

McPherson Implementing Local Redevelopment Authority

Board of Directors Meeting

August 9, 2011

Minutes

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Tuesday, August 9, 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

John Akin

Joe Macon

Chandra Houston

Ayesha Khanna

Richard Holmes

David Todd, Jr.

T. Rogers Wade

Ex-Officio Members:

Councilmember Joyce Sheperd (via conference call)

Staff, Legal Counsel and Others:

Jack Sprott, MILRA

Sandra Tennyson, MILRA

Darlene Hawksley, MILRA

Michael Lusk, MILRA

Frank Barton, DOD/OEA

Michelynn G. Carellas, BRAC Army, Fort McPherson

Glynn Ryan, US Army, BRAC, Fort McPherson

Ken Neighbors, Greenberg Traurig, LLP

Kristin Denius, Assistant City Attorney, City of Atlanta

Guests

Starlyn Baxter, Assoc. Chapter

Kim Carter, MACC

Amy Johnson, MACC, Oakland City Community Org.

Mike Walker, C.E.R.M.

Mark Sanders, GA Research Alliance

Connie Johnson, MARTA

Chief George Turner, APD

Major Erika Shields, APD

Deputy Chief Shawn Jones, APD

David Bennett, City of Atlanta Mayor's Office
Christina Byrnes, tv design
Amanda Schaner, DNR
Jane Branscomb, GHPC
Allean Brown, NPU-S
Checha Reddy, GA –Stand-Up
Tom Hruby, BECK
Ernestine Garey, ADA
Jeff Kling, MTC

Chairman Ward called the MILRA meeting to order at approximately 1:02 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 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:

Chairman Ward recommended the adoption of the agenda. John Akin 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 June 21, 2011 Minutes. Ayesha Khanna made a motion to approve and it was seconded by Chandra Houston. Approval was unanimous.

Regular Session:

Item No. 4: Closure/Transition Preparation Report:

Mr. Sprott stated that he and Darlene Hawksley have been in communication with Glynn Ryan and Michelynn Carellas of the U.S. Army in regards to the closure of Fort McPherson on September 15, 2011. Mr. Sprott also stated that he sent a note to Bill O'Donnell, the BRAC person in Washington about the concerns in reference to the caretaker of the property. Mr. Sprott stated that the City of Atlanta is supportive of the Fire/Police protection to the facility but a MOA needs to be in place. He stated that a response was received from the US Army' William (Bill) O'Donnell wherein he said ***that the caretaker function is an Army "internal responsibility" and that the caretaker contract and support team will ensure that its responsibilities are properly tended and cared for.***

Mr. Sprott stated that the U.S. Army will engage a caretaker contractor to provide all management, administration and labor necessary to perform real property operations, maintenance, repair, construction and other related services for the closed installation and those services would also include

public works, utilities, structural, heating/cooling, fire protection equipment, pumps, grounds, generators and alarms. The contract would also cover oversight, management, supervision, skilled personnel, support and equipment necessary to provide routine and emergency protection and support services for a daily deterrent 24/7/365 against unauthorized, illegal or potentially life threatening activities directed towards the property and caretaker employees. Mr. Sprott also stated that additional services would include security patrols, protective security, access control, personal escort, communications and surveillance. In conclusion, Mr. Sprott stated that staff has attended “transition team” meetings with City agencies led by Councilmember Sheperd on July 7th and July 28th.

The discussion that followed centered on the current issues regarding fire protection, police protection and the State of Georgia’s acceptance of a “retrocession of jurisdiction” for the property. Mr. Glynn Ryan commented that any coordination between the caretaker contractors and the local fire and police services would be on a case-by-case basis as incidents occur and these services are contacted by the caretaker team. Ayesha Khanna asked that staff provide an updated closure/transition timeline to board members for a better understanding of how these responsibilities will be addressed. Mr. Sprott replied that the timeline would be updated and provided to the board.

Item No. 5: Community Engagement Subcommittee Report:

Mr. Sprott stated that the most recent meeting of the Community Engagement Subcommittee was held on July 7, 2011, at the offices of ADA and its focus was on a presentation on the studio work that was prepared for Georgia Stand-Up and completed by GA Tech students. Mr. Sprott stated that the main reason for the meeting was to confirm that the subcommittee members had read and understood the McPherson Master Plan. He added that Mr. Michael Dobbins gave the presentation on the work completed by his students and that it was a good review, clearly focused on the broader community and very evenly presented. Mr. Sprott stated that they did discuss the definition of interim use of the property and that a caretaker agreement needs to be in place. Also included in the packets for the MILRA Board members was a copy of the minutes from the July 7th Community Engagement Subcommittee meeting.

It was stated that the next Community Engagement Subcommittee meeting is scheduled for September 7, 2011 at 5:30p.m., at the Atlanta Development Authority.

