



McPherson Implementing Local Redevelopment Authority

Fort Mac LRA Board Meeting

July 21, 2022

A meeting of the members of the McPherson Implementing Local Redevelopment Authority (MILRA) Board of Directors was held on Thursday, July 21, 2022 at 1794 Walker Avenue, SW, Atlanta, GA 30310.

Board Members:

Cassius Butts, Chairman
Ernestine Garey
Young Hughley
Laurel Hart
Audra Cunningham
Courtney English
Thomas Calloway
Nick Hess

Ex-Officio Members:

Antonio Lewis, Atlanta City Council

Staff, Legal Counsel and Others:

David Burt, Executive Director, Fort Mac LRA
Pete Hayley, Fort Mac LRA
Robert Mosby, Fort Mac LRA
CeCe Ross, Fort Mac LRA
Jonathan Perry, Attorney, Greenberg Traurig
Melissa Lopez-Rogers, Attorney, Greenberg Traurig
Victoria Sparks, Attorney, Greenberg Traurig

Guests:

Matt Markham

Tracie Sanchez

Call to Order:

Chairman Cassius Butts called the meeting of the Board of Directors to order at 1:27 P.M.

Determination of Quorum:

Johnathan Perry, Attorney, Greenberg Traurig declared a quorum of the Board members.

Welcome and Announcements:

Chairman Cassius Butts welcomed meeting attendees and introduced the staff of Fort Mac LRA, attorneys from Greenberg Traurig. The public was invited to sign the Public Comment sheet and advised that they would be allowed to ask questions and/or comment at the appropriate time.

Approval of Agenda:

Chairman Butts presented the agenda for approval. A motion to approve the agenda was properly made and seconded. Approval was unanimous.

Approval of Minutes:

Chairman Butts presented the June 22, 2022 Fort Mac LRA Board of Director's Meeting Minutes for approval. A motion to approve was properly made and seconded. Approval was unanimous.

Appointment of Martine Philippe to PAAC:

The Chair recognized Mr. David Burt, Executive Director, Fort Mac LRA. Mr. Burt put forth the name of Ms. Martine Philippe to become a member of the Public Arts Advisory Committee (PAAC). Ms. Phillippe was not in attendance but was introduced at a previous meeting and had agreed to serve. A motion to approve was properly made and seconded. Approval was unanimous.

Monthly and Year-to-Date Financial Update:

Mr. Robert Mosby, Controller, Fort Mac LRA, gave an update on the financials for the month of June 2022 (Year-to-Date Budget to Actual). Mr. Mosby reported an operating revenue with a positive variance of \$76,557 due to unanticipated TPS licensing agreements throughout the year. He reported on operating expenses, including salaries and benefits, all with positive variances, with the largest decrease attributed to caretaker expenses. A

spreadsheet was provided for the board members as Mr. Mosby detailed line items. He concluded that the fiscal year is ending with a \$741,000 positive net variance. He explained these figures are unaudited, but he is in the planning stage of preparing for the upcoming annual audit.

Mr. Mosby announced that the final payment to the Army was made this year, giving the LRA full ownership of the property. The Board applauded this accomplishment. There were no questions regarding the June 2022 Budget-to-Actual statement.

Executive Session:

Chairman Cassius Butts asked for a motion to convene to 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 real estate, (2) and other legal matters, and (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 the Chairman read the statement, a motion to approve was properly made and seconded. Approval was unanimous.

The Board went into Executive Session for approximately 2 hours.

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.

A Resolution to approve a Fourth Amendment to the Sale and Purchase Agreement between McPherson Implementing Local Redevelopment

Authority (Seller) and Fort TPS Properties, LLC (Buyer) was presented to the Board. Items in the amendment include confirmation of the “final acreage” and corresponding purchase price of the property; disclaimer of interest with regards to a prior easement over a road; extension of the Inspection Period; provisions for relocation of the Chapel; and a License agreement to allow MILRA to remain in the current office space for a limited time after the closing. A motion to approve the Amendment was properly made and seconded. Approval was unanimous.

A Resolution to approve a Second Amendment to the Sale and Purchase Agreement between McPherson Implementing Local Redevelopment Authority (Seller) and T.D. Jakes Real Estate Ventures (Buyer) was presented to the Board. Items in the amendment include establishing the exact First Phase property acreage and purchase price; providing for conveyance by a metes and bounds legal description; setting “Seller’s Participation in Infrastructure” payment at 66%; confirming amendment and restatement of Declaration; and providing for the relocation of the Chapel. A motion to approve the Amendment was properly made and seconded. Approval was unanimous.

A motion was made by board member Mr. Thomas Calloway to amend the agenda to add a committee to manage the Designated Community Benefit Funds, clarified in the Fourth Amendment to Sale and Purchase Agreement between McPherson Implementing Local Redevelopment Authority (Seller) and Fort TPS Properties, LLC (Buyer). A motion to approve was properly made and seconded. Approval was unanimous.

The Chairman appointed Fort Mac LRA Board member, Mr. Courtney English to Chair the newly created Community Benefits Committee. The following Board members were appointed to serve on the committee: Audra Cunningham, Ernestine Garey, Thomas Calloway, Young Hughley, Nick Hess, and Sondra Rhoades Johnson.

Chairman’s Announcements:

Birthday, graduation and special moments and accomplishments were acknowledged by the Chair.

Public Comments:

No one signed in.

Next Meeting Date and Time:

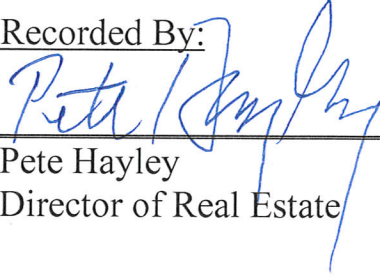
Next Board Meeting – August 18, 2022 at 1:00 P.M.

Adjournment:

A motion to adjourn was properly made and seconded. Approval was unanimous. The meeting adjourned at approximately 2:33p.m.

(Signatures follow)

Recorded By:



Pete Hayley
Director of Real Estate

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 McPherson Implementing Local Redevelopment Authority (the "Authority") held on the 21 day of July 2022.

- (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 22nd day of June 2022 which was closed for the purpose of:

X LEGAL MATTERS

X DELIBERATION REGARDING REAL ESTATE MATTERS

X PERSONNEL

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

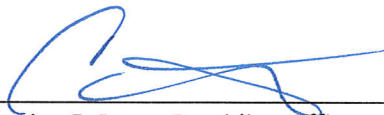
DELIBERATION REGARDING EXISTING LITIGATION OR OTHER LEGAL MATTERS

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.

This 21st day of July 2022.



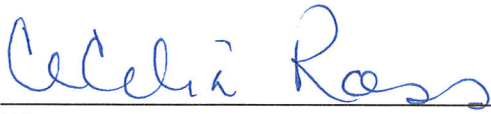
Cassius F. Butts, Presiding Officer

Sworn and subscribed before me
This 21st day of July 2022.

Witnessed:



Notary Public (SEAL)



Witness

