

# ***McPherson Implementing Local Redevelopment Authority***

Board of Directors Meeting

November 15, 2011

Minutes

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Tuesday, November 15, 2011 at the Atlanta Development Authority at 86 Pryor Street, Suite 300, Atlanta, Georgia 30303.

## **Board Members:**

Felker Ward, Jr., Chairman

Kenneth Deleon

John Akin

Chandra Houston

Ayesha Khanna

Richard Holmes

T. Rogers Wade

## **Staff, Legal Counsel and Others:**

Jack Sprott, MILRA

Sandra Tennyson, MILRA

Darlene Hawksley, MILRA

Michael Lusk, MILRA

Michelynn G. Carellas, BRAC Army, Fort McPherson

Ken Neighbors, Greenberg Traurig, LLP

Frank Barton, DOD/OEA

Jalal Slade, Mayor's Office, City of Atlanta

## **Guests**

David Dodd, Vaxy Gen

Ulysses Mitchell, GDOT

Lance McCrauy

Barry Lowe, United Assoc.

Melody Harclerode, Harclerode Architects

Al Murphy, Frazier Services Co.

Larry Butler, Ameresco

Tom Hruby, BECK

Vicki Gavalas, GDOT

Naima Wong, GSU

Cynthia Easley, DCA

Kay Wallace, Stand-Up

Dianese Howard, Venetians Hills, NPU-S

Kim Sanders, Weston Solutions

Bill Cain, GA Chambers

Brenda Archie, Residence Inn

Chairman Ward called the MILRA meeting to order at approximately 1:03 p.m.

**Announcements and Welcome:**

Chairman Ward thanked the audience for their continued support and interest in the development of Fort McPherson. Chairman Ward reminded the audience about the sign-in-sheet for public comment for non-board members. He also asked that anyone making a comment to the Board, to please state their name, address and to limit their comment to three minutes. Chairman Ward introduced Brian McGowan, President and CEO of the Atlanta Development Authority, as the newest nominee for Board appointment. Chairman Ward also introduced Mr. Jalal Slade, Strategic Planning Officer, from the Mayor's Office.

**Approval of the Agenda:**

Chairman Ward recommended the adoption of the agenda. Ayesha Khanna made a motion to approve and it was second by Richard Holmes. Approval was unanimous.

**Approval of Minutes:**

Chairman Ward called for the approval of the October 4, 2011 Minutes. Richard Holmes made a motion to approve and it was seconded by Rogers Wade. Approval was unanimous.

**Regular Session:**

**Item No. 4: Financial Report for MILRA/MPLRA:**

Mr. Michael Lusk gave a brief review of the current financial report for the period of July 1, 2011 to October 31, 2011 for the MILRA and the MPLRA. Mr. Lusk stated that the MPLRA should be dissolved by the end of the year. A copy of the report was attached for the Board Members perusal.

**Item No. 5: Community Engagement Subcommittee Report:**

Ms. Darlene Hawksley stated that a meeting of the Community Engagement Subcommittee was held on October 6, 2011 at the offices at 86 Pryor Street, Atlanta, GA 30303. Ms. Hawksley stated that questions were raised about staffing and jobs at the base as part of the caretaker's contract and that they were informed that many current positions were held by displaced workers from the base. However, should other positions become available; they would be posted on the BSTS website. Ms. Hawksley stated that Councilmember Sheperd had spoken about a contact she had with a potential contractor for the Veterans Administration renovation and their willingness to employ locally.

A copy of the Community Engagement Subcommittee Minutes was included in the Board's packet for their perusal.

In conclusion Ms. Hawksley stated a representative from the Veterans Administration was scheduled to give a presentation at the next meeting of the Community Engagement Subcommittee which was scheduled for Wednesday, November 16, 2011, at 5:30pm-7:30pm, at the offices of the Atlanta Development Authority, 86 Pryor Street, Atlanta, GA 30303, and that Board Members were invited.

**Item No. 6: MILRA Bylaws Amendments:**

Ms. Chandra Houston stated that at the October 4<sup>th</sup> Board meeting a revised version of the Bylaws was presented to the Board and the motion was tabled to allow the board to review the changes that they felt were necessary. Ms. Houston stated that the changes made were minor – and included clarification allowing absentee ex-officio members to be excluded from the “excused absence” requirement. The change clarified that ex-officio members cannot be removed due to an unexcused absence over an extended period. Ms. Houston also stated that language around the subcommittee officers in reference to the secretary and treasurer had been clarified.

