

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 – April 2, 2015

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
Diana Best
Stephen Carr
Andi Clinger
Andrew Coffey
Jim Coles
Anna Davies
Mike Dickerson
Bob Eggleston
Steve Ganzkow
Terri Gateward
Risha Grant
Yvonne Hovell
Bart James
Norman Kildow
Steve Larry
Robert Leikam
Ally Lightle
Bill Masterson
Mitch McClain
Nicole Morgan

Also Present:

Matt Newman
Pete Patel
Linn Roberson
Brittany Sawyer
Paul Selid
Cynthia Stewart
Mike Thedford
Steven Watts
Dawn Warrick
Dennis Whitaker
Chuck Wiggin
Will Wilkins
NaTasha Bunch
Jane Malone
Carol Young

The meeting was called to order at 8:34 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 April 2, 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 arrived at 8:59 a.m., after roll call. A quorum was present.

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 will apply for the final draw in May 2015. There are Letters of Intent for leasing the west retail space. [Location of the property: 16 East 5th Street, Tulsa, Oklahoma.]
- **Tulsa Urban Development Group, LLC, d/b/a Urban8:** 8 single family dwellings. The Contractor is in the process of interior framing for building 1, 2, and 3. The HVAC systems will be installed for building 6 and 7 by mid-April. In May 2015, the Contractors will apply the exterior finish on all structures. [Location of the property: North of 3rd Street, between Greenwood Avenue and Kenosha Street.]
- **Hartford Commons, LLC:** 162 apartments. The City of Tulsa Permit Center is requesting the Redeveloper define an additional utility easement on the Filed Plat of Record to allow the Redeveloper to install PSO services underground. The Redeveloper will work with Urban8, LLC and Tulsa Open Space Alliance on a possible assignment of the park property. The Redeveloper has also discovered sub-surface conditions on the southwest corner of the property. Hartford Commons, LLC is an Agenda item today for further discussion. [Location of property: SE corner of Greenwood Ave. and E. 2nd Street.]
- **100 Boulder, formerly Maplevue Associates, Inc.:** 18 Condominium units. The Redeveloper has closed on the third unit and the fourth unit is under contract. 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:** A meeting was held with the Redevelopers, TDA's Chairman, Vice Chairman, General Counsel, and Executive Director on March 5, 2015. The Redeveloper provided a status update and a project timeline of the comprehensive redevelopment plan. If the comprehensive plan does not come to fruition, the Redeveloper will continue with the redevelopment of the Fire Station. The project timeline was included as an attachment to the Executive Director's Report. [Location of the property is 411 South Frankfort Ave.]
- **Hogan on Greenwood, LLC:** Office Building. The current goal of the Redeveloper is to enclose the building. Schedule is currently showing a completion date of September/October 2015. [Location of property: Northeast corner of South Greenwood Avenue and East 1st Street.]
- **Wilkins Project:** Mixed-use 160 unit hotel. The Redeveloper is experiencing some design concerns with Marriott. The design concerns impact the requirements of the Tulsa Fire Department with building height and overhead power lines. The design concerns must be finalized prior to the financing phase. The Redeveloper is requesting an extension of 60 days to the project schedule. A project timeline was included as an attachment to the Executive Director's Report. [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. The Redeveloper anticipates the project completion by May 1, 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 negotiating with a customer management solutions company as potential leaser. The parking lot to the east of the Hartford Building will become a parking garage connected to the building. [Location of the property: 110 South Hartford Avenue.]
- **YMCA Lofts:** Mixed-use with 45 unit apartments. The Redeveloper anticipates the apartment rents to range between \$500.00 and \$850.00 per month. The Redeveloper has determined the project will not have retail in the beginning stages. It was determined by the Board of Commissioners that approval by the Board will need to be obtained to eliminate retail from the project. [Location of the property: 515 South Denver Avenue.]

- **The Petrous Group:** Retail-Dollar General. A meeting was held with the members in the Dunbar Neighborhood and the Redeveloper to discuss the proposed project. Another meeting is set for Tuesday, April 14, 2015. [Location of property: East of Martin Luther King, Jr. Blvd., between East Queen Street and East Seminole Place.]
2. **Sector Plan Update:** Executive Director Walker stated Houseal Lavigne was in Tulsa last week to conduct community workshops in the Kendall Whittier and North Tulsa Sector Plan Areas. The representatives from the Public Relations Firms were present to provide feedback regarding the solicitation methods utilized for reaching the community. Risha Grant, with Risha Grant, LLC, and Nicole Morgan, with Resolute PR, answered questions from the Board and provided an Outreach and Media Relations Recap to the Board.
 3. **National Association of Housing and Redevelopment Officials, Legislative Conference:** The conference was held in Washington, D.C. on March 14-18, 2015. Commissioner Bracy and Executive Director Walker networked with decision-makers from HUD'S Washington, DC offices. The conference provided opportunities to gather information on federal discretionary spending for housing and community development programs, as well as information on the process to apply for Government Bonds that can be used for infill development. Commissioner Bracy and Executive Director Walker also met with Congressman Jim Bridenstine to learn about available funding sources.
 4. **Visit with City of Washington, DC Officials:** On March 17, 2015, Commissioner Bracy and Executive Director Walker met with Andrew Trueblood, Chief of Staff, and Pia Brown, Director of Economic Development, for the City of Washington, DC. The meeting resulted in a discussion of the latest trends in Urban Development in Washington, DC, the lack of CDBG funding for redevelopment projects, other sources of funding, and parking challenges associated with zoning codes in the Washington, DC area.
 5. **City of Tulsa Zoning Code Update:** Kirk Bishop will attend the TDA Work Study session May to provide the TDA Board of Commissioner's an overview of the proposed Zoning Code Update.
 6. **TDA Website:** No new information.
 7. **TDA Office Space:** Executive Director Walker stated the TDA offices have officially moved to Suite D.

