jobs will be trade jobs and they will be advertised on the *USA Jobs website under the heading Veterans.*

**Item No. 9: Community Engagement Subcommittee Report:**

Councilmember Joyce Sheperd stated that there was no meeting in January and therefore no report for this month but announced to the audience that there would be a meeting held at the MILRA's office on the grounds of Fort McPherson on Wednesday, February 20, 2013, at 5:30pm-7:00pm and that the public and board members are invited. Councilmember Sheperd stated that the Community Engagement Subcommittee serves as an exchange of information to the community so that they can be apprised and actively involved with the process on Fort McPherson.

**Item No. 10: FIC-FM Initial Consulting and Pre-development Services:**

Mr. Sprott stated that a letter of agreement between the MILRA and Forest City/Integral/Cousins (FIC-FM) was approved by the MILRA at its' December 18, 2012 and executed on January 22, 2013.

Mr. Sprott gave a brief summary as to what is entailed in the letter of agreement which is as follows:

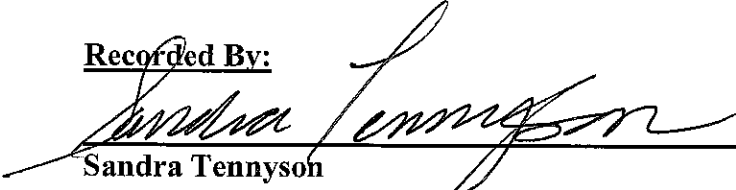
- FIC-FM and MILRA agree to work together for a term of 18 months or the EDC, which ever is earlier, subject to mutual termination rights
- During the specified term, FIC-FM will serve to advance the development through two types of effort:
  - "Approved Services" which include any consulting work deemed necessary and for which the scope, duration and cost is pre-approved by MILRA and the work does not commence until funds are available to MILRA.
  - "Pre-development" work as noted in Exhibit A of agreement will be performed at FIC-FM's risk and compensation for pre-development work will be tied directly to transactions originally initiated or advanced by FIC-FM. All Pre-development services must be authorized by the MILRA and agreed upon by FIC-FM and all development opportunity transactions shall be subject to approval by the MILRA this shall offer benefits to both parties.
  - The letter agreement states that within 90 days, the Parties agree to establish objective guidelines and principles, by which to evaluate the appropriateness of prospective development opportunities.

Mr. Sprott introduced Mr. Mark Siegel, of Forest City to give a brief update on their role in the redevelopment process in which he reiterated and concurred with what Mr. Sprott had stated in reference to the pre-development services, funding and job creation.

**Adjournment:**

Joseph Macon made a motion to adjourn; it was seconded by John Akin. Approval was unanimous. The MILRA meeting ended at approximately 2:27 pm.

**Recorded By:**

  
\_\_\_\_\_  
Sandra Tennyson  
Executive Assistant

**Approved By:**

 3/19/13  
\_\_\_\_\_  
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 19<sup>th</sup> day of February, 2013.
  
- (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 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 19<sup>th</sup> day of February, 2013 which was closed for the purpose of:

### **DELIBERATION REGARDING PERSONNEL MATTER**

- 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**

- 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.

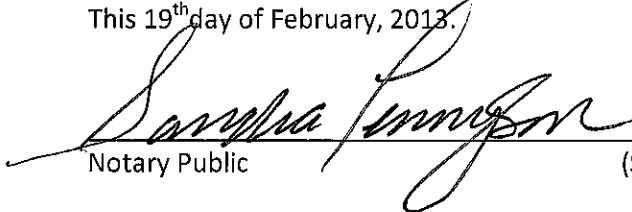
(4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an affidavit be executed.

This 19<sup>th</sup> day of February, 2013.

  
\_\_\_\_\_  
Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me  
This 19<sup>th</sup> day of February, 2013.

Witnessed:

  
\_\_\_\_\_  
Notary Public (SEAL)

  
\_\_\_\_\_  
Witness

*my commission expires on 5/17/2015*