



McPherson Implementing Local Redevelopment Authority

Board Meeting December 16, 2021

A meeting of the members of the McPherson Implementing Local Redevelopment Authority (Fort Mac LRA) was held on Thursday, December 16, 2021 at 1794 Walker Avenue, SW, Atlanta, GA 30310.

Board Members Present:

Cassius Butts
Sondra Rhoades-Johnson
Carmen Chubb
Young Hughley
Laurel Hart
Leonard Adams

Ex-Officio Members Present:

Joyce Sheperd, City of Atlanta Councilmember
Nan Orrock, State Senator, District 36

Staff, Legal Counsel and Others:

David Burt, Fort Mac LRA
Sandra Tennyson, Fort Mac LRA
Robert Mosby, Fort Mac LRA
CeCe Ross, Fort Mac LRA
Pete Hayley, Fort Mac LRA
Tracey Upshaw, Fort Mac LRA
Melissa Lopez- Rogers, Attorney, Greenberg Traurig

Guests

Mark Hayes, Mark Hayes Consulting, LLC
Deborah Scott, Georgia-Stand Up
Josh Carol, Mauldin & Jenkins

Announcements and Welcome

Chairman Cassius Butts called the meeting to order at approximately 1:17 pm.

Approval of Agenda

Chairman Butts presented the agenda for approval. Board member Sondra Rhoades-Johnson made a motion to amend the agenda to add an item to ratify previous Board actions. A motion to approve the modified agenda was properly made and seconded. Approval was unanimous.

Ratification of Previous Board Actions

Board member Sondra Rhoades-Johnson made a motion to ratify any and all motions and resolutions, or other actions taken, or caused to be taken by the Board and any subcommittees of the Board on or after July 1, 2021. A motion to approve was properly made and seconded. Approval was unanimous.

Approval of Minutes

Chairman Butts presented the meeting minutes from the October 21, 2021 Fort Mac LRA Board of Director's meeting. A motion to approve the meeting minutes was properly made and seconded. Approval was unanimous.

Board Committees Reports

- a. Executive Committee: No report.
- b. Development Committee: No report.
- c. Community Engagement Subcommittee (CES): Council member Joyce Sheperd stated that on December 2, 2021 Tyler Perry had a question and answer session at the MILRA office where he gave a presentation to the community about his plans for the TPS entertainment district to be built on the property to be acquired from MILRA. Councilmember Sheperd also stated that representatives from TDJ REV held a public meeting at the MILRA office on Wednesday, December 15, 2021 where they provided an additional opportunity for the community to view the approved interim master development plan for the approximately 95 acres that TDJ REV will purchase and develop.
- d. Public Arts Advisory Council: Board Member Young Hughley stated that the City of Atlanta's Cultural Affairs department partnered with MILRA through the Elevate program to host two events on the grounds of Fort Mac. On Friday, October 29, 2021, there was a live dance performance in the historic district. On Saturday, October 30, 2021, there was a drive-in movie in the commissary parking lot that was open to the community.
- e. Housing and Homeless Services Committee: No report.
- f. Finance Committee: No report.

Financial Update

Mr. Robert Mosby, Controller, gave an update on the year-to-date financials, stating that Fort Mac LRA is operating within the approved budget. A parking lot lease to Tyler Perry Studios has provided additional revenue in excess of budget projections. In addition, year-

to-date operating expenses are under budget. A spreadsheet with detailed information was provided for the Board members.

Presentation from Auditors- Mauldin & Jenkins

Mr. Mosby introduced Josh Carol of Mauldin & Jenkins to the Board. Mr. Carol presented the audit findings to the Board for the fiscal year ending June 30, 2021. He stated that MILRA was in compliance with GASB regulations and no irregular findings were reported. Mr. Carol reported that MILRA received an “Unmodified Opinion” for the audit period. Going forward, Mr. Carol recommended additional documentation of bank reconciliation procedures, and staff provided the Board with details on how the recommendation was being implemented for the current fiscal year.

Resolution to accept the Audit Report

A Resolution was presented to the Board to accept the independent audit findings for the fiscal year ending June 30, 2021. A motion to approve was properly made and seconded. Approval was unanimous.

