



McPherson Implementing Local Redevelopment Authority

Fort Mac LRA Board Meeting
June 22, 2022

A meeting of the members of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Wednesday, June 22, 2022, at 1794 Walker Avenue, SW, Atlanta, GA 30310.

Board Members:

Cassius Butts
Sondra Rhoades-Johnson
Ernestine Garey
Young Hughley
Nicholas Hess
Courtney English
Thomas Calloway
Eshe Collins

Ex-Officio Members:

Antonio Lewis, City of Atlanta Councilmember
Nan Orrock, State Senator

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
Jonathan Perry, Attorney, Greenberg Traurig
Zach Brenson, Attorney, Greenberg Traurig
Victoria Sparks, Attorney, Greenberg Traurig

Guests

Marcus Dawson

Roxanne Gardner
Mark Hayes, Mark Hayes Consulting, LLC
Michael Reeves
Mina Turabi, City of Atlanta
Andrew Gray, City of Atlanta
Tracey Campbell, Kids Gym USA
Stephanie Campbell, Kids Gym USA

Announcements and Welcome:

Chairman Cassius Butts called the meeting to order at approximately 1:41 P.M. The Chairman stated that due to the lack of a quorum the meeting would proceed with those items that did not require official action and other agenda items would be revisited once a quorum was in place.

Discussion of Committee Membership:

The Chairman asked that this be tabled due to the absence of some key members who are heading those committees.

Appointment of Martine Phillipe to PAAC:

This item was tabled until the next scheduled Board meeting.

Update from PAAC Meeting:

Mr. Young Hughley, Chair of the Public Arts Advisory Committee (PAAC) reported that a PAAC meeting was held on June 13, 2022. Chair Hughley stated that he was unable to attend due to illness and asked staff to provide an update.

Mr. David Burt, Executive Director, informed the Board that the PAAC meeting was the first to be held with the new committee members. At the meeting, a general discussion was held on how the committee members would like to see the arts unfold in the Fort Mac Community. Mr. Burt also informed the Board that the next PAAC meeting would include a tour of the Historic District along with a discussion with representatives from T.D. Jakes Real Estate Ventures.

Mr. Burt presented to the Board a public art project proposed by Ms. Althea Brown, a community resident and a member of the District 12 Arts Task Force. This proposed oral history and photo project was discussed at the PAAC meeting. Ms. Brown will apply for an Elevate grant from the City of Atlanta to fund the project with MILRA providing a letter of support and permission to place the display on the exterior wall at Fort Mac.

Mr. Burt also informed the Board that another public art project, curated by PAAC member Ms. Alice Lovelace, was also under consideration and would be presented to the Board at a future meeting.

Determination of Quorum:

The Chairman stated that a quorum was now in place with eight members present.

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 for approval the minutes from the April 21, 2022 Fort Mac LRA Board of Directors Meeting. A motion to approve the minutes was properly made and seconded. Approval was unanimous.

Update from Finance Committee Meeting:

Ms. Ernestine Garey, chair of the Finance Committee, informed the Board that a committee meeting was held immediately prior to the Board meeting, and the committee voted to recommend approval of the 2022/2023 Budget as presented.

Monthly and Year-to-Date Financial Update:

Mr. Robert Mosby, Controller, gave the May 2022 budget-to-actual financial update. Mosby reported that revenues were approximately \$66,000 over the budgeted amount due to the revenue from the TPS parking license. He also stated that year-to-date, MILRA is operating approximately \$560,000 below budget for Operating expenses.

Resolution to Approve the 2022/2023 Budget:

Mr. Mosby, Controller, presented the budget for the upcoming fiscal year to the Board. Chairman Butts presented the Resolution for approval of the fiscal year 2022/2023 budget.

A motion to approve the Resolution adopting the budget for fiscal year 2022/2023 was properly made and seconded. Approval was unanimous.

Resolution to Execute Documents for General Liability and Property Insurance:

Mr. Mosby gave a detailed presentation to the Board regarding the renewal of general liability and property insurance for the 2022/2023 fiscal year.

