

McPherson Implementing Local Redevelopment Authority

Board of Directors Meeting

April 23, 2015

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Thursday, April 23, 2015 at 1794 Walker Avenue SW, Atlanta, GA 30310.

Board Members:

Felker Ward, Jr., Chairman
Chandra Houston, Secretary
John Akin, Treasurer
Kenneth Deleon
Meredith Lilly
Brian McGowan
T. Rogers Wade
Aaron Watson
Thomas Weyandt

Ex-Officio:

Joyce Sheperd, Atlanta City Councilmember

Staff, Legal Counsel and Others:

Brian Hooker, MILRA
Sandra Tennyson, MILRA
Darlene Hawksley, MILRA
Michael Lusk, MILRA
James McCormick, MILRA
Peter Andrews, Attorney, Greenberg Traurig
Jocelyn Bivens, City of Atlanta Council Staff
Kimberly Carter, Office of DCA Commissioner Camila Knowles
Cindy Van Dyke, Office of GDOT Commissioner Russell McMurry
Lee Hunter, Office of GDOL Commissioner Mark Butler
Dorsha Dawkins, Office of Commissioner Marvin Arrington, Jr.

Guests:

Cleta Winslow, Atlanta City Councilmember
Kaycee Mertz, GDOT
Edward Powers, Hope Atlanta
Ralph Brown, BDG
Carmalitha Gumbs, The Collaborative Firm, LLC
Lockhart, Getting ahead
Gamba Stewart, Sylvan Hills-NA

David G. Jertson
David Lockett, AIRMI
Jackie Watson,
James M. Sibley, Jr., Atlanta Habitat for Humanity
C. Slaton, C Solutions
Amy Johnson, Oakland City Comm. Org
C. Shalom Johnson
Ernestine, Faircloth, Stand-Up
Checha Reddy, Resident

The Chairman called the MILRA meeting to order at approximately 1:01 PM.

Announcements and Welcome:

The Chairman thanked the audience for their continued support and welcomed them to the meeting. The Chairman reminded the audience about the sign-in-sheet for public comment and stating that if you have not signed in on the Public Comment Sheet you will not be allowed to address the Board. The Chairman also stated 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:

The Chairman recommended the approval of the agenda. Thomas Weyandt made a motion to approve and it was seconded by Chandra Houston. Approval was unanimous.

Approval of the Minutes:

The Chairman recommended the approval of the March 17, 2015 Minutes. Thomas Weyandt made a motion to approve and it was seconded by Meredith Lilly. Approval was unanimous.

Item No. 4: Executive Director's Report:

Mr. Brian Hooker, stated that on Monday, April 20, 2015, Atlanta City Council voted overwhelmingly 11-1 in support and to ensure that the property would soon transfer from the Army to the Redevelopment Authority with a portion to be sold to Tyler Perry Studios. With this being said the City Council vote guarantees that the Army will receive its future payments of the \$13 million balance that will remain after closing. Mr. Hooker stated that with the cleanup of the three environmental parcels completed this will allow Tyler Perry Studios to complete its payments and in return make it possible for MILRA to make its payment to the Army and that the Army's agreement to the final sale terms was contingent upon the City providing their support.

Mr. Hooker stated that MILRA was grateful and wanted to give special recognition to Mayor Reed and Councilmember Sheperd for their support.

Mr. Hooker also gave a brief update on the environmental parcels that have caused some of the challenges in the land purchase and sale negotiations and they are listed below:

- One parcel that was once a medical waste disposal until the late 1920's
- A parcel that once served as a disposal for incinerator ash in the 1950's
- A parcel that was a trap and skeet site that closed in 1954

On the bright side Mr. Hooker reiterated that the Army has been adamant in their refusal to accept time constraints on the cleanup of the environmental parcels yet they have been diligent in proceeding with their cleanup of the parcels.

Mr. Hooker shared with the Board and audience that on March 23rd the Army and MILRA came to a final agreement on major deal points which enabled all parties concerned to complete a MOA.

