

COMMUNITY REDEVELOPMENT AGENCY MEETING



City of Memphis and Shelby County Redevelopment Agency
City Hall, 125 N. Main Street, Room 477
Memphis, TN 38103
Thursday, November 2, 2017
8:30 a.m.

Present: Chairman McKinley Martin, Jr.
Member Floyd Tyler
Member Kevin Spragling
Treasurer Dynisha Woods
Member Sam Cantor

Absent: Vice Chairman R. Miles Mason, Sr.
Secretary Ann W. Langston

Also Present: Andrew Murray, PGAV Planners, Interim Executive Director
Monice Hagler, Counsel for Community Redevelopment Agency
Felisa Cox, City of Memphis, Senior City Attorney
Clara Harris, Principal Planner, Department of Planning, City of Memphis
Ida Bounds, Executive Assistant for Community Redevelopment Agency

I. Chairman McKinley Martin called the meeting to order at 8:42 a.m. and a quorum was present. Chairman Martin welcomed everyone to the meeting and thanked everyone for attending.

II. MINUTES – OCTOBER 5, 2017

Chairman Martin presented to the Board minutes of October 5, 2017, meeting for approval. The minutes of the regular meeting were approved by Board Member Floyd Tyler motion, Board Member Cantor seconded to accept the minutes. The motion was approved unanimously (5-0).

III. PUBLIC COMMENTS

There were no citizens' comments.

IV. RESOLUTION, PROPOSED AMENDMENT TO CRA POLICIES AND PROCEDURES REGARDING LAND ACQUISITION EXPENDITURES

Chairman Martin explained that the resolution came as a recommendation from the Policies and Procedures meeting on October 19, 2017, to amend and updates the CRA policies to comply with the current law per Tennessee statute. He reported that the law regarding any amount deposited with the Court as the fair market value for a property that is going through condemnation has to be at least equal to or above the last Tax Assessor's assessment on the property.

The discussion included that language changes in the resolution were to be broad to include land acquisition to any development area.

The Resolution with the amended revisions from the Policies and Procedures Committee to CRA Program Policies and Procedures was approved by Board Member Floyd Tyler motion, seconded by Board Member Kevin Spragling. The motion was approved unanimously (5-0).

V. RESOLUTION, PROPOSED ADDITIONAL FUNDING TO ACQUIRE 705 N. THIRD – ALLOCATION OF ADDITIONAL \$9,360.00 FROM NS10A

Chairman Martin and Attorney Monice Hagler presented the report. Chairman Martin reported that the attorney from Baker & Donelson contacted CRA staff after the Policies and Procedures Committee meeting to report that the property owner did not accept the offer recommended by the Policies and Procedures Committee. Attorney Hagler explained this property was approved to initiate condemnation, and that this acquisition has been ongoing for several years. The initial settlement offer to the property owner was \$21,000, but the law changed and the new law requires that the offer to purchase be at least equal to or above the last Tax Assessor's assessment on the property. She also reported the Policies and Procedures Committee came to a decision and recommended to allocate an additional \$9,360.00 as a final offer to the property owner for a total settlement amount of \$30,360. She then reported that offer was declined by the property owner and she recommended the Board approve the additional amount needed to meet the settlement amount of \$35,000.

During the meeting, several Board Members were concerned that acceptance of the additional amount sets a dangerous precedent to future owners Attorney Hagler advised that each acquisition is unique and precedent should not be an issue. Board Member Kevin Spragling recommended approving the proposed resolution with the increased settlement amount of \$35,000 for closure which would include increasing the amount to settle with the property owner for 705 N. Third. The funds would be deposited in Court for a maximum payment of \$35,000 and consistent with the amended policies and procedures for land acquisition. Board Member Kevin Spragling moved, seconded by Board Member Dynisha Woods to approve and adopt Resolution with the amended changes to increase the funds deposited in Court for a maximum payment of \$35,000. The motion passed 3-0 with Board Member Floyd Tyler voting no and Board Member Sam Cantor abstained.

VI. RESOLUTION, ESTABLISHING POLICIES AND PROCEDURES FOR SHARING OF PROCEEDS FROM THE DISPOSITION, SALE, OR LEASE OF PROPERTY PURCHASED, MAINTAINED OR DEVELOPED WITH CRA FUNDS

Andrew Murray reported that the resolution was written broadly so that it can be used for any property whether it is with MLB or any other entity, where CRA funds are utilized and another entity holds it. He also reported he left the language in regards to MLB Land Bank for historical purposes. He then reported that MLB has held properties with no charges to the CRA.

