

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 20th day of January, 2010.

(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 20th day of January, 2010 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.

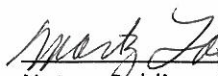
(4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an affidavit be executed.

This 20th day of January, 2010.

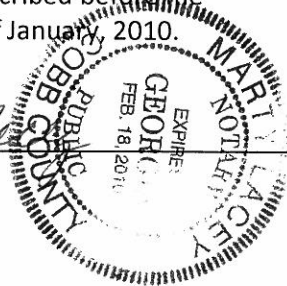


Felker Ward, Jr., Presiding Officer

Sworn and subscribed before me
This 20th day of January, 2010.




Notary Public



(SEAL)

Witnessed:



Kenneth Neighbors, General Counsel

McPherson Implementing Local Redevelopment Authority

Board of Directors Meeting

January 20, 2010

Minutes

A meeting of the McPherson Implementing Local Redevelopment Authority (MILRA) was held on Wednesday, January 20, 2010, at the Atlanta Development Authority at 86 Pryor Street SW, Suite 300, Atlanta, Georgia 30303.

Board Members:

Felker Ward, Jr., Chairman

Joseph Macon

Peggy McCormick

Kenneth DeLeon

Ayesha Khanna

John Akin, Jr.

Tim Lowe, III

Richard Holmes

Chandra Houston

Ex-Officio Members:

Councilmember Joyce Sheperd, City of Atlanta

Ralph A. Long III, State Representative

Commissioner Michael Beatty

Staff, Legal Counsel and Others:

Jack Sprott, MILRA

Sandra Tennyson, MILRA

General Phil Browning, U.S. Army Retired

Frank Barton, DOD/OEA

Kristen Denius, City Attorney of Atlanta Assistant City Attorney

Michelynn G. Carellas, US Army, BRAC Coordinator

Ken Neighbors, Greenberg Traurig, LLP

Guests

Ron Alston

Ellen Wickersham, ADA

Tyrone Rachal, ADA

David Clappier, Gambling

Jennifer Fine, City of East Point

Deborah Scott, Georgia Stand-Up

Wayne Kendall, Heritage Creek Development

Penny Canalizo, ADA

Leigh Ann Little, HOK
Barry Brooks, CDC
Pete Hayley, Atlanta University
Kim Isogard, Georgia Stand-Up
James George
Tom Williams, PBS&J
Frank Tyboroski, Matrix Design
Annalise Fonza, Councilmember Joyce Sheperd's Office
Mark Sanders, Georgia Research Alliance
Charnette Trimble, MACC
Kaycee Mertz, GDOT
Charletta Jacks, COA-Bureau of Planning
Ron Walker, Morehouse School of Medicine
Berook Moges, Community Advanced Practice Nurses

Chairman Ward called the MILRA meeting to order at approximately 1:17 p.m.

Announcements and Welcome:

Chairman Ward welcomed the visitors and thanked them for their continued support and reminded the audience about the sign-in- sheet and also the sign-in- sheet for public comment for non-board members and advising that the Board would address their questions at the end of the meeting.

Approval of Minutes:

Chairman Ward recognized that a quorum was in place and he asked for the approval of the October 22, 2009 minutes. Joseph Macon made a motion to approve, seconded by Richard Holmes. Approval was unanimous.

Approval of the Agenda:

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

Regular Session:

Item No: 4 2009 Defense Community Conference Briefing:

Mr. Sprott, read a letter to the Board dated October 30, 2009 from Patrick J. O'Brien, Director of the Office of Economic Adjustment which stated that, on behalf of Secretary of Defense, the MILRA was now officially recognized by his office.

Mr. Sprott briefed the Board on the Defense Community Conference that was hosted by the Department of Defense Office of Economic Adjustment, held in Orlando, Florida November 2-5, 2009. Accompanying Mr. Sprott was, Charletta Jacks, Bureau of Planning, Alan Travis, Board of Regents, Dr. Holly Avey, GA Health Policy Center, Fred Bryant, Fort Gillem, Deborah Lawton, Department of Labor and others. Mr. Sprott stated that the conference covered the whole gamut of relations with OEA.

Mr. Sprott stated that the greatest interest to the MILRA were the sessions presented by the US Army. Handouts were distributed to the Board Members for their review and he also gave a brief synopsis of the handouts.

Mr. Sprott also stated that a copy of the "Community Profile" for Fort McPherson that was prepared by staff and submitted to OEA was enclosed for the Board's review.

Mr. Sprott drew special attention to the New EDC Language that was in the "Mastering Property Disposal II", handout which stated, "The transfer of property located at a military installation under subparagraph (A) may be for consideration at or below the estimated fair market value or without consideration. The determination of such consideration may account for the economic conditions of the local affected community and the estimated costs to redevelopment the property. The Secretary (of Defense) may accept, as consideration, a share of the revenues that the redevelopment authority receives from third-party buyers or lessees from sales and long-term leases of the conveyed property, consideration in kind (including goods and services), real property and improvements, or such other consideration as the Secretary considers appropriate." Mr. Sprott stated that up until this point the Army and the Department of Defense were required to seek fair market value and that this new language removes that mandate giving them more flexibility.

