

## WORK STUDY SESSION MINUTES

### Tulsa Development Authority Board of Commissioners

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

Thursday – January 8, 2015

8:30 a.m.

**Present:**

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

**Absent:**

Steve Mitchell, Commissioner

**Also Present:**

Kevin Anderson  
Michael Birkes  
Andrew Coffey  
Leon Davis  
Pamela Dunlap  
Derek Gates  
Yvonne Hovell  
Jamie Jamieson  
Norman Kildow  
Steve Larry

**Also Present:**

Katie Plohocky  
Cecil Ricks  
Mike Thedford  
Dennis Whitaker  
NaTasha Bunch  
Jane Malone  
Carol Young

The meeting was called to order at 8:30 a.m. by Chairman Pegues. Chairman Pegues welcomed everyone to the monthly Tulsa Development Authority Work Study Session and stated no votes would be taken at this meeting. The Board will receive reports and information on projects. All Reports and supporting documentation were distributed for the January 8, 2015 Tulsa Development Authority Work Study Session and will be incorporated by reference to these minutes. The agenda will be followed as filed.

1. **Roll Call:** Jane Malone called roll; Chairman Pegues, Vice Chairman Peters, Commissioner Bracy, and Commissioner Roberts were in attendance. Commissioner Mitchell was absent.
2. **Commissioner Roberts – Holland Hall Senior Class labeled “Downtown Tulsa”:** Commissioner Roberts thanked Executive Director Walker for the addition to the Agenda. She explained the documentation received in the Commissioners packets are responses to a final exam question posed by a teacher at Holland Hall to a Senior Class. The question asked was “By the year 2020 what would you like to see in Downtown Tulsa that would make you want to return and live in Tulsa?” The class will be attending TDA’s February Work Study Meeting. Vice Chairman Peters stated the class will also be taking a tour after the Work Study Meeting of Downtown properties TDA was involved with. The Commissioners agree the concept is great and should be extended to all Tulsa schools.
3. **Executive Director’s Monthly Report-**

1. **Project Status Update**

- **Blue Dome Anchor, LLC:** The Redeveloper is researching leasing options via a Commercial Realtor. The apartment building will contain 128 apartments and 150 parking spaces. Design development and construction pricing of the new parking garage on the east parking lot will contain 300 spaces. [Location of the property: 110 South Greenwood.]
- **YMCA Lofts:** The project is designed to accommodate 80 apartments after the design change to meet historic requirements. The project should be completed by August 2015. [Location of the property: 515 South Denver Avenue.]
- **Vandever Lofts:** The property remains 100% occupied. The underground garage has exceeded the Redeveloper’s expectations. The Redeveloper has a Letter of Intent from potential tenants for the street level along 5<sup>th</sup> Street. [Location of the property: 16 East 5<sup>th</sup> Street, Tulsa, Oklahoma.]
- **Tulsa Urban Development Group, LLC, d/b/a Urban8:** Structural steel has been delivered and erection is scheduled to begin promptly. This is an Agenda item for today. [Location of the property: North of 3<sup>rd</sup> Street, between Greenwood Avenue and Kenosha Street.]
- **Hartford Commons, LLC:** Construction will take approximately 14 – 18 months beginning January 2015. The Redeveloper continues to wait for the final tax abatement certification. The property closed on December 24,

2014. [Location of property: SE corner of Greenwood Ave. and E. 2<sup>nd</sup> Street.]

