



Board of Memphis and Shelby County Community Redevelopment Agency

CITY HALL 125 NORTH MAIN STREET, SUITE 468, MEMPHIS TENNESSEE 38103-2084 (901) 576-6610

MINUTES

Meeting of the Board of Directors

125 N. Main Street, City Council Chambers – City Hall Lobby

Date: February 5, 2015

Meeting Attendance

CRA Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Michael R. Frick	X	
Secretary	Ann Langston		X
Treasurer	Shawn Thomas	X	
Vice-Chair	Deborah Massie		X
Member	Luke Hill	X	
Member	John Smith	X	
Member	McKinley Martin	X	

Legal Staff: Cheryl M. Hearn (HCD/Legal), City Attorney and Carlos Bibbs, City Attorney

DPD/CRA Staff: Josh Whitehead, Planning Director; Clara Harris, Principal Planner; Marion Jones, Municipal Planner; Norman Saliba, Principal Planner; and Mary Lynn Seale, DPD Finance Manager.

Visitors: Larry Bollinger, John Dudas, Terry Hoff, Tanja Mitchell, Alexandra Mobley, Debra Payne, Julie Romine and Greg Webb.

I. Call to Order

By: Chairman Michael Frick

Time: 8:40 A.M.

Agenda Item II.

Item Summary: Approval of CRA Board Meeting Minutes – January 8, 2015.

Discussion Summary: Board Member Hill made a motion to approve the Board Meeting Minutes from January 8, 2015. The motion was seconded by Board Member Thomas. Motion passed unanimously.

Agenda Item III.

Item Summary:

Committee Recommendation/Resolution Increasing Funding for North of Chelsea by reallocating an additional \$192,500 in Direct Draw fund from NS7 to NS14 NOC Bearwater Phase II Infrastructure Project.

Discussion Summary:

Josh Whitehead updated the Board on the events that brought about the Resolution. He noted that it was an accidental demolition of the alley. From the research of Mr. Bibb, City Attorney's office, it would be difficult to recoup the cost incurred from the Contractor and the City would have to bear the cost of replacing the alley. Josh did mention possible actions that the Board might consider: (1) Not paying for the reconstruction of the alley which might leave that the City would be required to re-install the alley. His concerns with this option is whether there is money in the CIP Budget to fund the work, length of alley and timeframe (2) CRA would pay for the alley, and (3) try to recoup the funds from the City to reimburse the CRA.

Clara Harris asked Oasis of Hope if they had obtained sufficient funding for construction of Phase II housing units. Terry Hoff stated that all funding was in place, either through loans, grants and/or match for 6 of the 15 units. She was concerned about the remainder of the funding for the other homes. Per several Board Members, consensus was to allow Oasis of Hope to have access to CRA funding to construct the Phase II infrastructure [including alley] though funding is not in place for all 15 units. Clara noted that language would need to be changed in the resolution to reflect this decision.

Clara Harris also asked if the detention pond is still needed since drainage which was proposed to be built within the subdivision is now to be constructed in the alley. Mr. Larry Bollinger explained why there is still a need for the detention pond and noted that it is part of the Phase II Infrastructure Project.

Board Member Hill made a motion to approve the Resolution Increasing Funding for North of Chelsea by reallocating an additional \$192,500 in Direct Draw fund from NS7 to NS14 NOC Bearwater Phase II Infrastructure Project pending any and all language change by CRA Staff and Legal as discussed by Board on the matter. The motion was seconded by Board Member Thomas. Motion passed unanimously.

Chairman Frick asked if Board wanted to follow up on or pursue the City for reimbursement of the cost for the reconstruction of the

alley – Board Members’ consensus to pursue City for reimbursement for cost of alley construction was unanimous.

Agenda Item IV.

Item Summary:

Committee Recommendation/Resolution allocating up to \$3,977 in approved Direct Draw funds under NS Part 11 for the construction of concrete Bike Rack Pads in City R.O.W. within the Uptown Redevelopment area.

Discussion Summary:

Clara Harris stated this Resolution was the result of a grant that was awarded to Habitat for Humanity of Greater Memphis along with NMCDC and Lauderdale-Greenlaw, LLC.

Greg Webb explained the purpose of the grant from Wells Fargo which was to improve the façade of the local businesses in Uptown by Murals, Bike Racks, etc.

Board Member Hill made a motion to approve the Resolution allocating up to \$3,977 in approved Direct Draw funds under NS Part 11 for the construction of concrete Bike Rack Pads in City R.O.W. within the Uptown Redevelopment area. The motion was seconded by Board Member Smith. Motion passed unanimously.

Agenda Item V.