Mr. Jack Sprott stated that two copies of the Bylaws were attached one with redlines to show where the changes had occurred and he brought to the board’s attention an article about attendance on page 3 section 4 and reference page 6 section 3 and stated that this section did not mention the ex-officio members and asked that the language in this section be repeated to match the language on page 3 section 4.

A copy of the Bylaws and changes made were attached in the Board’s packet for their records and their perusal.

**Approval of Item No. 6:**

Mr. John Akin made a motion to approve as recommended by the Nominating Subcommittee with the addition of the matching language and consider for approval amendments to the Bylaws. It was seconded by Rogers Wade. Approval was unanimous.

**Item No. 7: Public/Private Partnership RFQ:**

Mr. Jack Sprott stated that at the request and approval of the US Army, the MILRA has prepared a Request for Qualifications related to the proposed selection of a private sector development partner “Master Developer”, with a view toward creating an effective public/private partnership arrangement to advance the redevelopment, design, construction and implementation of the Fort McPherson Master Plan. Mr. Sprott stated that the final selection of a Master Developer would lead to a Master Development Agreement for the “EDC Parcel” that lies within the **Employment Center District**, to create a destination for employment, community activity, business and a compatible mixture of research, and development, industrial, commercial, institutional, residential, cultural and recreational uses that encourage the use of MARTA and other public transit facilities. Mr. Sprott also stated that a proposed SPI zoning would allow high density residential, corporate offices, clinics, recreational establishments and other uses just to name a few.

**A copy of the RFQ was attached in the board’s packet for their perusal.**

**Approval of Item No. 7:**

Richard Holmes made a motion to approve the Request for Qualifications and the proposed Master Developer selection process and related considerations and authorize the executive director to finalize and issue the RFQ documents. It was seconded by Kenneth Deleon. Approval was unanimous.

**Item No. 8: 2012 Board Meeting Schedule:**

Mr. Sprott stated that a tentative 2012 Meeting schedule had been prepared and attached in the Board's packet and asked that they take a look and review their calendars and to please pencil the dates as placeholders. Mr. Sprott stated that each meeting date would be confirmed during a meeting that precedes that date.

**Public Comments:**

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

**Executive Session:**

**Item No. 11: 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, Ayesha Khanna made a motion to approve and it was seconded by Chandra Houston. The vote was unanimous.

The Board went into Executive Session for approximately 52 minutes. Kenneth Deleon made a motion to end the Executive Session and it was seconded by Ayesha Khanna. Approval was unanimous.

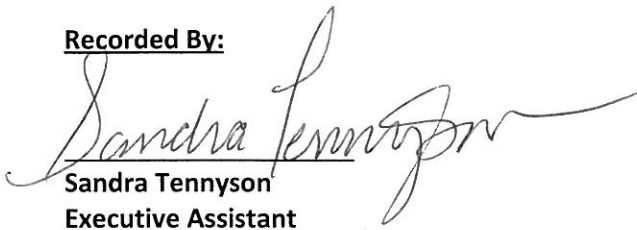
After the Executive Session had ended Chairman Ward asked that the meeting be reopened to the public.

**Adjournment:**

Rogers Wade made a motion to adjourn. It was seconded by Kenneth Deleon. Approval was unanimous.

The MILRA meeting ended at approximately 2:50 p.m.

**Recorded By:**

  
Sandra Tennyson  
Executive Assistant

2/2/2012  
Date

**Approved By:**

  
Jack C. Sprøtt  
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 15th day of November, 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 7th day of September, 2011 which was closed for the purpose of:

**DELIBERATION REGARDING PERSONNEL MATTER**

- X **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**

- X **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.

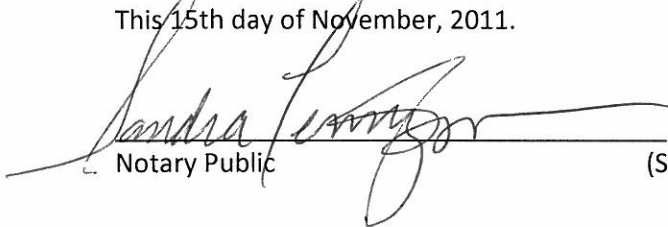
(4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an affidavit be executed.

This 15th day of November, 2011.

  
\_\_\_\_\_  
Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me  
This 15th day of November, 2011.

Witnessed:

  
\_\_\_\_\_  
Notary Public (SEAL)

  
\_\_\_\_\_  
Witness

*my commission  
expires on May 17, 2015*