

WORK STUDY SESSION MINUTES

Tulsa Development Authority Board of Commissioners

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

Thursday – December 4, 2014

8:30 a.m.

Present:

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

Absent:

Also Present:

Kevin Anderson
Bruce Bolzle
Andrew Coffey
Jim Coles
Leon Davis
Steve Ganzkow
Norman Kildow
Steve Larry

Also Present:

Mike Thedford
Delise Tomlinson
Kajeer Yar
NaTasha Bunch
Jane Malone
Carol Young

The meeting was called to order at 8:38 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 December 4, 2014 Tulsa Development Authority Work Study Session and will be incorporated by reference to these minutes. The agenda will be followed as filed.

Prior to calling Roll, Chairman Pegues stated Vice Chairman Peters would like to make an announcement. Vice Chairman Peters stated the YWCA is celebrating 100

years of service and recognized 100 Women of Moxie, two of those women have associations with TDA. Dr. Wennette Pegues is the wife of TDA Chairman Pegues and Mrs. Jane Malone is the Executive Assistant for TDA. Vice Chairman Peters read the bios printed in the magazine Tulsa People.

Jane Malone - Advocate for racial equality and north Tulsa community development. Served on boards for Neighborhood Housing Services, NAACP, Greenwood Chamber of Commerce, and Oklahoma Jazz Hall of Fame.

Dr. Wennette Pegues - One of the first African-American nursing instructors at Hillcrest Medical School. Advocate for education, including serving as the first Director of the University Center at Tulsa.

Moxie is defined as being action-oriented, courageous, having confidence, passionate, and ability to raise “hell” to make a difference.

The TDA Board thanked and congratulated Mrs. Malone.

1. **Roll Call:** Jane Malone called roll; Chairman Pegues, Vice Chairman Peters, Commissioner Bracy, Commissioner Roberts, and Commissioner Mitchell were in attendance.

2. **Executive Director’s Monthly Report-**

1. **TDA Strategic Planning Session**

- The Strategic Planning Session was held on Thursday, September 18, 2014. The facilitator’s, Ian Carlton and Shawn Schaefer, were from the University of Oklahoma. Two (2) of the three (3) action items from the Retreat were to draft a Strategic Plan and Annual Report. The following information is submitted:
 - Evermore Service, LLC was the successful respondent to the Request for Qualifications (RFQ) for drafting the Strategic Plan
 - A meeting is scheduled next week with Cynthia Stewart for negotiations of the Agreement.
 - The report should cover a 5 year period.
 - The Write Company was the successful respondent to the Request for Qualifications (RFQ) for drafting an Annual Report.
 - Executive Director Walker met with Missy Kruse on December 2, 2014 to discuss the Agreement.
 - The Agreements for the Annual Report and Strategic Plan will be presented to the Board for approval at the January 2015, TDA Meeting.

The following information is submitted for the third action item:

- The Executive Director met with 5 developers to discuss Single Family Residential Redevelopment in North Tulsa.
 - Ogan's Circle property has been mowed and aerated for the 2015 growing season.
 - The abstract was ordered from Smith Brothers on November 17, 2014.
 - Once TDA receives the Abstract, an appraisal will be ordered.
 - A plan for redevelopment of Ogan's Circle will be presented to the Board at the January 2015 TDA meeting.

In response to Commissioner Mitchell's question regarding residential development in the OSU-Tulsa area, Chairman Pegues explained the rationale for the donation of land to UCAT for educational purposes.

2. Project Status Update

- **Blue Dome Anchor, LLC:** No new information. [Location of the property: 110 South Greenwood.]
- **YMCA Lofts:** No new information. [Location of the property: 515 South Denver Avenue.]
- **Vandever Lofts:** No new information. [Location of the property: 16 East 5th Street, Tulsa, Oklahoma.]
- **Tulsa Urban Development Group, LLC, d/b/a Urban8:** Water and sanitary inspections passed on November 11, 2014. Footings and foundations have been installed for all units. [Location of the property: North of 3rd Street, between Greenwood Avenue and Kenosha Street.]
- **Hartford Commons, LLC:** Representatives of Hartford Commons are here today to discuss an Item on the Agenda. [Location of property: SE corner of Greenwood Ave. and E. 2nd Street.]
- **100 Boulder, formerly Maplevue Associates, Inc.:** No new information. [Location of the property: Southwest Corner of 1st Street and Boulder Ave.]
- **Fire Station No. 1/CORE Associates, LLC:** A meeting was scheduled last week to meet with the representatives from CORE. The meeting was canceled and will be rescheduled. [Location of the property is 411 South Frankfort Ave.]

