

REGULAR MINUTES

Tulsa Development Authority Board of Commissioners Regular Meeting

One Technology Center
175 East 2nd Street
Tulsa, OK 74103
10th Floor North Conference Room

Thursday – January 5, 2017

9:00 a.m.

Present:

Roy Peters, Chairman
Steve Mitchell, Vice Chairman
Julius Pegues, Commissioner
Carl Bracy, Commissioner
Nancy Roberts, Commissioner
O.C. Walker II, Executive Director
Jot Hartley, General Counsel

Absent:

Also Present:

Roger Acebo
Kevin Anderson
Thomas Boxley
Linn Cain
Jillian Childress
Jim Coles
Sam Combs
Meagan Farley
Neal Foster
Derek Gates
Vanessa Hall-Harper
Hunt Hawkins
Barry Hensley
Ross Heyman
Bob Jack
Michael Jackson
Kimberly Johnson
Norman Kildow
Jean Lu

Also Present:

Mike Mantle
Rhett Morgan
Matt Newman
Charles Okyere
Darin Ross
Bito Sotoev
Casey Stowe
Kathy Taylor
Mike Thedford
Stuart VanDewile
Theron Warlick
Dennis Whitaker
Bill White
Chris Wollard
Kajeer Yar
NaTasha Bunch-Everly
Jane Malone
Carol Young

The Regular Meeting was called to order at 9:01 a.m. by Chairman Peters. Decisions will be made, votes and action taken. A quorum was established. Reports and supporting documentation were distributed for this meeting and will be incorporated by reference to the minutes and filed with the meeting packet.

1. **Roll Call:** Jane Malone called roll: Chairman Peters, Vice Chairman Mitchell, Commissioner Pegues, Commissioner Bracy, and Commissioner Roberts were present. A quorum was present.

Chairman Peters recognized three (3) individuals in attendance. Ms. Kathy Taylor, Director of Economic Development for the Mayor. She is also a non-voting Ex-Officio member of the TDA Board. Ms. Kimberly Johnson, Director for the Tulsa City-County Library, and Ms. Vanessa Hall-Harper, City Councilor for District 1.

2. **Routine, Repetitive Items for Action:**

- a. Minutes of December 1, 2016 Regular Meeting
- b. Minutes of December 1, 2016 Regular Executive Session Meeting

Commissioner Pegues moved to approve the minutes, Agenda Items 2.a., and 2.b., seconded by Commissioner Bracy. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously

3. **Executive Director's Monthly Report - A copy of this report was included in the Commissioner's packets. Copies of the Report were available at the table in the rear of the room.**

1. **Project Status Update**

- A. **Tulsa Urban Development Group, LLC, d/b/a Urban8:**

The project is complete. The final touches are the landscaping which is being worked on.

- B. **The Edge at East Village (Hartford Commons, LLC):**

The project will be completed by the end of the year. The Redeveloper is working to complete the punch list of items.

- C. **Fire Station No. 1 - CORE Associates, LLC:**

The Redeveloper continues to make progress under the terms and conditions of the Redevelopment Agreement. The Redevelopers indicate a new restaurant will open in the spring of 2017.

- D. **The Flats on Archer:**

This item will be discussed in Executive Session regarding a request for a low interest loan.

E. **Blue Dome Anchor, LLC:**

This project has not started yet because the Redeveloper is completing the YMCA Lofts project.

F. **YMCA Lofts:**

This is an Agenda item today for Draw Request No. 13. Mr. Bob Jack, representative for YMCA Lofts, was present to provide a project update.

G. **The Meridia, LLC - City Development LLC:**

This is an Agenda item today for Draw Request No. 9.

H. **Tulsa Box Yard:**

The Boxyard project held a Grand Opening on Saturday, December 10, 2016.

I. **First Street Lofts:**

Drywall is continuing to be installed on the 4th and 5th floors. The 2nd and 3rd floors are being installed with wall insulation. Construction for staircase to the metal apartments has begun. Window installation is continuing through all floors.

2. **The Village at Central Park:** This is an Agenda item today for a request to Amend the existing Redevelopment Agreement with Pearl Development, LLC.

3. **Hampton Inn and Suites/One Place Hospitality, LLC**

Painters are working on the 9th floor and tile is being installed on the 7th floor. The project is progressing on schedule. The Redeveloper anticipates opening by March Madness 2017.