Appointment of PACC Members

Board member Mr. Young Hughley proposed to the Board the appointment of two new members to the Public Arts Community Committee (PACC):

David Manuel, Director of Fulton County Arts & Culture
Christopher Vicente Swain, Public Arts Coordinator for the City of East Point

A motion to approve these additions to the PAAC was properly made and seconded. Approval was unanimous.

Property Update

Mr. David Burt, Executive Director, informed the Board that staff had gathered cost estimates from various vendors/contractors in anticipation of moving the MILRA offices to a new location when the current property is sold to Tyler Perry Studios.

Executive Session

Chairman Butts asked for a motion to reconvene in Executive Session and to reconvene to open session to approve and vote on matters before the Board at that time. A motion to approve was properly made and seconded. Approval was unanimous.

Chairman Butts read the following statement:

“Ladies and Gentlemen:

In accordance with O.C.G.A. Section 50-14-4(B), a quorum of the McPherson Implementing LRA is present and has agreed to enter executive session by a majority vote. The purpose for the closed section is for members to (1) deliberate regarding interest in real estate, (2) other legal matters, (3) personnel matters. 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 Butts read the statement, a motion to approve was properly made and seconded. Approval was unanimous.

The Board went into Executive Session for approximately 56 minutes.

Chairman Butts stated the purpose of the Executive Session was to discuss legal matters, real estate matters, and personnel matters.

Motion to return to Open Session

Chairman Butts asked for a motion to return to open session. A motion was properly made and seconded. Approval was unanimous.

Motion to approve a Resolution to Amend the Contract with TDJ REV, LLC

Board member Leonard Adams made a motion to approve a Resolution for execution of the First Amendment to the Purchase and Sale Agreement by and between T.D. Jakes Real Estate Ventures, LLC (the “Buyer”) and the Authority (the “First Amendment”) relating to the acquisition and redevelopment of approximately 94 acres at the former Fort McPherson Army Base pursuant to that certain Purchase and Sale Agreement dated as of August 3, 2021 by and between Buyer and the Authority. A motion was properly made and seconded. Approval was unanimous.

Motion to approve a Resolution to Amend the Contract with Fort TPS Properties, LLC

Board Member Carmen Chubb made a motion to approve a Resolution allowing for the negotiation, execution, and delivery of a First Amendment to the Purchase and Sale Agreement (the “First Amendment”) with Fort TPS Properties, LLC (the “Buyer”) relating to that certain Purchase and Sale Agreement effectively dated as October 1, 2021 (the “Purchase Agreement”) with Buyer for the disposition of approximately 37 acres. A motion was properly made and seconded. Approval was unanimous.

Public Comments

Ms. Deborah Scott, with Georgia Stand-Up addressed the Board and gave thanks and appreciation to Councilmember Joyce Sheperd for her years of devotion and service to the constituents in her district and to the City of Atlanta.

Adjournment:


A motion to adjourn was properly made and seconded. Approval was unanimous. The meeting adjourned at 3:10pm.

(Signatures to follow)

Recorded By:


Sandra Tennyson,
Executive Assistant

Approved By:


David Burt,
Executive Director

OPEN MEETINGS AFFIDAVIT

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

- (1) I was the presiding officer of the **Executive Committee** of the McPherson Implementing Local Redevelopment Authority (the "Authority") held on the 16th day of December 2021.
- (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 being 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 16th day of December 2021 which was closed for the purpose of:

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

X DELIBERATION REGARDING LEGAL MATTERS

X PERSONNEL MATTERS

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

DELIBERATION REGARDING EXISTING LITIGATION OR OTHER LEGAL MATTERS

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.
16th day of December 2021.



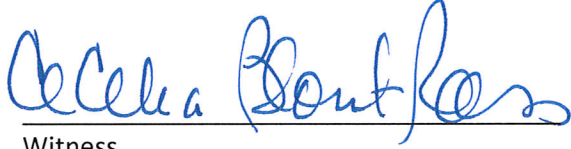
Cassius F. Butts, Presiding Officer

Sworn and subscribed before me
This 16th day of December 2021.

Witnessed:



Notary Public (SEAL)



Witness

my commission expires on 3/24/2023