- **Hogan on Greenwood, LLC:** The TDA Board approved partnering with Blue Dome Property Owners and Merchants for TIF funds for a streetscaping project at the November 13, 2014 meeting. [Location of property: Northeast corner of South Greenwood Avenue and East 1st Street.]
 - **Wilkins Project:** The Redevelopers indicated Construction Documents should be ready for review for the February 2015 Work Study Session. General Counsel Hartley explained a response has not been received from the Attorney representing the Redevelopers regarding a closing date and he will send another email to the Attorney. [Location of property: Northwest corner of Archer and Elgin Avenue.]
 - **The Flats on Archer:** The water table depth has caused serious hurdles on the parking lot plan and design of the structure. 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.]
 - **The Petrous Group:** No new information. [Location of property: Northeast corner of Martin Luther King, Jr. Blvd. and East Queen Street.]
 - **North Peoria TIF Administrator:** On November 13, 2014, the TDA Board reviewed and approved Resolution No. 6029 selecting a firm and authorizing negotiations of a contract with D.W. Gates Engineering Services for Design and Construction Management for the North Peoria TIF projects. A meeting to negotiate a contract occurred on November 18, 2014 with General Counsel, Executive Director, and Mr. Gates. This item is on the agenda for review today.
 - **Cherokee Meadows, d/b/a The Carland Group:** On November 19, 2014, the OHFA Board of Trustees awarded Housing Tax Credits for the Assisted Living Community. Construction is scheduled to begin in the spring of 2015.
3. **Zoning Code Update:** The committee has disbanded. The document is available for public review on the City of Tulsa's website. The next steps are: 1) Gain support from the Tulsa Metropolitan Area Planning Commission (TMAPC) and Tulsa City Council, and 2) Roll out the Updated Ordinance to the General Public for Approval.
4. **Sector Plan Update:** On November 13, 2014, the TDA Board of Commissioners reviewed and approved a Resolution approving the First Amendment to Agreement for Professional Planning Services with Houseal Lavigne Associates, LLC for the preparation and presentation of the City of

Tulsa Sector Plan Update – Public Relations Firm Approval. Representatives from Houseal Lavigne will perform field work and discuss consolidating planning areas, as well as discuss key issues related to their observation with the Citizens Advisory Team (CAT). Dawn Warrick, Executive Director of Planning and Economic Development, is scheduled to meet with the representatives. Community Outreach will commence in January 2015 by the Public Relations consultants.

5. 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 will be submitted in January for City of Tulsa services rendered July through September 2014.

6. TDA Website: No new information.

7. TDA Office Space: The TDA Office is accepting bids for interior remodel of Suite D. Currently, the project estimate is \$21,000.00. Attached to the Executive Director's report is a spreadsheet of office move bids. Executive Director Walker is requesting this be placed as an Agenda item for approval at next week's Regular Meeting.

3. 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 is being processed by special projects for signature by Cyntergy. Design coordination was scheduled to commence on November 24, 2014. Coordination is needed for Downtown Coordination Council's tree planting plan.
- **Proposed streetscape improvements to Cameron Street:** Fund No. 6963 – No new information.
- **Elgin streetscape improvements:** Fund No. 6967 – Concrete and paver installation on the east side of Elgin Avenue is complete. The project is approximately 47% complete. The contractor has submitted a price of \$3,200.00 for the removal of an existing planter and additional sidewalk on east side of Elgin. Revisions to the pricing has been requested.

4. 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**
Pre-Trial conference is set for December 8, 2014.

Foreclosure:

- **BAC Home Loans v. Maudie Elliott and TDA**
Sheriff's Sale was held on November 18, 2014. First Mortgage Holder judgment lien and costs of sale used up all proceeds from sale. There will be no recovery of funds to TDA on its Second Mortgage. Case Closed.

Quiet Title:

- **Novus Homes (Wilkins)**
Contract deadline dates extended for an additional 30 days at the October 9, 2014 Board meeting and 3rd Amendment to Redevelopment Contract executed.
- **TDA v. Texas and Pacific Railway Company, et al.**
Quiet Title Action filed on September 24, 2014 for portion of Blocks 111 and 112 to be conveyed by TDA to Hartford Commons LLC; Journal Entry of Judgment Quieting Title filed November 18, 2014.

Personal Injury Claim:

- **Gammil, Gary v. TDA**
Pre-Trial Conference was held on November 17, 2014. The Attorney for the Plaintiff has withdrawn. Upon motion by TDA Counsel, Judge Cantrell has ruled that the case will be dismissed in 30 days unless Plaintiff appears with new counsel.