4. **1216 North Lansing Avenue, the Lansing Centre**

Revised bids were received for the front parking lot. Parking lot repairs are scheduled to begin the first of the year.

Executive Director Walker responded to comments and concerns from the Board members. After discussion, Commissioner Roberts moved to the accept TDA's Executive Director Report for January 2017. Vice Chairman Mitchell seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts

Nays: None

The motion passed unanimously

4. **Staff Reports and Discussion – City of Tulsa (C.O.T.)**

a. **COT Disposition – Leon Davis: A copy of the report is included in the Commissioner’s packets:**

- i. **Discussion, consideration, and vote to approve a Resolution authorizing the acceptance and negotiating a Redevelopment Agreement for disposition of the Morton building located at 660 East Pine Street, Tulsa, Oklahoma.**

Chairman Peters stated this item is pulled from the Agenda because Mr. Leon Davis is not present today.

b. **TIF Report Updates – Mike Thedford: A copy of the report is included in the Commissioner’s packets:**

- **Blue Dome Lighting Project: Fund No. 6967** – Waiting for final City/Utility company coordination – being sent for advertisement with expectation that final letter from utility review will be received. Bid advertising pending, potentially January 2017. Fixtures on Elgin, between 1st Street and railroad tracks have bid, PO number has been issued, fixtures were delivered and installation is dependent on ambient temperatures.
- **Proposed streetscape improvements to Cameron Street: Fund No. 6963** – Project bid advertising and bids are being reviewed and processed for contracts. Award for low bid may be done prior to the TDA meeting.
- **Elgin streetscape improvements: Fund No. 6967** – Plans for Main Street are at 75%. Revisions are required based on City Planning comments. Revised cost estimate and additional services are underway to submit for IDP process. Projected design completion is projected to be complete by the end of January 2017. Projected review/construction process is 120 days, IDP process to follow.
- **TDA Lansing Centre Parking Lot (Front)** – Two contractor quotes were received, preparing to sign a proposal for the low priced quote. Tentative schedule is to complete the new asphalt and stripping in January. Expected schedule is one day for the asphalt and stripping to be done, weather permitting.

Mr. Thedford responded to questions and concerns from the Board regarding the above mentioned projects.

- c. **North Peoria TIF Update – Derek Gates: A copy of the report is included in the Commissioner’s packets:** Mr. Derek Gates stated conceptual designs for the proposed new tennis courts across from Lacy Park are being worked and tentatively show the space would accommodate only 5 tennis courts. The Lacy Park Council has

scheduled a meeting for January 23, 2017 to plan for future projects at the park. Proposals are being reviewed and finalized for potential commercial clients in the Shoppes on Peoria and also outside the Shoppes on Peoria. Ms. Rose Washington is familiar with the commercial clients proposing to lease space in the Shoppes on Peoria. Mr. Gates stated he has suggested Ms. Washington contact Mr. Walker for collaboration in bringing tenants to the Pine and Peoria corridor. Mr. Gates staff is preparing forms to distribute to individuals within the TIF area. The forms will be an avenue for individuals to express their ideas and concerns. Mr. Gates continues to work towards preparing a formal proposal document for the North Peoria TIF. Mr. Gates answered questions and concerns from the Board. After discussion, Commissioner Roberts moved to the approve **Resolution No. 6297**, accepting the Contract Documents from D.W. Gates Engineering for the North Peoria TIF District – North Peoria Lighting project. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts

Nays: None

The motion passed unanimously

- d. **WIN's Department – Neal Foster: A copy of the report is included in the Commissioner's packets:** As of December 14, 2016, 50 applications have been received, 36 applications were completed, 4 applications were canceled, 8 applications are in progress, and 2 applications are being processed. The amount of \$200,000.00 has been allocated, leaving a zero balance.
- e. **Elm Creek/6th Street Drainage Detention and Conveyance Plan – Roger Acebo: A copy of the report is included in the Commissioner's packets:** Mr. Roger Acebo provided an update and information on the 6th Street/Elm Creek project. Three properties have been acquired by TDA and have been added to TDA's insurance. Three structures have been demolished. He also answered questions and concerns from the Board.
- f. **Elm Creek/6th Street – Theron Warlick: A copy of the report is included in the Commissioner's packets:** Mr. Theron Warlick provided information regarding the Laura Dester Site located in the Elm Creek/6th Street area. The City of Tulsa wants to transfer the property to TDA so that TDA can issue an RFP for redevelopment of the site. Ms. Kathy Taylor suggested including a State Report on the next Agenda for the Commissioners to review. The Report details the number of people paying rent that is over the individual income. The report compares market rate, affordable rate, and income ranges. Ms. Taylor will send the link to the Report to the Commissioners. Mr. Warlick answered questions and concerns from the Board.