- **100 Boulder, formerly Maplevue Associates, Inc.:** The project is complete and leasing has commenced. A temporary Certificate of Occupancy remains until the sub-contractor re-lays the sidewalk to the satisfaction of the Infrastructure Development Permit (IDP) Inspectors. [Location of the property: Southwest Corner of 1<sup>st</sup> Street and Boulder Ave.]
- **Fire Station No. 1/CORE Associates, LLC:** A meeting was held with representatives from CORE, TDA Chairman, and Executive Director to receive a status update of the project. The Redevelopers continue to solicit experts from California and Texas for redevelopment plans of the entire area. The City of Tulsa has a lease agreement with the Redevelopers for use of the property. [Location of the property is 411 South Frankfort Ave.]
- **Hogan on Greenwood, LLC:** No new information. [Location of property: Northeast corner of South Greenwood Avenue and East 1<sup>st</sup> Street.]
- **Wilkins Project:** The Redeveloper submitted the construction documents and the documents will be ready to present to the TDA Board at the February 2015 Work Study Session. General Counsel Hartley explained the Redevelopers have not received communication from their Attorney, but the Redevelopers wish to close on the property. General Counsel Hartley recommends closing with conditions for construction documents to be finalized. He also recommends TDA amend future Redevelopment Agreements to include language of obtaining final construction and financing documents prior to closing on the property. General Counsel Hartley requests this item be placed on the Agenda for next week's meeting to amend the Contract. [Location of property: Northwest corner of Archer and Elgin Avenue.]
- **The Flats on Archer:** The redeveloper has secured an alternative to the original parking lot design and is prepared to move forward with closing of the land, subject to General Counsel clearing a list of title requirements. [Location of property: 110 N. Boston Avenue.]
- **East End Village:** The Redevelopment Agreement construction deadline was December 31, 2014 and the project is not complete. Executive Director Walker requests an amendment to the Contract to extend the deadline be placed on the Agenda for next week's meeting. [Location of property: 401 and 405 S. Elgin Street, 408 and 418 S. Frankfort Avenue, 414 E. 4<sup>th</sup> Street, and 415 E. 5<sup>th</sup> Street.]

- **The Petrous Group:** No new information. Commissioner Roberts questioned if the current holding pattern will impact the opportunity for other redevelopers interested in the property. Chairman Pegues stated there has not been interest in the property for 10 years and the Petrous Group is the only interested Redeveloper. If other Redevelopers arise in the future, the TDA Board will address the situation. [Location of property: East of Martin Luther King, Jr. Blvd. between East Queen Street and East Seminole Place.]
2. **Downtown Housing Fund:** \$4 Million in loans is now available through the voter-approved “Improve Our Tulsa” package. The City of Tulsa is now accepting applications on the no-interest, short-term loans. There are no established deadlines; however, evaluation begins immediately as the applications are received. The loans are awarded by the City of Tulsa and administered and monitored by TDA. The Commissioners questioned the change in process of eliminating TDA from the selection process. The Commissioners requested a list of the Selection Committee Members. Leon Davis stated he will submit the list to Executive Director Walker for distribution to the TDA Board.
  3. **Sector Plan Update:** Houseal Lavigne Associates is recommending removing the Kendall Whittier Sector Plan areas from the study area. The rationale for the removal is that much has been accomplished in the area and reinvestment seems to be occurring and is being guided by the principles of the plan. Houseal Lavigne Associates recommended allocating the resources for Kendall Whittier to extending the boundaries of the North Tulsa Sector Plan to East 36<sup>th</sup> Street North. Executive Director Walker stated representatives from Houseal Lavigne will be at next month’s meeting to provide an update and timeline. Commissioner Roberts requested a copy of the list of community leaders provided to Houseal Lavigne for one-on-one interviews.
  4. **Service Agreement between the City of Tulsa and Tulsa Development Authority:** The Mayor has executed the Service Agreement between the City of Tulsa and TDA. Invoices have been submitted for City of Tulsa services from July through September 2014. TDA’s Chairman and Executive Director Walker met with Dawn Warrick, Planning Director and Dwain Midget, Mayor’s Office, to discuss charges associated with the invoice submitted. The revised invoice is on the Agenda for today’s meeting.
  5. **TDA Website:** No new information. Vice Chairman Peters requested an update on the TDA website at next month’s meeting. The Commissioners suggested updating the website in phases, rather than waiting for completion of the Annual Report and Strategic Plan.

6. **TDA Office Space:** The TDA Office is accepting bids to relocate office equipment including: copy machine, Internet connections, telephone, cable lines, fire and burglar systems. Executive Director Walker stated he would provide an updated estimate to the Board after all the bids are received.

7. **Ogan's Circle:** Executive Director Walker reported the Ogan's Circle property closed.