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 has been signed by the Mayor. Design kickoff meeting was held on Friday, March 20, 2015. Paul Zachary, with the City of Tulsa’s Special Projects Department is verifying lighting specifications.
- **Proposed streetscape improvements to Cameron Street:** Fund No. 6963 – Mr. Thedford will contact Julie Miner, representative with INCOG, regarding whether funds are available for the John Hope Franklin Reconciliation Park.
- **Elgin streetscape improvements:** Fund No. 6967 – The punch list items are approximately 90% complete.

b. Tax Increment Finance (TIF) Report – Jim Coles: A copy of the report is included in the Commissioner’s packets: Jim Coles provided an updated report, provided an explanation, and answered questions from the Board.

b.i. Abatement from World Media Enterprises, c/o BH Media Group Holding, Inc.: Jim Coles provided information and clarification for an Abatement request from World Media Enterprises, Inc. c/o BH Media Group Holding. Bill Masterson, a representative with Tulsa World was present to answer questions from the Board. Mr. Coles requested the TDA Board of Commissioner approve Letters of Support for the projects as it relates to the abatement under the Local Development Act.

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

Damages – Relocation Assistance:

- **Plaintiff - Markus W. English:**
Plaintiff was granted until April 6, 2015 to provide a Summons in correct form for service on TU and TDA. TDA will file a Motion to Dismiss upon receipt of service of Summons in the case.

Other:

- **Novus Homes (Wilkins)**
Construction documents were approved by the TDA Board at the February 5, 2015 meeting with one condition relating to the location of the Darven Brown memorial.

5. Financial Reports

- a. **February 2015 - 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. **February 2015 - 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.
- d. **City of Tulsa – 2nd Quarter Invoice – October – December 2014:** Norman Kildow provided an invoice for City of Tulsa services (excluding accounting) provided October 1, 2014 through December 31, 2014 in the amount of \$2,268.03. Mr. Kildow also requested this item be placed on the Agenda for TDA's Regular Board Meeting.

6. **Discussion and consideration to enter into a Special Projects Agreement to an existing Services Agreement between the City of Tulsa and the**

Tulsa Development Authority (TDA) for administration of City of Tulsa's Downtown Development and Redevelopment Funds: General Counsel Hartley explained the Agreement will be applicable to all projects from the Downtown Development and Redevelopment Fund. Counsel Hartley will have a final form prepared for review and approval at TDA's Regular Meeting. This item will be placed on the Agenda for TDA's Regular Meeting.

7. **Discussion and consideration to review a request from the Downtown Development and Redevelopment Committee to the TDA Board of Commissioners to assume responsibility for creating the Redevelopment Agreement with River City Development, LLC for the redevelopment of the Enterprise Building as the Meridia Apartments located at 522 South Boston Avenue, Tulsa, Oklahoma:** General Counsel Hartley explained the Special Projects Agreement with the City of Tulsa must be executed before the Redevelopment Agreement with River City Development, LLC can be executed. This item will be placed on the Agenda for TDA's Regular Meeting.
8. **Discussion and consideration to review a request to amend the existing Redevelopment Agreement with Hartford Commons, LLC and TDA for property located at 212 South Kenosha Avenue, Tulsa, Oklahoma:** General Counsel Hartley and Executive Director Walker explained this request contains 3 (three) parts: 1) a utility easement, 2) a request for an extension of time, 3) and a request for reimbursement for sub-surface conditions. General Counsel Hartley explained the request for reimbursement for sub-surface conditions will not be discussed at this time because additional research is needed. Mr. Steve Ganzkow, a representative from American Residential Group, was present for a discussion occurred regarding the utility easement and extension of time. The Board of Commissioners determined additional documents should be signed by Urban8 and Tulsa Open Space Alliance prior to TDA signing documents for the utility easement. The request for an extension of time and utility easement, subject to executed documents from Tulsa Open Space Alliance, will be placed on the Agenda for TDA's Regular Meeting.
9. **Discussion and consideration to review a request for the selection of candidates to serve on the Business Sector for the Citizens Advisory Team (NTB-CAT) in North Tulsa Sector Plan Update:** Executive Director Walker explained the rationale by Houseal Lavigne for separating the Citizens Advisory Teams (CAT) into 2 (two) teams and the process of selecting individuals for the CAT's. The Commissioner's requested Executive Director Walker to speak with Houseal Lavigne for further clarification. Executive Director Walker requests this item will be placed on the Agenda for TDA's Regular Meeting.