Item Summary:

Committee Recommendation/Resolution approving Professional Services – Outside Legal

Discussion Summary:

The Board decided against Committee Recommendation of retaining outside legal services to give opinion on whether or not maintenance in City R.O.W. is an eligible use of TIF funds. The Board discussed instead the draft resolution approving use of TIF funding of \$82,000 for Maintenance in Public R.O.W, prepared by Attorney Hearn which was being used as background information and pointing to gray area to be addressed in opinion from outside legal per the Committee Recommendation. Chairman Frick stated that he would contact Maura Sullivan to discuss the City’s responsibility and liability to maintain and upkeep of blighted public properties before obtaining or outsourcing the work; and suggested that the TIF funds of up to \$82,000 be approved for Public ROW Maintenance in Uptown for a year – then become City’s responsibility.

Board Member Martin made a motion to approve the Resolution. The motion was seconded by Board Member Hill. Motion passed unanimously.

For the Legal Services of Mr. Miller, to approve the Professional Services – Outside Legal services up to \$1K. No motion or vote was made.

Agenda Item VI.

Item Summary:

Discussion Summary:

Report: Uptown Manor Project Supervision and Implementation
Clara Harris stated that the Board requested a report on who was responsible for the over-site of the project. Clara made note of an email that was sent that stated HCD would be the party overseeing the project and making sure work is completed and MHA will be performing the Inspections along with other project funders. Also, there are two fixed price contracts for the project: one for site prep work and the other for construction of the units.

Agenda Item VII.

Item Summary:

Discussion Summary:

Update: Uptown Redevelopment Activity

John Dudas gave a brief update focusing on (5) Redevelopment Activities:

1. Looney, Front & Main Infrastructure Project (Alley/Drainage)
2. Colonial Park Project –Dir. Of Park Services approved Plan
3. Single Family Rehab – 30 Applicants and Habitat will submit 18 of the 30 to CRA staff at upcoming Committee Meeting.
4. AHDI Program – all lots are ready, construction loan approved and all CRA participation has been approved. [Clara Harris stated that construction loan and other documents have not been submitted CRA review and signature.]
5. Uptown Center Project which is composed of 3 components:
 - a. Approved Data Center for St. Jude
 - b. MHA properties for Day Care Center & Housing
 - c. Chism Trial Grocery which Alex Turley is working.

Agenda Item VIII.

Item Summary:

Discussion Summary:

Unfinished Business

Clara Harris mentioned that Highland Row Developers has submitted a draft of a Term Sheet and CRA Bond Council, Richard Miller-Locke Lord has prepared an initial draft of Authorizing Resolution in the form of a Note for the Project. She stated that document from Mr. Miller was received the day before this Board meeting and Staff would review the documents and work with Bond Counsel regarding any changes before presenting them to the Board.

Agenda Item IX.

Item Summary:

Discussion Summary:
services - review

New Business

Clara Harris asked the Board if they wanted any financial advisory

of the TIF documents/documents for Highland Row Project [Term Sheets, Transaction documents, etc.]. Clara Harris pointed out that question prompted by comment in an email from Mr. Miller which indicates that his work is per legal perspective Mr. Miller is performing on behalf of the CRA. Clara noted that a few of his findings were stated, “from a Legal perspective” that possibly, the Board should review the findings. The CRA Board declined the need for financial advisory services – citing the private placement and that Board is pass through/TIF fund repayment.

Board Member Hill asked, on behalf of a Developer, the process for a new TIF Application in relation to either Uptown or another part of the City. Chairman Frick suggested to have the Developer contact Clara Harris, CRA Staff and/or to EDGE Group. He felt either two agencies could instruct and advise the Developer.

Board Member Smith wanted to be made more aware and have a clear understanding of the bidding process and of a Master Developer. He also wanted to know how millions of dollars of construction are allocated, sub-allocated and sub-contracted through the Master Developer.

Chairman Frick suggested that maybe MHA could prepare a presentation that would outline the process. He noted that there is a contract with a maturity date and when it expires, MHA puts out an RFP for a Master Developer. Alex Mobley stated that the current Contract is between MHA [Applicant to the TIF funds] and Lauderdale-Greenlaw, LLC [Belz & Henry Turley as Master Developers]. It was also noted that the maturity date of the current contract is March 31, 2015. Board Member Smith asked does the renewal of that contract or any would come before the CRA Board for approval. Cheryl Hearn noted that MHA Attorney, Greg Perry would provide information on the process to CRA Staff prior to approval. Overall, the CRA Board suggested that MHA come to the next meeting to explain the process.

Agenda Item X.

Item Summary:

Next Meetings: CRA Committee [2/19/15] and CRA Board [3/5/15]. Materials are due: [2/6/15].

Agenda Item XI.

Item Summary:

Adjournment

Discussion Summary:

Meeting adjourned at 9:50 a.m.

Respectfully Submitted By:

Ann W. Langston, Secretary