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

a. **TIF Project Update – Mike Thedford: A copy of the report is included in the Commissioner's packets:**

- **Blue Dome Lighting Project:** Fund No. 6967 – The design contract has not been signed.
- **Proposed streetscape improvements to Cameron Street:** Fund No. 6963 – No new information.
- **Elgin streetscape improvements:** Fund No. 6967 – The project is approximately 70% complete. The weather has delayed concrete pouring and planting of trees, but should not delay the completion schedule. The Economic Development Funding is reaching its limit; therefore, expenses will start transferring to the TIF fund.

5. **General Counsel**

a. **Pending Litigation Report was included in the Commissioner packets:** General Counsel Hartley provided the monthly pending litigation report. 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.

**Condemnation:**

- **Charles Sturner**  
Defendant's Counsel announced at Pre-trial Conference that he was withdrawing Defendant's Demand for Jury Trial and settle the case at the Commissioner's award already on deposit with the Court Clerk. Agreed Journal Entry of Judgment prepared and submitted to Defendant's Counsel. Case will be closed upon filing of Agreed Journal Entry of Judgment.

**Damages – Relocation Assistance:**

▪ **Plaintiff - Markus W. English:**

Mr. English filed a Complaint against John Wood/University of Tulsa and O.C. Walker/Tulsa Development Authority on May 30, 2014. Plaintiff is alleging that he is entitled to relocation benefits under the Uniform Relocation Act for displacement due to the Kendall-Whittier project. The property owned by Plaintiff was not within the area of properties acquired by TDA. He did not obtain service of summons upon the Defendants until November 19, 2014. Plaintiff, who is representing himself pro-se, has improperly designated the named individuals as Defendants. The Motion to Dismiss of Walker and TDA was filed on December 16, 2014. Plaintiff has failed to respond to the Motion. Ruling is pending.

**Other:**

▪ **Novus Homes (Wilkins)**

General Counsel Hartley recommended this be placed as an Agenda item for next week's meeting to amend the contract.

**Personal Injury Claim:**

▪ **Gammil, Gary v. TDA**

The time has expired for Plaintiff to appear with new Counsel. Pre-Trial Conference was ordered by Judge for January 14, 2014. General Counsel Hartley anticipates dismissal at the Pre-Trial Conference.

**6. Financial Reports**

- a. **November 2014 - 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. The report stands as presented. Mr. Kildow also requested this item be placed on the Agenda for TDA's Regular Board Meeting.
- b. **November 2014 - Program Income Report - included in the Commissioner packets:** Norman Kildow provided an updated report and an overview of the Program Income Report for Fund No. 5540 to the Commissioners and answered questions. The report stands as presented.

Mr. Kildow also requested this item be placed on the Agenda for TDA's Regular Board Meeting.

- c. **Comparative Financial Statements - included in the Commissioner's packets:** Norman Kildow provided an updated report and gave an overview of the Comparative Financial Statements. He also answered questions from the Board. Mr. Kildow requested this item be placed on the Agenda for TDA's Regular Board Meeting.
- d. **City of Tulsa - 1<sup>st</sup> Quarter Invoice - July - September 2014:** Executive Director Walker gave an overview of the City of Tulsa - 1<sup>st</sup> Quarter Invoice for the Planning and Economic Department to the Commissioners and answered questions. The total amount of the invoice is \$7,811.99. After discussion, Mr. Walker requested this item be placed on the Agenda for TDA's Regular Board Meeting.
- e. **Audit Service for Fiscal Year 2013 - 2014:** Norman Kildow provided an updated report and gave an overview of the invoice for Audit Service for Fiscal Year 2013 - 2014 to the Commissioners and answered questions. Mr. Kildow also stated a Request for Proposals was issued for Auditing Services. McGladrey was selected again for an additional 5 years. Mr. Kildow also requested this item be placed on the Agenda for TDA's Regular Board Meeting.

7. **Discussion and consideration to receive a request to make amendments to existing Redevelopment Agreements as follows:**

- **Urban 8, LLC, LLC and Tulsa Development Authority**
- **Tulsa Open Space Alliance and Tulsa Development Authority**

**for property located north of East 3<sup>rd</sup> Street South, between South Greenwood Avenue and South Kenosha Street, Tulsa Oklahoma:**

Executive Director Walker provided an explanation and rationale to grant the request for amendments to the above mentioned Redevelopment Agreements. The request pertains to the air rights and Urban8 will pay the fees associated with the request. Ms. Yvonne Hovell, a representative with Urban8, was present to provide an update on the project and answer questions and concerns from the TDA Board. This item will be placed on the Agenda for TDA's Regular Meeting.

