

McPherson Implementing Local Redevelopment Authority

Board of Directors Meeting

May 17, 2011

Minutes

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Tuesday, May 17, 2011 at the Atlanta Development Authority at 86 Pryor Street, Suite 300, Atlanta, Georgia 30303.

Board Members:

Felker Ward, Jr., Chairman
Peggy McCormick
Kenneth DeLeon
T. Rogers Wade
John Akin
Chandra Houston
Ayesha Khanna
David Todd
Richard Holmes

Ex-Officio Members:

Ralph A. Long, State House of Representative
Vincent Fort, State Senator
Joyce Sheperd, Atlanta City Councilmember

Staff, Legal Counsel and Others:

Jack Sprott, MILRA
Sandra Tennyson, MILRA
Darlene Hawksley, MILRA
Samuel West, MILRA
Frank Barton, DOD/OEA
Michelynn G. Carellas, BRAC Army, Fort McPherson
Ken Neighbors, Greenberg Traurig, LLP

Guests

Al Murphy, Frazier Service Co.
S Baxter, Assoc. CU
Leslie Caceda, GA Stand-Up
Drew Swope, GA Tech Student
John Vick III
Ruben Burne, NPU-X
Michael Smith, SL King & Assoc
Amanda Schrane, DNR
Connie Johnson, MARTA
John Crocker, MARTA

Jean-Pierre Bourget, MARTA
Chrishina Byrnes, tvsdesign
Jane Branscomb, GHPC
Jeff Baillis, Summit Realty
Mark Sanders, GRA
Stacy Shuker, GDECD
Lensa Yohannes, Community Advanced Practice Nurses, Inc.
Ron Alston, SunTrust
Deborah Scott, GA Stand-Up

Chairman Ward called the MILRA meeting to order at approximately 1:05 p.m. It was determined that a quorum was not present. Chairman Ward asked that the Board review the agenda and minutes in anticipation of a formal vote when a quorum is achieved.

Announcements and Welcome:

Chairman Ward introduced and welcomed the MILRA new board member Mr. T. Rogers Wade and thanked the audience for their continued interest. Mr. Wade said that he was happy to be here and that the state is very interested in the MILRA project. Chairman Ward reminded the audience about the sign-in-sheet for public comment for non-board members 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 the Agenda:

Confirming that a quorum was now present, Chairman Ward recommended the adoption of the agenda. David Todd made a motion to approve and it was second by Chandra Houston. Approval was unanimous.

Approval of Minutes:

Chairman Ward called for the approval of the March 15, 2011 Minutes. Ayesha Khanna made a motion to approve and it was seconded by Peggy McCormick. Approval was unanimous.

Regular Session:

Item No. 4: Record of Decision- Fort McPherson:

Mr. Sprott stated that on April 13, 2011, the Army posted in the Federal Register the Record of Decision for the Base Closure and Realignment (BRAC) 2005 Actions at Fort McPherson, GA. Mr. Sprott stated that this summarizes the decision on how the Army will dispose of the property and that this is a significant step towards the HUD application approval and final transfer of real property. The decision calls for a "preferred alternative" of early transfer of surplus property to other entities for reuse. Mr. Sprott stated that under the early transfer alternative that the Army can transfer and dispose of surplus property for redevelopment before environmental remedial actions have been completed. This method would also defer the Comprehensive Environmental Response, Compensation and Liability Act covenant requirement to complete all necessary environmental clean-up prior to the transfer of the property. He

added that Governor Deal must concur with the deferral request if it is to be used. In conclusion, Mr. Sprott stated that this gives the Army all the options and that the Record of Request establishes that the McPherson Planning Local Redevelopment Authority reuse plan provides the basis for the development of reuse scenarios and acknowledges that the McPherson Implementing Local Redevelopment Authority (MILRA) is the implementation authority for the redevelopment of Fort McPherson.

A copy of the announcement posted in the Federal Register was included in the Board's packet for their perusal.

Item No. 5: Atlanta City Council Adoption of Master Plan Into the City of Atlanta's Comprehensive Development Plan:

Councilmember Sheperd has proposed a resolution to the City of Atlanta to accept the HOK's Fort McPherson Research Park Master Plan And District Conceptual Plan as documentation to guide the redevelopment of Fort McPherson and also to request that the Department of Planning and Community Development review said document and incorporate the document into the current Comprehensive Development Plan and into the 2011 update of the CDP. A copy of Councilmember Sheperd's Resolution was enclosed in the Board's packet for their perusal.

Councilmember Sheperd stated that she had asked for a special meeting from the CDP to look at the surrounding community outside the fence of Fort McPherson to address the concerns of the citizens in the community and that she has scheduled a presentation of the Georgia Tech study on the Fort McPherson Redevelopment initiative commissioned by the Georgia Stand-Up organization to be held June 15, 2011 at 1PM at the office of ADA, and has invited representation from the Atlanta City Planning Department and members of the MILRA.

Item No. 6: Community Engagement Subcommittee Report:

Councilmember Sheperd stated that on May 3, 2011 the first meeting of the Community Engagement meeting was held at 5:30 pm at the offices of the MILRA. The purpose of the meeting was to discuss the purpose and involvement of the Committee and that Mr. Sprott, gave a "McPherson 101" presentation on the overall project. Councilmember Sheperd stated that the bylaws and structure of the Subcommittee would be discussed at the next meeting and that a copy of the HOK Fort McPherson Research Park Master Plan was given to each attendee.

A copy of the minutes from the Community Engagement Subcommittee was enclosed in each Board member's handout for their perusal.

Public Comments:

Chairman Ward invited public comment and Ms. Deborah Scott took advantage of the opportunity to speak.

Executive Session:

Item No. 9: Report on EDC Transfer Negotiations:

Chairman Ward made an announcement to move into Executive Session and read the required 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 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 and (2) receive Attorney-Client Communication. The specific reason for the closed session is to discuss the acquisition of real property at Fort McPherson. The specific reasons for the closed session will be entered in the official minutes of the meeting 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 David Todd. The vote was unanimous.

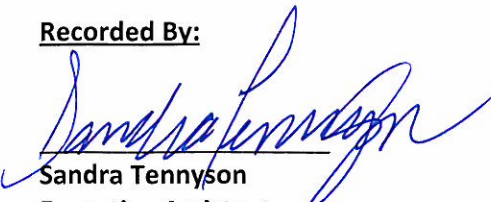
The Board went into Executive Session for approximately 1 hour and 5 minutes. John Akin made a motion to end the Executive Session and it was seconded by Kenneth DeLeon. Approval was unanimous.

Adjournment:

Richard Holmes made a motion to adjourn. It was seconded by Ayesha Khanna. Approval was unanimous.

The MILRA meeting ended at approximately 2:47 p.m.

Recorded By:



Sandra Tennyson
Executive Assistant

6/21/11
Date

Approved By:



Jack C. Spratt
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 17th day of May, 2011.

(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.

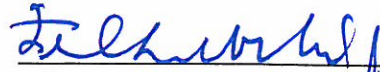
(3) The subject matter of the closed meeting or closed portion of the meeting held on the 15th day of 2011 which was closed for the purpose of:

- 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 17th day of May, 2011.



Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me
This 17th day of May, 2011.

Witnessed:



Notary Public

(SEAL)

My Commission expires 10/29/2014



Witness