Chairman Butts presented a Resolution to approve the renewal of general liability and property insurance for 2022/2023.

A motion to approve the Resolution was properly made and seconded. Approval was unanimous.

Executive Session:

Chairman Butts asked for a motion to convene in Executive Session and to reconvene in 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 session is for members to (1) deliberate regarding real estate, (2) other legal matters, (3) and 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 40 minutes.

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.

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

Upon returning to Open Session, Board member Thomas Calloway presented a Resolution approving the execution and delivery of a Third Amendment to the Sale and Purchase Agreement with Fort TPS Properties, LLC (the “Buyer”) relating to that certain Sale and Purchase Agreement effectively dated as of October 1, 2021 and including the approval of an amended Site Plan, subject to: (i) the incorporation of separated and dedicated lanes for bicycles and pedestrians, which (a) are similar in scope and design to the dedicated lanes on the Atlanta Beltline, (b) will be located on one or more roads commonly referred to as the “Ft. Mac Mile,” and (c) will be connected to the TDJ REV development (collectively, the “Amended Site Plan”).

A motion to approve the Resolution was properly made and seconded. Approval was unanimous.

The Chairman asked for a motion to reconvene in Executive Session to discuss additional legal and real estate matters.

A motion to enter Executive Session was properly made and seconded. Approval was unanimous.

The Board went into Executive Session for approximately fifteen minutes.

Motion to return to Open Session:

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

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

A Resolution was presented providing for Board approval of the Master Development Plan as defined in the Purchase Agreement including documentation of approvals required under the BRAC agreement pursuant to that certain Purchase and Sale Agreement by and between T.D. Jakes Real Estate Ventures, LLC (the "Buyer") and the Authority 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 (as amended, the "Purchase and Sale Agreement") and taking of certain other related actions in connection with the transaction set forth above.

A motion to approve the Resolution was properly made and seconded. Approval was unanimous.

Public Comments:

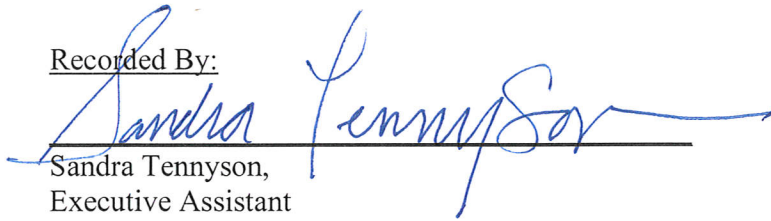
Ms. Stephanie Campbell took the opportunity to address the Board and inform them about her organization Kids Gym USA.

Adjournment:

A motion to adjourn was properly made and seconded. Approval was unanimous. The meeting adjourned at approximately 2:54pm.

(Signatures to follow)

Recorded By:

A handwritten signature in blue ink that reads "Sandra Tennyson". The signature is written over a horizontal line.

Sandra Tennyson,
Executive Assistant

Approved By:

A handwritten signature in blue ink that reads "David B. Burt". The signature is written over a horizontal line.

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 22 day of June 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.

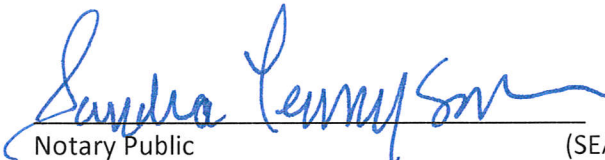
This 22nd day of June 2022.



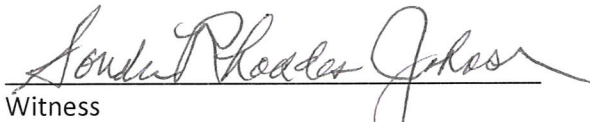
Cassius F. Butts, Presiding Officer

Sworn and subscribed before me
This 22nd day of June 2022.

Witnessed:



Notary Public (SEAL)



Witness

my commission
expires on 3/24/2023