Chairman Ward asked if this legislation has now become law.

Mr. Frank Barton replied yes.

Regular Session:

Item No. 5 Zoning Blueprint Update:

Mr. Sprott stated that its June 16, 2009 meeting, the MPLRA approved an intergovernmental contract with the City of Atlanta, Department of Planning & Community Development for zoning services and authorized the chairman or executive director to execute all necessary and satisfactory documents and amendments. Mr. Sprott stated that work on a zoning blueprint for Fort McPherson to mirror the reuse plan and establish protective zoning for the Historic District has been moving forward since October 20th. Mr. Sprott stated that the team has been working under the supervision of Ms. Charletta Jacks, the Director of Bureau and Planning for the City of Atlanta. Mr. Sprott also stated that Ms. Jack would be giving a brief overview and update on the Zoning Blueprint and that a copy of Ms. Jacks' presentation was attached in the boards' packet for better understanding as she gives her presentation.

Ms. Jacks, Director of the Bureau of Planning for the city of Atlanta, stated that they had hired a team of planning consultants to develop the framework for zoning and land use for the redevelopment of Fort McPherson. She also stated that they had held one community workshop and they were working with Councilmember Sheperd to get the community involved. Ms. Jacks stated that the team has been charged with exploring the application of the SPI 9 Special Public Interest) and they were focusing on the following:

- Permitted primary uses
- Permitted accessory uses
- Building scale and setbacks
- Location and type of parking

- Form and use of open space (parks, plaza, etc.)
- Importance of connectivity, compatibility, and community space

Ms. Jacks stated that the goal of Bureau and Planning is to create a blueprint that creates a unique, sustainable mixed use community that links functionality, economics, and aesthetics. She added that the utilization of the SPI District Zoning would provide for:

- The protection and enhancement of the historical district of the base
- Residential regulations that allow for a variety of housing types
- Recreational and open space opportunities that would allow for the recreation of new parks, multi-use trails and special events
- Commercial area that would allow for a Main Street style shopping business district
- An Employment Center District, primarily occupied by a Biosciences Park

After Ms. Jacks' presentation she asked if there were any questions.

Ms. Peggy McCormick asked about the general timeline.

Ms. Jacks said perhaps March because of the legislative process and if not then it would be June.

Councilmember Sheperd stated that based on the funding it would be either the beginning or end of June.

Mr. Sprott asked if the Team has done its work did she have the in-house folks that could push this through.

Ms. Jacks said yes.

Mr. Tim Lowe asked about board members attending community meetings.

Councilmember Sheperd said that Board members should come out to the community meetings.

Mr. Tim Lowe asked if there had been an Economic Analysis done which would show the benefits to the community.

Councilmember Sheperd said no.

Regular Session:

Item No: 6 Research Park Master Plan Consultant Selection Subcommittee:

Mr. Sprott stated that a mandatory pre-proposal conference was held on January 14, 2010 and that 48 people attended representing 31 separate firms. He continued saying that staff is requesting that a Research Park Master Plan Consultant Selection Subcommittee be formed to select a firm to provide the consulting services and to appoint himself, Tim Lowe, Ken DeLeon and Alan Travis and other selected member to serve on the committee. At this time Chairman Ward volunteered to serve on the committee as well.

Approval of Item No.6:

Richard Holmes made a motion to approve Jack Sprott, Tim Lowe, Ken DeLeon, Alan Travis and Chairman Ward to serve on the Research Park Campus Master Plan Consultant Selection Subcommittee. It was seconded by Tim Lowe. Approval was unanimous.

Public Comments:

Ms. Charnette Trimble, President of the McPherson Action Community Coalition concern was that the handouts that were in the Board's packet be available for the general public in doing so she would be able to share with the community the current status of what was happening with the closing of the base.

Executive Session:

Chairman Ward made a motion to move into Executive Session and read the required statement as to why they were moving into Executive Session. The statement was as follows:

"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. 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."

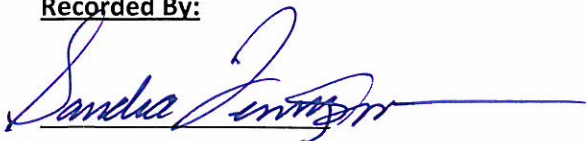
After Chairman Ward read the statement, Joe Macon seconded the motion. The vote was unanimous.

The Board went into Executive Session for approximately 1 hour. Chairman Ward made a motion to end the Executive session and it was seconded by Richard Holmes. Approval was unanimous.

Adjournment:

Joseph Macon made a motion to adjourn; it was seconded by Kenneth De Leon. Approval was unanimous. The MILRA meeting ended at approximately 2:54 p.m.

Recorded By:



2/16/10

Sandra Tennyson
Executive Assistant

Date

Approved By:



Jack C. Sprött
Executive Director