The discussion also talked about how to track expenses on properties that CRA owns. It was suggested that revenue and expenses should be tracked and this language should be in the resolution. Board Member Floyd Tyler made a motion to approve and add language to track revenue and expenses on CRA owned properties, seconded by Board Member Sam Cantor. The motion was approved as amended unanimously (5-0) revisions.

VII. DISCUSSION: TRACKING PERSONNEL COSTS BY PROJECT

Attorney Monice Hagler led the discussion regarding Insurance for Board Members. Attorney Hagler reported that under the Tennessee statutes municipalities are immune to lawsuits except under certain circumstances, and under General rule of immunity the law provides that, “All members of a board, commission, agencies, authorities, and other governing bodies of any governmental entity, created by a public or private act, whether compensated or not, shall be immune from suit arising from the conduct of the affairs of such board”

Regarding Tracking Personnel cost by project, Attorney Hagler reported that if CRA could track staff time solely by project, it would limit some of the personnel cost that comes out of the 5% administrative limit of the TIF funds. Murray also reported that if the staff is working on multiple projects such as Binghampton, the software that CRA is using with Adam-Keegan would allow staff to allocate their time based on individual’s projects and programs.

Hagler then reported that there may be projects where there is a project person assigned full time to that project and the software could track that person’s time by whatever project they are working on. She further reported that a project may designate specific tasks to the staff and the software would be able to track time spent on that project and bill that project and CRA should be able to allocate those dollars to the actual projects being worked on.

VIII. REPORT FROM HIRING COMMITTEE

Chairman Martin provided an update on the Executive Director search and explained the Hiring Committee is in the process of reposting the position. He reported that the Hiring Committee is also planning to hire a finance person and a planner and they plan to post those positions within this year with the selections to be made later. He then reported once the Executive Director is hired that person would hire the additional staff.

He reported that the Hiring Committee is going to recommend to the Board to hire Tanja Mitchell as the Neighborhood Coordinator and that her independent contract ends at the end of the year.

IX. PGAV UPDATE ON CRA EXECUTIVE DIRECTOR STAFF SERVICES

Andrew Murray reported that a public hearing date has been set for November 7, 2017, at Memphis City Council, but he is asking for an extension date of November 21, 2017. He then reported that a public hearing for the County on both TIFs would be December 4, 2017. He further reported that the City approval date is set for December 5, 2017.

He provided an update on several items. He reported that he had purchased binders and he is in the process of finalizing the Procurement and TIF Policies and Procedures and would present each Board Member with a copy. He also reported that he is currently working on a Mission Statement for CRA and he would also include in the binders. He further reported that Mary Lynn Seale is currently working on the audit and she should it completed by the end of the year. He further reported that he would like to set a date for a member of the County Trustee's Office to come and speak to the Board about the CRA investment funds. He further reported that he would like to discuss the Uptown Community Plan at the Policies and Procedures Committee meeting. Other items to be discussed at the next board meeting are Tanja Mitchell contract, ongoing services with the Memphis Housing Authority and the lawn mowing contract. He then reported that Binghampton has a couple of discussion items regarding policy once the TIF is approved. He further reported that the RFP for Construction Management Services for Uptown Community Infrastructure projects was written and he would send it to Attorney Hagler and Ms. Harris for a mail out date by Monday, November 6, 2017.

X. UNFINISHED BUSINESS

None came before the Board.

XI. NEW BUSINESS

Ms. Harris reported that the Hiring Committee had decided the meet on November 16, 2017, and the Policies and Procedures Committee has a scheduled meeting on the same date.

Chairman Martin decided that the Hiring Committee will meet at 8:30 a.m. and the Policies and Procedures Committee will meet at 9:30 a.m. on November 16, 2017.

Andrew Murray reported the staff and the accounting firm start date for tracking of expenses by Memphis Land Bank (MLB) would start on November 2, 2017.

ADJOURNMENT

There being no additional business, the meeting was adjourned at 9:41 a.m. The next CRA Board Meeting will be Thursday, December 7, 2017.

Respectfully submitted:

Ann W. Langston