

McPherson Implementing Local Redevelopment Authority

Board of Directors Meeting

October 22, 2009

Minutes

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Thursday, October 22, 2009, at the Atlanta Development Authority at 86 Pryor Street SW, Suite 300, Atlanta, Georgia 30303.

Board Members:

Felker Ward, Jr., Chairman

Mayor Joseph Macon

Peggy McCormick

Kenneth DeLeon

Ayesha Khanna

John Akin

State and City Officials:

Darryl Hicks, Fulton County Commissioner's Ofc.

Greg Pridgeon, City of Atlanta Mayor's Ofc.

Ex-Officio Members:

Councilmember Joyce Sheperd, City of Atlanta

Ralph A. Long III, State Representative

Erroll B. Davis, Jr., Chancellor, Board of Regents, USG

Staff, Legal Counsel and Others:

Jack Sprott, MILRA

Sandra Tennyson, MILRA

General Phil Browning, U.S. Army Retired

Peter J. Andrews, Deputy City Attorney of Atlanta

Michelynn G. Carellas, US Army, BRAC Coordinator

Ken Neighbors, Greenberg Traurig, LLP

David Knisely, Garrity & Knisely

Guests

Josh Bond, HDR

Doug Edwards, HDR

David Clappier, Gambling

Lee Jones, Genesis

Paul Brightbill, Fort Mac RAB

Mike Dobbins, GA Tech

Cliff Harrell, Ackerman & Co

Melinda Moo

Pam Sanders, Fort Mac Work Group

Ken Bleakly, Bleakly Advisor Group

L.E. Tate, NPU-T

Deborah Scott, GA Stand-Up

Ron Dickerson, Smith Carter

James George, Cousins Property
Shirley Lucia,
Mark Sanders, Georgia Research Alliance
Judy Walker, McPherson Action Coalition
Herman Howard, HOK

Chairman Ward called the MILRA meeting to order at approximately 1:12 p.m.

Announcements and Welcome:

Chairman Ward welcomed the visitors, the new members of the MILRA and asked for each Board Member to give a brief introduction.

Approval of Minutes:

At this point, Chairman Ward recognized that a quorum was in place and called for the approval of the MILRA September 22, 2009 Board Meeting Minutes. Mayor Joseph Macon made a motion to approve and it was second by Kenneth DeLeon. Approval was unanimous.

Approval of the Agenda:

Chairman Ward recommended the adoption of the agenda but stated that beginning at this meeting, and at future meetings, time will be allowed at the end of the agenda for comments from the general public. He requested that no more than two minutes be allocated to each speaker. At future meetings there will be a sign-in sheet for those who wish to have their voice heard. Mayor Joseph Macon made a motion to approve, seconded by Kenneth DeLeon. Approval was unanimous.

Regular Session:

Item No: 4 Excused Absence Resolution:

Mr. Sprott stated that Section 3(h) of the McPherson Implementing Local Redevelopment Authority Act (HB 817) states: ***“A vacancy on the authority shall exist in the office of any member of the authority who.....fails to attend three consecutive regular meetings of the authority without an excuse approved by a resolution of the authority.”*** Mr. Sprott stated that staff has proposed that an ***“Excused Absence Resolution”*** be addressed at each meeting to assure that a vacancy is not inappropriately ordered due to the consecutive absences of any member. Mr. Sprott stated that the attached resolution will grant an excused absence to the Board Members who are absent for reasons acceptable to the Board.

Approval of Item No.4:

Mayor Joe Macon made a motion to approve the proposed resolution granting an excused absence to Board Members Richard Holmes, Vance Smith, Chandra Houston, Chris Clark, Michael Beatty, Tim Lowe, Kenneth Stewart, Michael Thurmond, Vincent Fort, John Eaves and David Todd, Jr. who were absent for reasons acceptable to the Board. It was seconded by Chandra Houston. Approval was unanimous.

