

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 – February 5, 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
June Beckwith
Kendall Brock
Andrew Coffey
Frank Davies
Leon Davis
Mike Dickerson
Katie Ford
Steve Ganzkow
Jackson Goodard
Avery Gragg
Madison Graham
Lamont Hawkins
Will Jezek
Mark Johnson
Sami Karbelk
Geneva Kidd
Norman Kildow
Steve Larry

Also Present:

Ray Meldrum
Harrison Petre
Justin Pickard
Sam Roberts
Jeff Scott
Carrie Shell
Paul Shell
Dylan Simmons
Michael Smith
Corey Taylen
Mike Thedford
Brian Thompson
Will Wilkins
NaTasha Bunch
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 February 5, 2015 Tulsa Development Authority Work Study Session and will be incorporated by reference to these minutes. The agenda will be followed as filed. Chairman Pegues acknowledged and welcomed the Holland Hall Class on Downtown Tulsa.

1. **Roll Call:** NaTasha Bunch called roll; Chairman Pegues, Vice Chairman Peters, Commissioner Bracy, and Commissioner Roberts were in attendance. Commissioner Mitchell was absent.

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

1. **Project Status Update**

- **Vandever Lofts:** 40 apartments. The property remains 100% occupied. The underground garage has exceeded the Redeveloper's expectations. The Redeveloper is in the process of extending the 6 month lease agreements that started July 1, 2014. TDA is awaiting the final draw request upon receipt of Certificate of Occupancy. [Location of the property: 16 East 5th Street, Tulsa, Oklahoma.]
- **Tulsa Urban Development Group, LLC, d/b/a Urban8:** 8 single family dwellings. The foundations for all structures have been poured. Rough framing has commenced for Buildings 7 and 8 and rough framing for Buildings 5 and 6 will start next. All utilities are available for use. [Location of the property: North of 3rd Street, between Greenwood Avenue and Kenosha Street.]
- **Hartford Commons, LLC:** 162 apartments. 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. 2nd Street.]
- **100 Boulder, formerly Mapleview Associates, Inc.:** 18 Condominium units. 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 1st Street and Boulder Ave.]
- **Fire Station No. 1/CORE Associates, LLC:** Mixed-use development. The Redeveloper continues to make progress toward the redevelopment of the area. [Location of the property is 411 South Frankfort Ave.]

- **Hogan on Greenwood, LLC:** Office Building. The steel erection is 100% complete. The roofers, brick mason, and glass curtain wall installers will be the next contractors on the job. Electrical and HVAC continues on the interior. Schedule is currently showing a completion date of September 2015. [Location of property: Northeast corner of South Greenwood Avenue and East 1st Street.]
 - **Wilkins Project:** Mixed-use 160 unit hotel. The Redeveloper met the January 31, 2015 construction plans deadline. This is an Agenda item for today and representatives for the Wilkins Project is present. [Location of property: Northwest corner of Archer and Elgin Avenue.]
 - **The Flats on Archer:** 140 unit apartment building. The Redeveloper is ready to close on the property. TDA's General Counsel is in the process of drafting Closing Documents. [Location of property: 110 N. Boston Avenue.]
 - **East End Village:** 64 unit apartments. Building No. 1 is complete and buildings No. 2 and No. 6 are leased. The Redeveloper is in the process of wrapping up punch list items on buildings No. 3, 4, and 5. The total project is anticipated to be complete by the end of February 2015. [Location of property: 401 and 405 South Elgin Avenue, 408 and 418 South Frankfort Avenue, 414 East 4th Street, and 415 East 5th Street.]
 - **Blue Dome Anchor, LLC:** Mixed-use with 128 unit apartment building. The Redeveloper is researching leasing options via a Commercial Realtor. [Location of the property: 110 South Hartford Avenue.]
 - **YMCA Lofts:** Mixed-use with 45 unit apartments. No updated information. [Location of the property: 515 South Denver Avenue.]
 - **The Petrous Group:** Retail-Dollar General. The proposed deal has officially fell apart with Family Dollar accepting Dollar General's acquisition price. The Petrous Group would like to rekindle the conversation with TDA in regards to the property. A meeting is set for Friday, February 6, 2015. [Location of property: East of Martin Luther King, Jr. Blvd., between East Queen Street and East Seminole Place.]
2. **Downtown Housing Fund:** The Downtown Housing Fund Committee made an Amendment based on the meeting that was held on January 13, 2015. The Amendment would increase the Committee members from 6 to 7 to allow a Commissioner from the TDA Board to serve on the Committee. The Board of Commissioners determined that Vice Chairman Peters would serve on the Committee.