5. Financial Reports

- a. **October 2014 - Income and Expenditure Report and Program Income- included in the Commissioner packets:** Norman Kildow provided an updated report and an overview of the Income and Expenditure Report and Program Income Report for Fund No. 5540, to the Commissioners and answered questions. In response to Commissioner

from TDA, as the owner of easement, stating there is no opposition to the construction of the sidewalk. Mr. Ganzkow stated this request is needed to issue a building permit. Chairman Pegues requested Mr. Bolzle to submit a formal letter of the request and TDA will supply the letter of no opposition. This item will be placed on the Agenda for TDA's Regular Meeting.

9. **Discussion and consideration to review an Engineering and Consulting Services Agreement between D.W. Gates Engineering Services and Tulsa Development Authority for the North Peoria TIF. Boundaries are: North – East Apache Street; South - East Pine Street; East – North Utica Avenue; West – Midland Valley Railroad, Tulsa, Oklahoma:** General Counsel Hartley explained the Agreement mirrors the Agreement for Mike Thedford. General Counsel Hartley explained the Agreement is written for Mr. Derek Gates to provide services as TDA's Project Manager of the North Peoria TIF rather than Mr. Gates as a representative for the Lacy Park Council. Executive Director Walker would be authorized to approve up to 20 hours of Mr. Gates time and any hours over 20 would require Board approval. The Commissioner's expressed concern with the language of the contract. Further, the Commissioner's suggested the contract be revised and a Request for Qualifications be released. This item will be placed on the Agenda for TDA's Regular Meeting.

10. **Discussion and consideration to review a project update from GreenArch, LLC for TDA owned property located on the Southeast corner of East Archer Street and North Greenwood Avenue, Tulsa, Oklahoma:** Mr. Kajeer Yar, representative with GreenArch LLC, presented plans to the Board for proposed development of the Southeast Corner of East Archer Street and North Greenwood Avenue. Mr. Yar plans to develop a mixed-use building, with predominantly office space. Parking is included in the plans and will accommodate tenants of the new development. Mr. Yar plans to bring formal plans to the TDA Board for approval in early 2015.

Commissioner Bracy moved to go into Executive Session at 10:22 a.m., seconded by Commissioner Mitchell. The vote was recorded as follows:

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

The motion passed unanimously.

11. **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 an update on the First Street Lofts project, located one-quarter (¼) mile East of Detroit Avenue, and South of 1st Street, (310 E. First Street) Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10).]
- b. Confidential communication with Counsel regarding Ogan's Circle development located South of East Virgin Street, between Osage Prairie Trail and North Lansing Avenue, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10)].

- 12. Vote to return to open session:** Commissioner Bracy moved to return to Open Session at 10:45 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

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

Nays: None

The motion passed unanimously.

- 13. Statement of the Executive Session:** During the 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
- 14. Discussion and consideration on items discussed in Executive Session:**
None
- 15. New Business:** Vice Chairman Peters thanked Executive Director Walker for the Poinsettias and also Commissioner Roberts for the cake balls she brought to the meeting today. He also mentioned meeting Commissioner Roberts's son at the class he visited at Holland Hall regarding downtown development. Commissioner Roberts stated she invited the class to attend a TDA meeting in January or February and she welcomes the input from the next generation.

Agenda Items for December 11, 2014 Regular Meeting:

2. Approve TDA office move
5. October Financial Reports
6. East End Village - subject to receipt of documentation
7. Dirty Butter – Heritage Hills
8. Hartford Commons - subject to receipt of documentation
9. D.W. Gates Engineering/Lacy Park

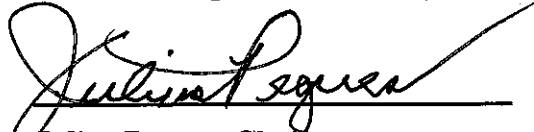
16. **Adjournment:** Commissioner Mitchell moved to adjourn at 10:51 a.m., seconded by Commissioner Bracy. The vote was recorded as follows:

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

Nays: None

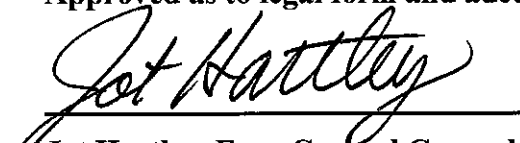
The motion passed unanimously.

Tulsa Development Authority



Julius Pegues, Chairman

Approved as to legal form and adequacy:



Jot Hartley, Esq., General Counsel

[12-4-2014 – Work Study Minutes (nb-)]