Regular Session:

Item No. 5 Adoption of Bylaws:

Attorney Neighbors stated that the EIN is complete, that they are working on the DUNS Number and staff has secured a seal. He stated that the Bylaws were circulated at last month's meeting and those had not changed and called the Board's attention to Section IV. There were also copies of the Bylaws in the Board Members handout and Attorney Neighbors referenced them as he explained their relevance to the MILRA.

Kenneth DeLeon asked if we have another set of rules if the Chairman were to become ill or was out for an extended period of time.

Attorney Neighbors stated that the Vice-Chair would serve as interim and if the Chairman were to vacate his position, the Vice-Chair would serve as interim until the Governor could appoint a new Chairman.

Chancellor Erroll Davis asked if he could send a designee to the meetings that he was not able to attend and if it would be interchangeable.

Attorney Neighbors said that he would have to look into that.

Peggy McCormick asked what the MPLRA fiscal year was.

Mr. Spratt stated that it was on a calendar year due to the receiving of funds but they were discussing moving to the fiscal year that begins in July.

Approval of item No. 5:

Mayor Joe Macon made a motion to approve the Adoption of the Bylaws with an amendment to be made to Section 13 in reference to changing the fiscal year to match that of the City of Atlanta and the State of Georgia. It was seconded by Ayesha Khanna. Approval was unanimous.

Regular Session:

Item No: 6 Election of Officers:

Chairman Ward stated that at the last meeting Ayesha Khanna, Kenneth DeLeon and David Todd volunteered to serve on a Nominating Committee to select a Vice-Chair, Secretary and Treasurer. Ayesha Khanna stated that she and the others were honored to serve on the committee and that they evaluated the roles of various officers and matched their history with the office to be filled.

Kenneth DeLeon stated that the Board Members had been contacted and agreed to serve in the capacity for which they had been nominated.

The slate of recommended candidates is as follows:

Vice-Chairman: Richard Holmes
Secretary: Ayesha Khanna
Treasurer: Peggy McCormick

Approval of Item No. 6:

Chairman Ward asked if there were any nominations from the floor. There were none and he said the nomination was closed.

Mayor Macon made a motion to approve the slate of officers as nominated by the Nominating Committee and it was seconded by Kenneth DeLeon. Approval was unanimous.

Chairman Ward stated that he would like for the Board members to start thinking about developing a list of committees to do the work as we go forward and as this list is developed let it be according to qualifications.

Regular Session:

Item No. 7 Board Meeting Schedule for 2009 & 2010:

Chairman Ward stated that there was a tentative meeting schedule of dates for the remainder of 2009 and 2010 Board Meetings attached in the Board's handout and they should consider it to be the schedule for now but to keep in mind that dates are announced at current meetings as to when the next Board meeting will take place.

The tentative dates were accepted by acclamation.

Regular Session:

Item No. 8 HUD Application Confirmation and Approval:

Chairman Ward stated that the new authority will need to approve and adopt the plan and submissions of the MPLRA and that it is necessary as a part of our recognition by the Army and HUD.

Mr. Sprott stated that under the umbrella of the BRAC Law and the McKinney-Vento Act the HUD application is the "master" document that contains the Reuse Plan, the homeless assistance submission, and a summary of the public comments. Mr. Sprott stated that at the September 11, 2007 meeting the MPLRA approved the HUD application containing the Reuse Plan the homeless submission and the public comments. He added that the HUD Application was submitted on September 21, 2007. He continued saying that, at a MPLRA Board meeting on March 4, 2008, the Board reviewed the details of a response from Lynn Morgan, HUD Legal Counsel, regarding the issues needed to be resolved in order to gain HUD's approval. The key issues were:

- Compliance with public requirements
- Content of our balance statement
- Criteria used to accept or reject parties that submitted "Notices of Interest"
- Eligibility of the "scattered site" proposals
- Eligibility of all proposals with regard to compliance with the McKinney-Vento act definition of "Homeless Persons"