- 3. Sector Plan Update:** Executive Director Walker met with Councilor Henderson and the Councilor's Aide, John Fothergill to discuss a list of names of candidates for the Citizens Advisory Teams (CAT). Houseal Lavigne proposed the name "North Tulsa Neighborhood Plan" for the Sector Plan Update. The website developed by Houseal Lavigne has been reviewed by TDA's Executive Director and the website is not ready to share with the TDA Commissioners. After revisions are made, the TDA Commissioners will have the opportunity to review the website. The Executive Director had a discussion with Susan Neal of The University of Tulsa regarding removing the Kendall Whittier Area from the Sector Plan Update and her judgment is not to remove it. This is an Agenda item for today.
- 4. City of Tulsa Zoning Code Update:** The Review Committee met on February 4, 2015 to discuss the Zoning Code update document to understand changes/recommendations that will impact the day-to-day operations and responsibilities of administering the proposed revisions to the Zoning Code. The document will be consolidated to contain items approved by the Review Committee. On March 5, 2015, Kirk Bishop will attend the TDA Work Study Session to provide an update to the TDA Board of Commissioners of the proposed Zoning Code Update.
- 5. TDA Website:** No new information.
- 6. TDA Office Space:** Executive Director Walker provided an estimate update to the Board. The estimate update includes: replacing ceiling tile and grid, relocating cabling, server, computers, printers, and telephones. The updated estimate of the office move is \$25,000.00, which is the amount approved by the TDA Board on December 1, 2014.
- 3. Downtown Development and Redevelopment Fund Update:** Vice Chairman Peters stated 4 proposals have been received. A deadline has not been established for the proposals. The proposals would be awarded until the \$4 million is dispersed. The Pre-Review Committee has reviewed 3 of the 4 proposals. The 3 Proposals are as defined below:
- The Enterprise Building at 6th and Boston will be converted into 70 apartments with balconies. The estimated cost of the project is \$12 million and the redeveloper is seeking \$1.3 million.
 - 400 South Boston will be converted into 48 apartment units. The estimated cost of the project is \$7.5 million and the redeveloper is seeking \$1 million.
 - The Ross Group is looking to relocate office space to the Downtown area and 37,000 square feet is needed. The cost of the project is \$8 million, and The Ross Group is seeking \$1.35 million.
 - Nelson+Stowe Development LLC is seeking assistance from the Downtown Development and Redevelopment Fund for the Urban

Mall project. Vice Chairman Peters did not have specific information regarding this proposal. He will bring an update to the next TDA meeting.

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 is being processed. Design kickoff meeting is expected to occur in February. New City of Tulsa lighting standards will be followed for this project.
- **Proposed streetscape improvements to Cameron Street:** Fund No. 6963 – No new information.
- **Elgin streetscape improvements:** Fund No. 6967 – The project is approximately 95% complete. Final stages of the project are being completed. Final accounting will be reviewed, punch list and completion is expected in February. Installation of light fixtures will shift to be included in the Blue Dome Lighting Project. A request was made to transfer \$164,132.18 to Tulsa Industrial Authority from the TIF fund as required by the Agreement TDA signed with Tulsa Industrial Authority to provide funds in advance for the lighting project. Chairman Pegues stated, Mr. Thedford is to provide the completion paperwork and the funds will be transferred. This will be an Agenda item for TDA’s Regular meeting.

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**
Case will be closed upon filing of Agreed Journal Entry of Judgment.

Damages – Relocation Assistance:

▪ **Plaintiff - Markus W. English:**

The Judge ruled the Plaintiff does not have a claim but would accept an amended claim if Plaintiff found a way to make TDA liable. General Counsel Hartley stated the property the Plaintiff owns is not within the relocation area; therefore, TDA is not liable. He anticipates the case will be dismissed.

Other:

▪ **Novus Homes (Wilkins)**

General Counsel anticipates closing on the property in February.

Personal Injury Claim:

▪ **Gammill, Gary v. TDA**

The Plaintiff appeared at a scheduled Pre-Trial Conference on January 14, 2015 without an Attorney. Judge Cantrell reset the Pre-Trial Conference for February 23, 2015 and Plaintiff is to obtain an Attorney by that date or case will be dismissed without prejudice unless settled. This is an Executive Session Agenda item for today.

6. Financial Reports

- a. **December 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. **December 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, gave an overview of the Comparative Financial Statements, and answered questions from the Board. Mr. Kildow also requested this item be placed on the Agenda for TDA's Regular Board Meeting.

Will Wilkins, representative of Novus Homes, LLC and W3 Development, provided rationale and answered questions from the Board. Commissioner Carl Bracy will be the TDA Board contact regarding the Darven Brown Memorial statute. This item will be placed on the Agenda for TDA's Regular Meeting.