5. General Counsel

- a. **Pending Litigation Report and Top TDA Issues was included in the Commissioner packets:** General Counsel Hartley provided the monthly pending litigation report and stated the Top TDA Issues were requested by Chairman Peters for a meeting with City of Tulsa Officials. The Report was prepared by Counsel Hartley and reflect his judgement of the most pertinent issues for TDA. General Counsel Hartley reported that any changes or new items are indicated in “**BOLD**” print. He also provided a status and overview of the report.

Lien Foreclosure:

- **Alpine Roofing, LLC v. MGT Construction Management, East End Village, LLC; Larson Development, TDA and others:**
East End Village and MGT Construction Management continue with discovery requests. Lien claimant Ark Wrecking has filed a motion for summary judgement.

Breach of Contract and Lien Foreclosure Counterclaims:

- **East End Village, LLC v. MGT Construction Management, Inc., et al:**
See discussion of consolidated case above.
- **Sunbelt Fire Protection, Inc. v. MGT Construction Management, Inc. et al:**
Both East End Village, LLC and MGT Construction Management, Inc. (the general contractor) have filed motions to dismiss the claims – motions remain pending.

Foreclosure

- **TDA v. Donald Jackson, et al.**
Received notice of dismissal of Chapter 13 Bankruptcy case. Will contact borrower and first mortgage holder regarding resumption of payments on TDA note and mortgage.

Other:

- **Novus Homes (Wilkins).**
TDA Special Counsel has been in communication with Counsel for the Wilkins regarding the Arbitration and the Motion for Temporary Injunction.

6. Discussion, consideration, and vote to accept Financial Reports

- a. **November 2016 - Income and Expenditure Report - included in the Commissioner packets:** Norman Kildow provided an updated report and

an overview of the Income and Expenditure Report to the Commissioners and answered questions.

- b. Comparative Financial Statements - included in the Commissioner's packets:** Norman Kildow provided an updated report, gave an overview of the Comparative Financial Statements, and answered questions from the Board.

After discussion, Commissioner Bracy moved to accept the Financial Report and Comparative Financial Statements for November 2016, **Resolution No. 6298**, approving TDA Financial Report for November 2016, and the Comparative Financial Statement, seconded by Vice Chairman Mitchell. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously.

7. Receive, Discuss, and Vote:

- a. Discussion, consideration, and vote to approve a Resolution authorizing Draw Request No. 1 from Tulsa Boxyard, LLC in accordance with the terms and conditions of the Downtown Development Redevelopment Fund Committee for property located on the Southeast corner of East 3rd Street South and South Frankfort Avenue, Tulsa, Oklahoma:** Executive Director Walker stated this request is the only draw request for the Box Yard Project, which represents 100% completion. Mr. Casey Stowe was present to provide information on the Grand Opening and the experience of the tenants. Chairman Peters requested Mr. Stowe send a tenant list to the Executive Director. After discussion, Commissioner Bracy moved to approve **Resolution No. 6299**, authorizing Draw Request No. 1 from Tulsa Boxyard, LLC in accordance with the terms and conditions of the Downtown Development Redevelopment Fund Committee. Commissioner Roberts seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously

- b. Discussion, consideration, and vote to approve a Resolution authorizing Draw Request No. 9 from The Meridia, LLC in accordance with the terms and conditions of the Downtown Development Redevelopment Fund Committee for property located at 522 South Boston Avenue, Tulsa, Oklahoma:** Executive Director Walker stated this is a routine item and the request represents 90%

completion for \$78,000.00. Mr. Hunt Hawkins was present to provide a status update of the project. After discussion, Commissioner Pegues moved to approve **Resolution No. 6300**, authorizing Draw Request No. 9 from the Meridia, LLC in accordance with the terms and conditions of the Downtown Development Redevelopment Fund Committee. Vice Chairman Mitchell seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously

- c. **Discussion, consideration, and vote approve to a Resolution authorizing Draw Request No. 13 from TDL NOW, LLC in accordance with the terms and conditions of the Downtown Development and Redevelopment Fund for the YMCA Lofts Project, located at 515 S. Denver Avenue, Tulsa, Oklahoma:** Executive Director Walker stated this is a routine item and the request represents 98% completion for \$52,500.00. Mr. Bob Jack was present to provide a status update. He reported the property is 50% leased and people will begin moving in during the month of February. After discussion, Commissioner Pegues moved to approve **Resolution No. 6301**, authorizing Draw Request No. 13 from TDL Now, LLC in accordance with the terms and conditions of the Downtown Development Redevelopment Fund Committee. Commissioner Roberts seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously

- d. **Discussion, consideration, and vote to enter into negotiations with Unity Tree Gardens for the lease of TDA property for an Urban Community Garden located at 717 South St. Louis Avenue - Pearl District Location, Tulsa, Oklahoma:** Executive Director Walker stated this is a request to use the property as an urban garden. Mr. Walker said the property was recently acquired by TDA and the structure has since been demolished. The City of Tulsa will need the land for future development which is the reason for a land lease opposed to a land sale. After discussion, Commissioner Bracy moved to approve **Resolution No. 6302**, approving entering into negotiations with Unity Tree Gardens for lease of TDA property for an Urban Community Garden located at 717 South St. Louis Avenue. Vice Chairman Mitchell seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously

- e. **Discussion, consideration, and vote to enter into negotiations with The Institute for Developing Communities for the lease of TDA property for an Urban Community Garden located on the Southwest corner of North Greenwood Avenue and East Queen Street, Tulsa, Oklahoma:** Executive Director Walker stated Mr. Thomas Boxley, representative for The Institute for Developing Communities, is present to discuss this request to lease land for an Urban Community Garden. Mr. Boxley stated The Institute for Developing Communities has installed a permaculture site at Walt Whitman Elementary School. The goal for installing permaculture sites in North Tulsa is to help alleviate the food desert in North Tulsa. Commissioner Roberts requested a beautification element should be added to the contracts for both Community Gardens. After discussion, Commissioner Bracy moved to approve **Resolution No. 6303**, approving entering into negotiations with Institute for Developing Communities for the lease of TDA property for an Urban Community Garden located on the Southwest corner of North Greenwood Avenue and East Queen Street. Vice Chairman Mitchell seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously

- f. **Discussion, consideration, and vote to approve an amendment to the Offer of Purchase by Michael Jackson for the sale of 1310 North Olympia Avenue, Tulsa, Oklahoma:** Executive Director Walker stated this property was included in the last Lot Draw and was awarded to Mr. Michael Jackson. At the time of the Lot Draw, the property was appraised at \$8,500.00. Since that time, Mr. Jackson has discovered severe foundation and floor issues. Mr. Michael Jackson is present to provide further rationale for the reduced price. He plans to occupy the house with his son after the repairs are made to bring the home to building code standards. Chairman Peters requested photos of the house before repairs and after repairs. After discussion, Vice Chairman Mitchell moved to approve **Resolution No. 6304**, for an Amendment to the Offer to Purchase by Michael Jackson for the sale of 1310 North Olympia Avenue. Commissioner Roberts seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously

- g. **Discussion, consideration, and vote to approve a Resolution requesting approval for the donation of a parcel of land owned by**

TDA located on the Northeast corner of East 1st Street and South Lewis Avenue, Tulsa, Oklahoma, to the Tulsa City - County Library: Executive Director Walker stated approximately six months ago, a meeting was held with TDA's Chairman, Executive Director, and the Chief Executive Officer for the Tulsa City-County Library, regarding donating land for library expansion. Ms. Kim Johnson, the current Chief Executive Officer for the Tulsa City-County Library, was present to provide rationale for the request. The Kendall-Whittier Library is approximately 5000 sq. ft. and needs to be updated and expanded to provide services to the expanding Kendall-Whittier area. After discussion, Commissioner Bracy moved to approve **Resolution No. 6305**, approving donation of a parcel of land owned by TDA located on the Northeast corner of East 1st Street and South Lewis Avenue, to be used for Library purposes only. Commissioner Pegues seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously

- h. Discussion, consideration, and vote to enter into a Redevelopment Agreement with Capital Homes, LLC for the redevelopment of TDA property located on East Latimer Street, between North Boston Avenue and North Main Street, Tulsa, Oklahoma:** General Counsel Hartley explained this item is not complete and suggested adding it to the February 2017 Agenda.
- i. Discussion, consideration, and vote approving a Resolution authorizing entering into a Redevelopment Agreement for the location of a Dollar General Store with Rupe Helmer Group Inc., for the sale and redevelopment of TDA land located at 744 East Pine Street, Tulsa, Oklahoma:** Executive Director Walker stated this is a request from Rupe Helmer Group, Inc. to build a Dollar General Store. He further stated the property is located on Pine, adjacent to Carver Middle School. The appraisal for the property is \$115,000.00 and the Redeveloper is in agreement with the price. Mr. Mike Mantle, representative for Rupe Helmer, stated the terms of the Redevelopment Agreement are agreed upon, as well as the purchase price by Rupe Helmer Group. Mr. Mantle answered questions and concerns from the Board. Executive Director Walker stated the minimum project requirements in the contract requires masonry façade on all sides of the building. After discussion, Vice Chairman Mitchell moved to approve **Resolution No. 6306**, authorizing entering into a Redevelopment Agreement with Rupe Helmer Group Inc., for the Sale and Redevelopment of TDA land located at 744 East Pine Street, Tulsa, Oklahoma. Commissioner Pegues seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, and Roberts

Nays: Bracy

The motion passed

- j. Discussion and consideration to select a respondent for the Request for Proposals (RFP) for Installation of Sculptures and Associated Improvements located in and upon the Vest Pocket Park located on East Archer Street, between North Main Street and North Boulder Avenue, Tulsa, Oklahoma, and approve expenditure of Brady District TIF funds:**

- i. Wollard Solutions, LLC**
- ii. 2G Creative, LLC**

Executive Director Walker stated the Respondents presented their proposals to the Brady Arts District Owners Association at their December meeting and the BADOA made a formal recommendation to TDA of which Respondent would be preferable.

Chris Wollard, representative with Wollard Solutions, LLC, presented his proposal and answered questions and concerns from the Board.

Grace Grothaus Grim and Geoffrey Hicks, representatives with 2G Creative, LLC, presented their proposal and answered questions and concerns from the Board.

Executive Director Walker and Counsel Hartley answered questions from the Board concerning graffiti removal, maintenance responsibility, and utility maintenance. Executive Director Walker stated the BADOA recommended Wollard Solutions be selected. After discussion, Commissioner Pegues moved to approve **Resolution No. 6307**, selecting Wollard Solutions as the successful Respondent for the Request for Proposals (RFP) for Installation of Sculptures and Associated Improvements in and upon the Vest Pocket Park located on East Archer Street, between North Main Street and North Boulder Avenue, Tulsa, Oklahoma, and approve expenditure of Brady District TIF Funds. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts

Nays: None

The motion passed unanimously

- k. Discussion and consideration to receive responses from the Request for Proposals (RFP) for TDA owned property located on the Northwest corner of East Archer Street and North Elgin Avenue, Tulsa, Oklahoma, commonly referred to as Block 44:**

- i. The Ross Group**
- ii. Pine Place Development, LLC**

This item will be placed on the February Agenda. No decisions or action will be taken today.

- l. Discussion, consideration, and vote to approve a Resolution authorizing the conveyance of land for the proposed Family Dollar store located at 1553 North Peoria Avenue Tulsa, Oklahoma, by Antonio Perez and Eugenia Perez to Triple C Development, LLC, to be devoted only to, and in accordance with, the uses specified in the Urban Renewal Plan/Unity Heritage Neighborhoods Plan:** Executive Director Walker stated this is a request from Triple C Development, LLC to build a Family Dollar in the parking lot of the old Albertson's, north of the Taco Bell. Mr. Walker stated he has been in discussions with the developer regarding the history and significance of the area, as well as the requirement for brick façade on the building. Commissioner Bracy expressed this project is not the best use to drive economic development in the area. Vice Chairman Mitchell expressed the need for development in the area. City Councilor for District 1, Vanessa Hall-Harper stated she is not in favor of "another Dollar Store" in the area since there is an over abundance of Dollar Stores, and would prefer a more favorable project. The Board of Commissioners requested Mr. Derek Gates meet with the Lacy Park Task Force to articulate the pros and cons of the project and report back to the Board. This item will be placed on the February Agenda. No decisions or actions taken today.

- m. Discussion, consideration, and vote to allow North Peoria TIF funds to be used for public infrastructure improvements to the proposed Family Dollar Store located at 1553 North Peoria Avenue, Tulsa, Oklahoma:** This item correlates with item 7.L. This item will be placed on the February Agenda. No decisions or actions taken today.