8. **Discussion and consideration to review Responses to the Request for Qualifications (RFQ) for Consulting Service for the North Peoria Tax Increment Finance (TIF) District. Boundaries are: North - East Apache Street; South - East Pine Street; East - North Utica Avenue; West - Midland Valley Railroad:** Chairman Pegues stated the Respondents in attendance today will be allowed five minutes for presentation. Executive Director Walker explained five responses were received for the RFQ for

consulting services for the North Peoria TIF District. The respondents are as follows:

DW Gates Engineering Services – Derek Gates, owner.

Matrix Architects Engineers Planners Inc. – Michael Birkes, Pamela Dunlap, and Cecil Ricks, representatives.

Thedford Consulting – Mike Thedford, owner.

EWC1, Incorporated – Representatives from EWC1 could not attend due to a scheduling conflict.

StreetLife, LLC – Katie Plohocky and Jamie Jamieson, owners.

This item will be placed on the Agenda for TDA's Regular Meeting.

9. **Discussion and consideration to review a Consulting Service Agreement between The Write Company, Inc., Overlease Design, Inc. and Tulsa Development Authority to draft an Annual Report for the Tulsa Development Authority:** Executive Director Walker stated the Agreement between The Write Company, Inc., Overlease Design, Inc. and Tulsa Development Authority is in the Commissioner's packets. Vice Chairman Peters stated the Agreement is lengthy and overwhelming. In response to Vice Chairman Peter's concerns, General Counsel Hartley explained the rationale for the Agreement. The Agreement is consistent with what is used by the City of Tulsa and will avoid any future issues. This item will be placed on the Agenda for TDA's Regular Meeting.

**Prior to accepting a vote to move to Executive Session. General Counsel Hartley stated, there is not any new information to report on the First Street Lofts project. General Counsel Hartley has not received a response from the Principal's Attorney.**

**Chairman Pegues stated without new information to report, Executive Session is not necessary; therefore, the Board will forego Executive Session.**

10. **New Business:** Executive Director Walker provided the dates for the National Association of Housing and Redevelopment Officials (NAHRO) Conference is March 15-18, 2015 in Washington, D.C. and provided rationale for attending the Conference. Commissioner Bracy and Executive Director Walker answered questions and concerns of the Board. This item will be placed on the Agenda for TDA's Regular Meeting.

Executive Director stated Cynthia Stewart, whom the Board selected to prepare the Strategic Plan, has requested to meet with all the Board members to discuss 12 topics associated with the preparation of the Strategic Plan. Ms.



Stewart is suggesting weekly meetings to adequately cover each topic. The Board of Commissioners discussed weekly meetings versus extending the regular meeting to accommodate meeting with Ms. Stewart. The Board decided to extend the regularly scheduled meetings and requested Executive Director Walker discuss this option with Ms. Stewart.

**Agenda Items for January 15, 2015 Regular Meeting:**

- 3(1). Wilkins-Agreement Amendment
- 3(1). East End Village-Deadline Amendment
- 6(a.b.c). November 2014 Financial Reports
- 6(d). City of Tulsa-1<sup>st</sup> Quarter Invoice
- 6(e). Audit Service for Fiscal Year 2013 - 2014 Invoice
- 7. Urban8 and TOSA Agreement Amendments
- 8. North Peoria TIF Consultant Selection
- 9. Write Company, Inc., Overlease Design, Inc. Agreement  
NAHRO Conference Attendance Approval

**Executive Session**

First Street Lofts

Selection of Consultant for North Peoria TIF

General Counsel Hartley will provide information regarding what is proper to be discussed and if selection of a Consultant qualifies for Executive Session.


- 11. **Adjournment:** Commissioner Bracy moved to adjourn at 10:35 a.m., seconded by Vice Chairman Peters. The vote was recorded as follows:

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


**Nays: None**

**The motion passed unanimously.**

**Tulsa Development Authority**

  
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**Julius Pegues, Chairman**

**Approved as to legal form and adequacy:**

  
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**Jot Hartley, Esq., General Counsel**