- Authority of the MPLRA to execute the “legally binding agreements” (LBAs”)

Mr. Sprott stated that the MPLRA Staff and legal counsel prepared and submitted a supplemental response to HUD that contained a series of clarification summaries and tables that addressed the primary questions from HUD concerning the Homeless Assistance Plan. He also stated that Attorney David Knisely and he met by conference call with HUD staff members Lynn Morgan and Linda Charest on Monday, March 10, 2008 to discuss the supplemental submission. The issues discussed were:

- Public Hearing Requirements
- Balance Statement
- Acceptance/Rejection of Notice of Interest
- Scattered Site Proposals
- Compliance with the McKinney-Vento Act

Mr. Sprott stated that HUD initially notified them that the majority of the projects were in compliance. However, four projects were not eligible for approval under the McKinney-Vento:

- PRI, 10 acre, 150 unit on-site complex
- Sullivan Center, 10 units of housing, support services
- Chris Kids, 16 family units
- East Point Community Action Team (“EP-CAT”), 7 single family units

Mr. Sprott stated that on March 24, 2008, he, Ayesha Khanna, Debi Starnes, and Steve Foster met to discuss the pending response from HUD. This “working group” was in general agreement that HUD’s position should be accepted and that the MPLRA should proceed with a request for approval. Mr. Sprott stated the general consensus of the MPLRA following its April 22, 2008 meeting was to accept HUD’s position with the exception of CHRIS Kids. Mr. Sprott stated that Ayesha Khanna expressed her dismay that CHRIS Kids did not qualify under the McKinney-Vento strict definition of homelessness and Chairman Ward was in agreement. Mr. Sprott stated that Ayesha Khanna identified one more option for the “Working Group” to explore in regard to CHRIS Kids and suggested the “Rainbow Program” that targets homeless and runaway gay, lesbian, bisexual, transgender and questioning youth. Mr. Sprott stated that as a result of Ms. Khanna efforts, HUD had indicated that our final submission, including CHRIS Kids revision, should be approved. Mr. Sprott stated that the final submission consist of 286 units on-site plus 125 units off-site for a total of 411 units of inclusive community housing serving approximately 700 homeless individuals and families.

Mr. Sprott delivered a PowerPoint Presentation to the Board that explained the breakdown of how the 411 units were distributed.

Mr. Sprott stated that at its May 20, 2008 meeting , the MPLRA acknowledged and consented to the homeless assistance transfer proposal and revisions and the pursuit of a public benefit conveyance, as an option, for the Saint Joseph’s/CAPN project.

Mr. Sprott stated that as the MILRA begins to shoulder the burden of taking the project forward, our first major step is to confirm the vote of the MPLRA of September 11, 2007 and May 20, 2008 approving the Fort McPherson LRA Application.

Approval of Item No. 8:

Mayor Joe Macon made a motion to confirm the vote of the MPLRA of September 11, 2007 and May 20, 2008 approving the Fort McPherson LRA Application ("LRA Application"), consisting of the Redevelopment Plan, Homeless Assistance Submission and Legally Binding Agreements ("LBAs"); to approve, on its own behalf, the LRA Application, including the Redevelopment Plan, the revised Homeless Assistance Submission and revised LBA's that have been submitted to the U.S. Department of Housing and Urban Development; to direct legal counsel to submit a legal enforceability opinion to HUD; and to authorize the executive director to execute the LBAs and take all other action necessary to implement the LBAs on behalf of the Authority. The motion was seconded by Kenneth DeLeon. Approval was unanimous.

Chancellor Erroll Davis asked what the two, three or four big dates were on the closure and redevelopment timeline.

Mr. Sprott said that approval of the Reuse Plan by HUD should come within the next few weeks, the completion of the Business Plan, the zoning process, and the EDC application should occur sometime this spring. Completion of the Research Park Master Plan and acceptance of the EDC Application should happen by the summer of 2010 and, of course, the base closure in September of 2011.