- n. Discussion, consideration, and vote to amend an existing Redevelopment Agreement with Pearl Development for property located south of the Southwest corner of South Peoria and East 6th Street, Tulsa, Oklahoma:** Executive Director Walker explained this request is to extend the time line and due dates for the Project. Darrin Ross, representative with Pearl Development, stated he has a new project Architect and the process of obtaining a new project Architect has caused a slight delay with the project. He is requesting an extension of deadlines and also stated with the new timelines, the project is scheduled to be completed by June 2019. After discussion, Vice Chairman Mitchell moved to approve **Resolution No. 6308**, amending an existing Redevelopment Agreement with Pearl Development for property located south of the Southwest corner of South Peoria and East 6th Street, Tulsa,

Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts

Nays: None

The motion passed unanimously

Commissioner Roberts moved to go into Executive Session at 10:57 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts

Nays: None

The motion passed unanimously

8. Executive Session: Discussion, consideration and vote to go into Executive Session as authorized by 25 O.S. §307(b)(4) for confidential communications with TDA General Counsel regarding a pending investigation, claim or action upon determination by the TDA Board of Commissioners, with the advice of its General Counsel, that disclosure will seriously impair the ability of the TDA Board of Commissioners to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest and/or 25 O.S. §307(c)(10) for the purpose of conferring on matters pertaining to economic development for which public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business:

- a. Confidential communication with Counsel regarding the Redevelopment of TDA land located on the Northwest corner of North Elgin Avenue and East Archer Street, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10).]
- b. Confidential communication with Counsel regarding a letter from The Flats on Archer, LLC dated November 28, 2016 regarding a redevelopment project located at 110 North Boston Avenue, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10).]
- c. Confidential communication with Counsel regarding the status update on the GreenArch project located on the Southeast Corner of North Greenwood Avenue and East Archer Street, Tulsa, Oklahoma (Block 53, Original Township). [25 O.S. §307(b) (4) and §307(c) (10).]
- d. Confidential communication with Counsel regarding the status of arbitration of Redeveloper's objection to termination of the Contract for Sale of Land for Private Redevelopment dated April 13, 2013, as amended, between William (Will) Wilkins, Cecilia Wilkins, Novus

Homes, LLC and W3 Development, LLC, (Redeveloper) and the Tulsa Development Authority.. [25 O.S. §307(b) (4) and §307(c) (10).]

9. **Vote to Return to Open Session:** Commissioner Bracy moved to return to Open Session at 12:05 p.m., seconded by Commissioner Roberts. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously.

10. **Statement of the Executive Session:** During Executive Session, all Commissioners of the Authority who were present for this meeting were present for the Executive Session. The Authority maintained a quorum. During the Executive Session, the items on the published Agenda were the only items discussed. No votes were taken during the session. This will constitute the minutes of the Executive Session.

11. **Discussion, consideration and vote on items discussed in Executive Session:**

9.b. **The Flats on Archer**

After discussion, Commissioner Pegues moved to approve **Resolution No. 6309**, authorizing negotiations for the loan of funds by TDA to the Flats on Archer, LLC for assistance in Redevelopment of property located at 110 North Boston Avenue, Tulsa, Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously.

9.c. **GreenArch**

After discussion, Commissioner Pegues moved to approve **Resolution No. 6310**, approving negotiations for Amendment of Timelines and Deadlines contained in Amended Restated Redevelopment Agreement between TDA and GreenArch, LLC – Block 53. Commissioner Bracy seconded the motion. The vote was recorded as follows:

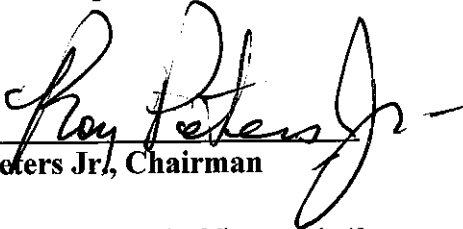
Ayes: Peters, Mitchell, Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously.

12. **New Business:** Commissioner Bracy recognized Mrs. Jane Malone, as the recipient of the Community Civic Service Award from the Greenwood Chamber of Commerce.
13. **Adjournment:** Chairman Peters adjourned the meeting at 12:09 p.m.

Tulsa Development Authority

Approved as to legal form and adequacy:



Roy Peters Jr., Chairman



Jot Hartley, Esq., General Counsel

[1-5-2017 – Regular Meeting Minutes - (nbe-)]