Item No. 6: Resource Subcommittee Report:

Mr. Sprott stated that a meeting between Vice-Chairman Richard Holmes, Michael Lusk and himself was held at Georgia Power headquarters on June 29th and at this meeting the team reviewed the MPLRA and MILRA financial history and discussed recent revenue generating efforts.

Mr. Holmes stated that they are focusing on two main interests, and they are ***(1.) Marketing the Property and (2.) Financial Resources.***

In reference to marketing the property, Mr. Holmes stated that a meeting has been set up for Mr. Sprott and staff to come over to the Georgia Resource Center, which is a Georgia Power facility, to upload information onto their database system which is shared by the state’s industry and trade and all economic development for the state which allows all businesses who are interested in doing business

with the state the opportunity to see what's available for development and at the same time they can also see what buildings are available.

Mr. Holmes stated that a meeting has been set up for August 24th to discuss financial resources and where they can be found. Mr. Holmes has also set up a meeting with three different economic development executives to look at possible resources that could be achieved in a short order. The list includes, Sr. VP Hans Gant of the Atlanta Chamber of Commerce, Bob Voyles, of Seven Oaks Company and Brian McGowan of ADA, along with two foundation Presidents, Mike Anderson of Georgia Power and Curley Dossman of Georgia Pacific. Mr. Holmes stated that they are not looking for funds for development but they are for looking for bridge funding, funds that can hold an organization together funds that keep and organization going forward. Mr. Holmes stated that Mr. Rogers Wade from the state would also be involved in this meeting.

Item No. 7: Independent Auditor Engagement-2010-2011:

Mr. Sprott stated that on Monday, August 1, 2011, Michael Lusk issued an e-mail solicitation to four local accounting firms (1) Mauldin & Jenkins, (2) Deloitte, LLP (3) Frazier & Deeter and (4) Reznick Group requesting a quote to prepare an Independent Audit Report and a Single Audit Report for the McPherson Planning LRA and the McPherson Implementing LRA for the short period January 2010 to June 2010, in addition to the full period July 2010 to June 2011. Only Reznick and Mauldin & Jenkins responded and both firms also included a bid for an additional two years contingent upon sufficient funding. The lowest bid was \$23,000 from Mauldin & Jenkins.

Approval of Item No. 7:

Richard Holmes made a motion to approve the engagement of Mauldin & Jenkins to prepare an Independent Audit Report and a Single Audit Report for the periods January 2010 thru June 2010 and July 2010 thru June 2011 and to authorize the chairman or executive director to execute all contracts and amendments. It was seconded by Peggy McCormick. Approval was unanimous.

Item No. 8: Financial Report for MILRA/MPLRA:

Mr. Sprott called upon Michel Lusk, Director of Finance & Business Management to make a brief presentation on the MILRA/MLPRA, current financial report for the period July 1, 2010 thru June 30, 2011. A copy of the report was attached for the Board Members perusal.

Public Comments:

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

Executive Session:

Item No. 10: 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, Joe Macon made a motion to approve and it was seconded by John Akin. The vote was unanimous.

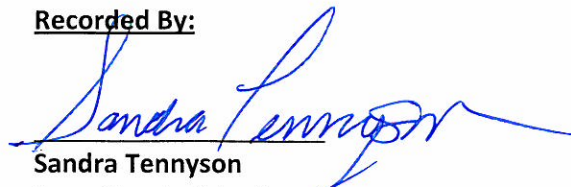
The Board went into Executive Session for approximately 54 minutes. Joe Macon made a motion to end the Executive Session and it was seconded by Ayesha Khanna. Approval was unanimous.

Adjournment:

Joe Macon made a motion to adjourn. It was seconded by Chandra Houston. Approval was unanimous.

The MILRA meeting ended at approximately 3:20 p.m.

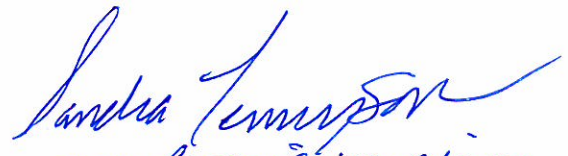
Recorded By:


Sandra Tennyson
Executive Assistant

9/7/11
Date

Approved By:


Jack C. Sprott
Executive Director


my Commission expires
on 5/12/2011

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 9th day of August, 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 9th day of August, 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.

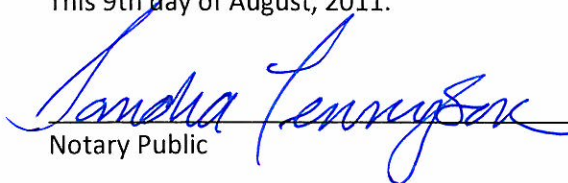
This 9th day of August, 2011.



Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me
This 9th day of August, 2011.

Witnessed:



Notary Public (SEAL)



Witness

Edwards May 17, 2015