Mr. Hooker stated with the Board's approval at today's meeting we will finalize and execute the contract with the Atlanta Regional Commission in order to begin soliciting consultants for the area-wide LCI Study.

In conclusion, Mr. Hooker stated that he met with Major Vincent Moore, APD Zone 4 commander and that they had discussed the possibility of a mini precinct on base and that he also met with Frederick Gardiner, City Manager of East Point to discuss collaboration on the LCI Study.

Item No.5: Financial Update:

Mr. Michael Lusk gave an update on MILRA's finances which included cash balance, accounts payable and stated that he plans to present to the Board a draft of the Fiscal Year 2015-2016 at the May MILRA Board Meeting. Mr. Lusk also gave a synopsis of MILRA's insurance policies, workers compensation, directors and officers' liabilities and business owner's coverages. A presentation was included in the Board Members packet and it was self-explanatory.

Item No. 6: Homeless Provider Engagement Subcommittee Report:

Ms. Meredith Lilly stated that on Monday, March 30, 2015 a meeting of the McPherson Homeless Provider Engagements Subcommittee was held at the office of MILRA. And at that meeting each board member was given a disk with pertinent information and was asked to review and complete the proposal evaluation -form(s) before the next Subcommittee meeting.

In conclusion, Ms. Lilly stated that she would be polling the Subcommittee members within the next week to confirm a meeting date. She also stated in a positive note, she and

Brian Hooker met with Ed Jennings, the Regional Director with HUD and that it was a very productive and informative meeting.

Item No. 7: Community Engagement Subcommittee Update:

Councilmember Sheperd stated that at the last Community Engagement Subcommittee meeting a quorum was not in place and that Mr. Hooker gave a brief update to the CES and stated that an agreement had been signed with DOD with terms that permit the roadblock to be removed. And that a targeted date for closing of the property as early as April 30th to as late as June 30th.

Councilmember Sheperd also stated that the Ad Hoc Taskforce was still working on the final presentation for the Tyler Perry Studios and that they have been encouraged to complete their presentation as quickly as possible due to the closing date that has been given and that on April 22nd, she along with Tom Weyandt, Chandra Houston, Brian Hooker and Ernestine Garey, with Invest Atlanta met to discuss what could be the final presentation based on the closing deal with TPS in reference to the CES proposal.

In conclusion Councilmember Sheperd ask that members of MILRA agree to meet with select members of the Ads Hoc Task Force Committee to provide more feedback and to assist with the “ask” from the community.

Item No. 8: LCI Study Funding and Budget:

A Resolution of the Members of The McPherson Implementing Local Redevelopment Authority Concerning Approval of The Livable Centers Initiative Funding and Related Budget. After discussion concerning additional development planning for Fort McPherson and surrounding areas, pursuant to the Livable Centers Initiative (“LCI”) sponsored by The Atlanta Regional Commission (“ARC”), and upon the recommendation of the senior staff of the Authority, the Members of the Authority have determined that it is in the best interest of the Authority to approve (a) the expenditure of \$10,000 by the Authority and the acceptance of grant funding from the sources described in **Exhibit A** attached hereto (collectively, the “LCI Budgeted Funds”), and (b) all actions taken by or on behalf of the Authority which is consistent with the undertaking of an LCI based planning exercise; provided, that such activities and undertakings are funded by the LCI Budget Funds.

Approval of Item No. 8:

Thomas Weyandt made a motion to approve the resolution concerning The Livable Centers Initiative Funding and Related Budget and it was seconded by Meredith Lilly. Approval was unanimous.

Item No. 9: Intergovernmental Agreement Amendment:

MILRA entered into an Intergovernmental Agreement (“IGA”) with the City of Atlanta (the “City”) in January 2014 to provide redevelopment services for Fort McPherson (“MILRA Property”). Part of the redevelopment services include effectuating the acquisition of the property from the Department of the Army (the “Army”). As part of the acquisition of the MILRA Property, the Army has asked for certain assurances to be provided by MILRA in regards to the funding of future payments due to the Army by way of a Letter of Credit. In order to issue a Letter of Credit, some form of collateral would need to be provided to the bank. To meet this requirement the City and MILRA have negotiated a deal where the City made a forward commitment to purchase land from MILRA, the funding from which allows MILRA to timely meet its payment obligations to the Army if the Army fails to deliver the Phase II parcels prior to the due dates of future payments.