Kenneth DeLeon asked about a list of MPLRA business that still needs to be taken care of. Attorney Neighbors said yes that the Dissolution Plan would outline and list these actions. He added that the MPLRA did not want to begin the process too early while there is still some active business to administer.

Chancellor Davis asked if there was an overlap on this Board.

Mr. Sprott said yes and he named the members who crossed over from the MPLRA Board to the MILRA Board.

Kenneth DeLeon asked if the reduction of the number of housing affect the submission plan.

Mr. Sprott stated that the homeless assistance submission has not been altered or amended as a result of changes to the Reuse Plan and should not prevent approval by HUD.

Ayesha Khanna stated that based on creating jobs and training, she feels confident with the recommendations that were made.

Chairman Ward asked Attorney David Knisely to give an update to the Board. Attorney Knisely stated that he was working on the Economic Conveyance Plan and that Mr. Sprott, General Browning and he met with the Army in Washington a few weeks ago and that it was a very good meeting. He stated that the Army was impressed with the Board's efforts and they also discussed how the transfer of the property will happen. He stated that the MPLRA worked very closely with the Army in keeping them up to speed on the latest plans and study performances and he hopes that the MILRA will continue to do same. Attorney Kinsey stated that the Army felt that this was one of their high value bases but of course with today's market you can't sell it for a lot of money. He concluded by saying that the involvement of the community; city, public and state are needed to make it a go and added that there are many more interactions to come between the Army and the Board.

General Browning interjected by stating that there was a trust level there between the Army and this Board and Attorney Knisely agreed and stated that negotiations are more favorable when there's a trust level in place.

Public Comments:

Chairman Ward asked the visitors if they had any questions or concerns:

One visitor wanted a hard copy of the master plan. And he was told that it was available on-line. Mr. Sprott added that a hard copy could be made available if he would make a request and give us a little lead time to print our a report.

Ms. Judy Walker expressed her concern about not having someone representing the community sitting on the Board. Representative Long assured Ms. Walker that he had met with the Governor expressing that very concern and that Councilmember Sheperd, Senator Fort and himself were very community active and to rest assured that the community concerns were being heard and addressed.

Chancellor Davis commented that since there are a year of Board meetings that perhaps that one or two could be held outside of the normal meeting place for example in one of the communities. Kenneth DeLeon concurred and even suggested that one could possibly take place in the evening. Mr. Sprott during the outreach period for the Reuse Plan, 12 to 14 meetings were held in various locations in the communities. He added that it is required by BRAC Law to make it an open process to the community.

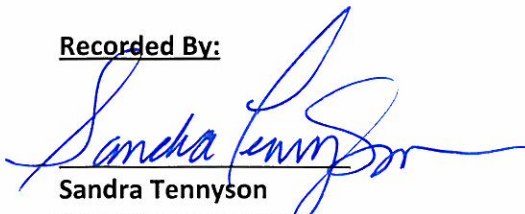
One visitor who has an office outside of the gate expressed her concern about what's going to be there for the businesses and the community once the base is closed she also said that she's constantly being asked that question and she has no answer.

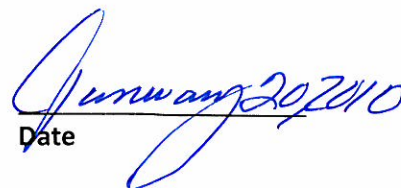
Professor Mike Dobbins stated that the base was the hole in the doughnut and that his Georgia Tech Studio task was to identify and prioritize the conditions around the base and that he would like a copy of the Business Plan and to get a sub-committee set-up.

Adjournment:

Chairman Ward made a motion to adjourn the meeting and it was seconded by Mayor Macon. Approval was unanimous. The MILRA meeting ended at approximately 2:15 p.m.

Recorded By:


Sandra Tennyson
Executive Assistant


Date

Approved By:



Jack C. Spratt
Executive Director