

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

Board of Directors Meeting

October 20, 2010

Minutes

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

## **Board Members:**

Joseph Macon  
Kenneth DeLeon  
Richard Holmes  
Chandra Houston  
Ayesha Khanna  
Peggy McCormick

## **Ex-Officio Members:**

Councilmember Joyce Sheperd  
Senator Vincent Fort  
State Representative Ralph A. Long, III

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

Jack Sprott, MILRA  
Sandra Tennyson, MILRA  
Darlene Hawksley, MILRA  
General Phil Browning, U.S. Army Retired  
Frank Barton, DOD/OEA  
Kristin Denius, Assistant City Attorney, City of Atlanta  
Michelynn G. Carellas, US Army, BRAC Coordinator  
Ken Neighbors, Greenberg Traurig, LLP

## **Guests**

Bob Tritt, McKenna Long  
Amy Johnson, MACC, Oakland City Community Organization  
Jane Branscomb, GA Health Policy Center  
Connie Johnson, MARTA  
Tran Nguyen, Duckett Design Group  
Tami Moore, Duckett Design Group  
Matt Mylly Kangas, Hunt Development Group  
Mary Ellen Mcdanahan, GDECD  
Tom Hruby, The Beck Group  
Tameka Wimberley, MARTA

Karen Babino, MACC/WSCO  
Deborah Scott, GA Stand-UP  
Carolyn Knabel, GA Tech  
Greg Clay, City of East Point  
Pamela Sanders, MACC  
Rahim Islam, One Cic  
Barbara Guillory, C Academy  
Tillman Ware, MIKM  
Penny Canalizo, ADA

Vice-Chairman Richard Holmes called the MILRA meeting to order at approximately 1:10 p.m. It was determined that a quorum was not yet present. Vice-Chairman Holmes asked that the Board review the minutes and agenda in anticipation of a formal vote when a quorum is achieved.

**Announcements and Welcome:**

Vice-Chairman Holmes thanked the audience for their continued interest. He 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.

**Regular Session:**

**Item No. 4: Quarterly Financial Report:**

Mr. Sprott thanked Peggy McCormick and Penny Canalizo for formatting the quarterly financial report sheet for the board. He reviewed the financial report with the board members and briefed them on the status of funding requests from Fulton County and the State.

**Approval of Agenda:**

Confirming that a quorum was now present, Vice-Chairman Holmes recommended the adoption of the agenda. Joe Macon made a motion to approve, seconded by Kenneth DeLeon. Approval was unanimous.

**Approval of Minutes:**

Vice- Chairman Holmes called for the approval of the August 18, 2010 Minutes. Joe Macon made a motion to approve and it was seconded by Chandra Houston. Approval was unanimous.

**Item No. 5: 2011 Board Meeting Schedule:**

Vice- Chairman Holmes asked that the board members pencil in the suggested dates for the MILRA Meetings for the calendar year 2011 on their calendar and that each meeting would be confirmed at the meeting that precedes that date.

**Item No. 6: Special Subcommittee Nominations and Approval of Purpose and Structure:**

Mr. Sprott stated that MILRA Act explained that the redevelopment authority may create subcommittees as deemed appropriate. The authority may appoint as members of the subcommittees such individuals from the community as the authority deems appropriate and such individuals do not have to be members of the authority. The subcommittee shall serve in an advisory capacity to the redevelopment authority. The Chair shall choose from among the members of each subcommittee a person to serve as chairperson of that committee. The chairpersons of the subcommittee shall serve two-year terms and shall be eligible for reappointment. Mr. Sprott stated that at the August 18<sup>th</sup> Board meeting, the Board approved the creation of a Resource Subcommittee, a Community Engagement Subcommittee and a Nominating Subcommittee. At that meeting, Chairman Ward appointed Ayesha Khanna to serve as chair of the Nominating Committee. Ms. Khanna stated that Councilmember Joyce Sheperd, Senator Vincent Fort and Chandra Houston were serving with her on the nominating committee. Ms. Khanna reported that some of the appointed members had met to discuss the purpose and structure for each subcommittee.

**Approval of Item No. 6:**

Joe Macon made a motion for a friendly amendment to approve the purpose for the Community Engagement Subcommittee, as recommended by staff and amended to remove references to specific neighborhoods, and to revisit the structure of the Community Engagement Subcommittee. It was second by Kenneth Deleon. The vote was unanimous.

Joe Macon made a second motion to approve the purpose and structure of the Resource Subcommittee, as recommended by staff. It was seconded by Chandra Houston. Approval was unanimous.

**Item No. 7: Historic Preservation Memorandum of Agreement:**

Mr. Sprott summarized the key provision of the Department of Defense BRAC regulations stating that the transfer, lease, or sale of National Register-eligible historic property to a non-federal entity may constitute an “adverse effect” under the regulations implementing the National Historic Preservation Act and that the MOA offers protection to specific buildings identified in Attachment A of the document found through standard preservation covenant language and on behalf of any Grantee, heirs, successors and assigns at all times to the Georgia State Historic Preservation Office, to maintain and preserve the Historic Buildings in order to preserve and enhance those qualities that make the Historic Property eligible for inclusion in/or resulted in the inclusion of the Historic property in the National Register of Historic Places as further provided herein. This covenant shall constitute a binding servitude upon Property and shall be deemed to run with the land, in perpetuity. Mr. Sprott briefly reviewed the key features of the document and concluded with a strong recommendation from staff that the MILRA sign the MOA as a concurring party.

It was determined that this item would be tabled until the next MILRA Board Meeting and that a summary assessment of the agreement would be provided for the next Board meeting.

**Public Comments:**

Vice-Chairman Holmes invited public comment and several participants took advantage of the opportunity to speak.

**Regular Session:**

**Item No. 9: Master Planning and Business Plan Update:**

Vice-Chairman Holmes recommended to the Board that it 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.”

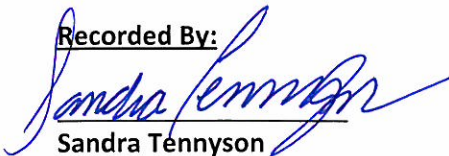
After Vice-Chairman Holmes read the statement, Joe Macon made a motion to move into executive session, seconded by Kenneth DeLeon. The vote was unanimous.

The Board went into Executive Session for approximately 45 minutes. Joe Macon made a motion to end the Executive Session and it was seconded by Kenneth DeLeon. 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 3:30 p.m.

**Recorded By:**

  
Sandra Tennyson  
Executive Assistant

11/17/10  
Date

**Approved By:**

  
Jack C. Spratt  
Executive Director

## OPEN MEETINGS AFFIDAVIT

**PERSONALLY APPEARED** before the undersigned attesting officer, duly authorized to administer oaths, Richard L. Holmes, 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 October, 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 to 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 October, 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.

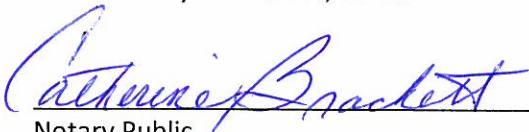
(4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) that such an affidavit be executed.

This 20th day of October, 2010.

  
Richard L. Holmes, Presiding Officer

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

Witnessed:

  
Notary Public (SEAL)

  
Witness

Catherine Brackett  
Notary Public  
DeKalb County, Georgia  
My Commission Expires May 1st, 2011