Approval of Item No. 9:

Aaron Watson made a motion to approve the resolution concerning approval of a First Amendment to the Intergovernmental Agreement with the City of Atlanta and it was seconded by Chandra Houston. Approval was unanimous.

Public Comment:

Chairman Ward invited public comment and several audience members took advantage of the opportunity to speak.

Item No. 11: Executive Session: Deliberation Regarding Acquisition of Real Estate and Legal Matters:

Chairman Ward made an announcement to move into Executive Session and read the following statement.

“Ladies and Gentleman:

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, (2) receive Attorney-Client Communication concerning active litigation, and (3) discuss 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 Kenneth DeLeon made a motion to approve and it was seconded by Chandra Houston. Approval was unanimous.

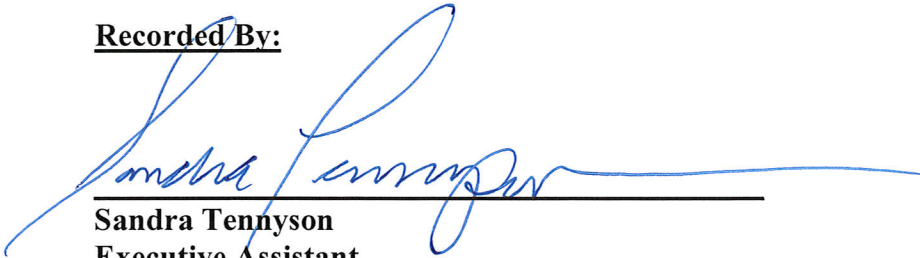
The Board went into Executive Session for approximately 1 hour and 37 minutes. Chandra Houston made a motion to end the Executive Session and it was seconded by Kenneth DeLeon. Approval was unanimous.

After the Executive Session ended the Chairman asked that the meeting be reopened to the public. Brian McGowan made a motion to approve and it was seconded by John Akin. Approval was unanimous.

Adjournment:

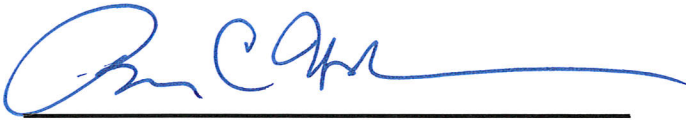
Kenneth DeLeon made a motion to adjourn; it was seconded by Chandra Houston. Approval was unanimous. The MILRA meeting ended at approximately 4:00pm.

Recorded By:

A handwritten signature in blue ink, appearing to read "Sandra Tennyson", written over a horizontal line.

**Sandra Tennyson
Executive Assistant**

Approved By

A handwritten signature in blue ink, appearing to read "Brian Hooker", written over a horizontal line.

**Executive Director
Brian Hooker**

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 McPherson Implementing Local Redevelopment Authority (the "Authority") held on the 23rd day of April 2015.

- (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 23rd day of April 2015 which was closed for the purpose of:

DELIBERATION REGARDING PERSONNEL MATTER

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 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.

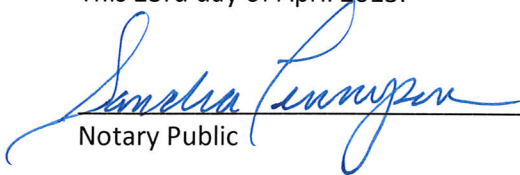
This 23rd day of April 2015.



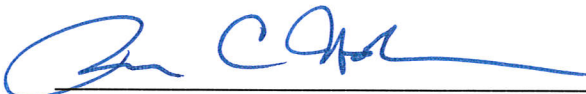
Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me
This 23rd day of April 2015.

Witnessed:



Notary Public (SEAL)



Witness

*my commission
expired on 4/20/2019*