

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 4, 2013

8:30 a.m.

Present:

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

Absent:

Paula Bryant-Ellis, Vice Chairman
John Clayman, Commissioner

Also Present:

Roger Acebo
Vaden Bales
Leon Davis
Jim East
Reuben Gant
Norman Kildow
Steve Larry

Also Present:

Michael Sager
Kathleen Watson
Kajeer Yar
Robin Watkins
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 announced there will be two (2) Special Meetings following the Work Study Session:

1. Tulsa Uptown Redevelopment
2. Tribune Building Redevelopment Corporation.

The Board will receive reports and information on projects. All Reports and supporting documentation was distributed for the April 4, 2013 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

- a. Jane Malone called roll: Chairman Pegues, Commissioner's Bracy and Peters were present. Vice Chairman Bryant-Ellis and Commissioner Clayman were absent. A quorum was present.

2. Staff Reports and Discussion - City of Tulsa (C.O.T.)

- a. **Mr. Leon Davis – Copy of this report was included in the Commissioner’s packets:** Mr. Davis provided an updated Staff Report with the modifications indicated in **“Bold”** print. Mr. Davis advised the Board there were no updates to his staff report and his report stands as presented. Mr. Davis answered questions from the Board.
- i. Mr. Davis answered questions from the Board regarding Ogan’s Circle. Chairman Pegues has requested a copy of the Redevelopment Contract for Ogan’s Circle to determine if the re-developer is out of compliance. Chairman Pegues also stated six (6) of the 14 lots in this project have been sold.

Commissioner Peters requested that representatives for Ogan’s Circle appear before the Board and provide an update.

Commissioner Bracy requested information on the Senior Living project located in north Tulsa and asked when their contract extension expires. General Counsel Hartley advised the contract for the Senior Living project does not expire until next year (2014).

- b. **Mr. Roger Acebo – Copy of report is included in the Commissioner’s packets:** Mr. Acebo provided an updated Staff Report and stated this report stands as presented. Mr. Acebo highlighted the following:
- i. Last known tenant for the Kendall Whittier project will be paid in payments and Universal is attempting to locate any other remaining tenants for relocation payment. Mr. Leon Davis provided comments and explanation.

3. General Counsel

- a. **Pending Litigation Report included in the Commissioner packets:** Counsel Hartley provided the monthly pending litigation report. Counsel Hartley reported that any changes or new items are indicated in **“BOLD”** print. Counsel Hartley gave an overview of this report. The report will stand as presented. Counsel Hartley advised the Board that the Wilkins signed a Contract, but it was not the contract submitted by Tulsa Development Authority. Counsel Hartley suggested this item be placed on the Agenda for the Regular Meeting, Executive Session.

4. Financial Reports

- a. **February 2013 – Income and Expenditure Report - included in the Commissioner packets:** Mr. Norman Kildow provided an updated report and an overview of the Income and Expenditure Report to the Commissioners. The report stands as presented.
 - b. **February 2013 - Program Income Report included in Commissioner's packets:** Mr. Norman Kildow gave an overview of the Program Income Report. The report stands as presented.
 - c. **Comparative Financial Statements – included in the Commissioner packets.** Mr. Norman Kildow gave an overview of the Comparative Financial Statements Report and answered questions from the Board. This item will be placed on the Agenda for the Regular Meeting.
5. **Discussion and consideration to release a Request for Proposals (RFP) for Landscaping and Property Maintenance Services on TDA owned properties located throughout the City of Tulsa, for three (3) one (1) year terms:** Executive Director Walker provided an update and explanation for the change of dates on the Request for Proposals (RFP). Executive Director Walker also advised the Board there are 86 parcels that will require maintenance services. This item will be placed on the Agenda for the Regular Meeting and selection of the contractor.

Commissioner Bracy moved to go into Executive Session at 9:10 a.m., seconded by Commissioner Peters. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

6. **Executive Session: Discussion, consideration and vote to go into Executive Session as authorized by 25 O.S. §307(b)(4) and 307(c)(10) for the purpose of conferring on matters for a proposed Economic Development initiative:**
- a. Confidential communication with Counsel regarding a request from GreenArch LLC for the GreenArch project located on the southwest corner of North Greenwood Avenue and Archer Street, Tulsa, Oklahoma.
 - b. Confidential communication with Counsel regarding a letter dated February 25, 2013, from the Division of Grants Administration, and the Finance Department, City of Tulsa to the Tulsa Development Authority.
 - c. Confidential communication with Counsel regarding a Redevelopment Agreement with Tulsa Urban Development Group, LLC, d/b/a Urban8 for

Tulsa Development Authority owned property located north of East 3rd Street, between Kenosha Street and Greenwood Avenue.

- d. 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.
 - e. Confidential communication with Counsel regarding a Resolution to approve an amended and restated promissory note, together with an irrevocable standby bank letter of credit in favor of Tulsa Development Authority, as payee agent, in the amount of \$4,000,000 as substitute collateral in place of the second mortgage that currently secures the promissory note on Metro at Brady and Tribune Lofts, Tulsa Oklahoma.
7. **Vote to return to open session:** Commissioner Peters moved to return to Open Session at 10:34 a.m., seconded by Commissioner Bracy. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

8. **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.
9. **Discussion on items discussed in Executive Session.**

Items to be placed on the Regular Meeting Agenda:

- Work Study Agenda Items: 3, 4, and 5
- Executive Session Agenda Items: 6 a. and b.
- Deeds to the City of Tulsa (COT)

10. **New Business: None**

11. **Adjournment:** Commissioner Bracy moved to adjourn at 10:36 a.m., seconded by Commissioner Peters. The vote was recorded as follows:

Ayes: Pegues, Bracy, and Peters
Nays: None

The motion passed unanimously

Tulsa Development Authority

Approved as to legal form and adequacy:



Julius Pegues, Chairman



Jot Hartley, Esq., General Counsel

[4-4-2013 – Work Study Minutes (rw-jm-ar)]