11. **Discussion and consideration to review a request for an Assignment from Michael Smith to Lamont Hawkins for City of Tulsa owned property located at 1980 North Hartford Avenue, Tulsa, Oklahoma, Dirty Butter – Heritage Hills Extension:** Executive Director Walker explained this is a request from Michael Smith for an assignment of one of the Dirty Butter – Heritage Hills lots to Mr. Lamont Hawkins. Mr. Smith and Mr. Hawkins were present and provided rationale and answered questions from the Board. Both will have Drawings and Plans for submittal at the March 2015 TDA Work Study Sessions. This item will be placed on the Agenda for TDA's Regular Meeting.
12. **Discussion and consideration to enter into negotiations for sale of TDA owned property located as follows:**

Purchaser	Address	Sale Price	Deposit
Prince, Alfred J.	844 E. 51 st Pl. No.	\$8,000.00	\$400.00
Moses, Shamika	4949 N. Trenton	\$8,000.00	\$400.00
McClendon, Kevin	2033 E. Woodrow St.	\$6,500.00	\$325.00
Dickson, Willeka	312 E. Xyler St.	\$8,000.00	\$400.00
Jackson, Tianna	1310 N. Olympia	\$8,500.00	\$425.00
Offord, Angela D.	570 E. Queen St.	\$12,500.00	\$625.00
Jackson, Michael	210 E. 51 st Pl. No.	\$4,500.00	\$225.00
Green, David	2121 N. Garrison Pl.	\$6,500.00	\$400.00

Executive Director Walker explained TDA held a Property Draw on January 30, 2015 for the above properties and earnest deposits were received. This item will be placed on the Agenda for TDA's Regular Meeting.

Commissioner Bracy moved to go into Executive Session at 9:45 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

Ayes: Pegues, Peters, Bracy, and Roberts

Nays: None

The motion passed unanimously.

13. **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 ($\frac{1}{4}$) 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 authority to offer an amount in settlement of pending litigation with Gary Gammill resulting from alleged injuries and fall sustained at Precision Equity Apartments acquired by TDA as part of the Kendall–Whittier West Park project. Case No. CJ-2013-851, District Court of Tulsa County, Oklahoma. [25 O.S. §307(b) (4).]

- 14. Vote to return to Open Session:** Commissioner Bracy moved to return to Open Session at 9:55 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

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

The motion passed unanimously.

- 15. 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
- 16. Discussion and consideration on items discussed in Executive Session:**
None
- 17. TDA presentation to Holland Hall class “Downtown” Tulsa:** Steve Ganzkow (American Residential Group) and Jeff Scott (Scott Realty Company) gave a presentation and answered questions from the class. Vice Chairman Peters stated a tour of the downtown properties had been arranged for the students after the TDA Work Study Session.

18. **New Business:** General Counsel Hartley and Executive Director Walker explained the Redeveloper for Urban8 is requesting revisions to the 6th Amendment. The revisions are changing townhome to condo and revising the height of the building. The 6th Amendment has not been signed and General Counsel requested the Revised 6th Amendment be placed on the Agenda for TDA's Regular Meeting.

Agenda Items for February 12, 2015 Regular Meeting:

- 4(a). Elgin Street Improvements Reimbursement
- 6(abc). December Financial Reports
- 6(d). Finance Department Quarterly Invoice
- 7. Nelson+Stowe Development LLC
- 8. Crossover Community Impact, Inc.
- 9. Sector Plan Update
- 10. Wilkins Construction Drawings
- 11. Michael Smith Assignment
- 12. Negotiations for Sale of 8 TDA owned properties
- 13(a). First Street Lofts
- 13(b). Gary Gammill

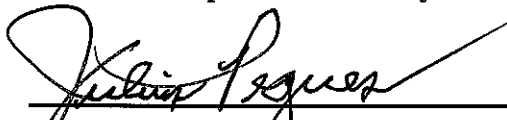
19. **Adjournment:** Commissioner Bracy moved to adjourn at 10:30 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

Ayes: Pegues, Peters, Bracy, and Roberts

Nays: None

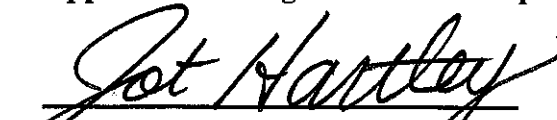
The motion passed unanimously.

Tulsa Development Authority



Julius Pegues, Chairman

Approved as to legal form and adequacy:



Jot Hartley, Esq., General Counsel