10. **Discussion and consideration to review a request for the selection of candidates to serve on the Kendall Whittier Area Citizens Advisory Team (KW-CAT) for the Kendall Whittier Sector Plan Update:** Executive Director Walker explained the citizens in the Kendall Whittier Sector Plan area requested 1 (one) Citizens Advisory Team. Kevin Cox will be removed from the list, due to a potential conflict. This item will be placed on the Agenda for TDA's Regular Meeting.
11. **Discussion and consideration to review a request to enter into a Contract for sale of land for Private Redevelopment between Angela D. Offord and TDA for property located at 570 East Queen Street, Tulsa, Oklahoma:** Executive Director Walker explained this a vacant lot and a Redevelopment Agreement is prudent. The Redevelopment Agreement for this property will mirror the Redevelopment Agreements for the Dirty-Butter properties; therefore, the requirements will also mirror the Dirty-Butter requirements. General Counsel Hartley complimented the TDA staff for standardizing the Redevelopment Agreements applicable to vacant lot sales. This item will be placed on the Agenda for TDA's Regular Meeting
12. **Discussion and consideration to review a request to terminate a Contract for Sale of Real Estate between Willeka Dickson and TDA for property located at 312 East Xyler Street, Tulsa, Oklahoma:** Executive Director Walker explained this is a request from a potential homeowner from the Lot Draw Process held in January. Ms. Willeka Dickson has not been able to obtain liability insurance at the limits stipulated by TDA. Ms. Dickson requests the liability insurance limits be decreased or a refund of the earnest deposit. A discussion occurred and it was decided to refund the earnest deposit to Ms. Dickson. This item will be placed on the Agenda for TDA's Regular Meeting.
13. **Discussion and consideration to review a request to amend an existing Redevelopment Agreement between One Place Hospitality, LLC and TDA for property located on the Northwest Corner of East 3rd Street and South Cheyenne Avenue, Tulsa, Oklahoma:** General Counsel Hartley explained this request should be to negotiate, not amend an existing Redevelopment Agreement. Matt Newman gave a presentation to the Board of the proposed Promise Hotel. Pete Patel was present to answer questions from the Board. General Counsel Hartley explained the current Redevelopment Agreement is with One Place and adding additional entities would require negotiations of a new Redevelopment Agreement. This item will be discussed further in Executive Session.

Commissioner Mitchell moved to go into Executive Session at 10:30 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.

14. **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 a request to amend an existing Redevelopment Agreement between One Place Hospitality, LLC and TDA for property located on the Northwest Corner of East 3rd Street and South Cheyenne Avenue, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10).]
- b. 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).]

15. **Vote to return to Open Session:** Commissioner Bracy moved to return to Open Session at 11:10 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.

16. **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**

17. **Discussion and consideration on items discussed in Executive Session:**

- 14(a). One Place Hospitality
- 14(b). First Street Lofts

- 18. **Strategic Plan Tour for the Tulsa Development Authority – EverMore Services, LLC (Cynthia Stewart):** Cynthia Stewart distributed visuals for the North Tulsa tour.
- 19. **New Business:** None.

Agenda Items for April 9, 2015 Regular Meeting:

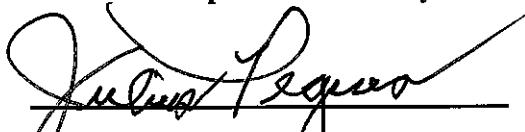
- 3(b)i. World Media Enterprises, c/o BH Media Group Holding, Inc.
Abatement
- 5(abc). February Financial Reports
- 5(d). City of Tulsa – 2nd Quarter Invoice
- 6. Special Projects Agreement
- 7. River City Development, LLC Redevelopment Agreement
- 8. Hartford Commons Amendment
- 9. North Tulsa Sector Plan – Business Sector
- 10. Kendall Whittier Sector Plan – Citizens Advisory Team
- 11. Redevelopment Agreement – Angela Offord – 570 E. Queen
- 12. Terminate Contract with Willeka Dickson – 312 E. Xyler
- 13. One Place Hospitality

- 20. **Adjournment:** Commissioner Bracy moved to adjourn at 1:00 p.m., seconded by Vice Chairman Peters. The vote was recorded as follows:

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

The motion passed unanimously.

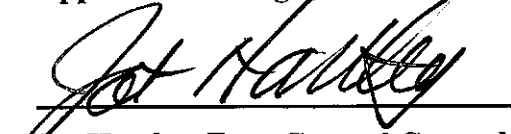
Tulsa Development Authority



Julius Pegues, Chairman

[4-2-2015 – Work Study Minutes (nb-)]

Approved as to legal form and adequacy:



Jot Hartley, Esq., General Counsel