

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 – May 7, 2015

8:30 a.m.

Present:

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

Absent:

Roy Peters, Vice Chairman
Carl Bracy, Commissioner

Also Present:

Clay Bird
Bruce Bolzle
Linn Roberson-Cain
Leon Davis
Mike Dickerson
Ethan Dodd
Bob Eggleston
Reuben Gant
Derek Gates
Yvonne Hovell
Carol Jones
Norman Kildow
Steve Larry
Jean Lu

Also Present:

Mike Mantle
Ray Meldrum
Alisa Myers
Corey Myers
Pete Patel
Scott Rodehaver
Ed Sharrer
Cynthia Stewart
Mike Thedford
Stephen Watts
NaTasha Bunch-Everly
Jane Malone
Carol Young

The meeting was called to order at 8:36 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 May 7, 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, Commissioner Roberts, and Commissioner Mitchell were in attendance. Vice Chairman Peters and Commissioner Bracy were absent. A quorum was present.

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

1. **Project Status Update**

- **Tulsa Urban Development Group, LLC, d/b/a Urban8:** 8 single family dwellings. Framing punch list for buildings 3 and 4 are ongoing. Building 7 is being wired for Fire Alarm installation. Building 8 passed the plumbing inspection and the installation of spray form is complete. Stucco work has begun, and the developer anticipates completion of one building before the Parade of Homes in June. [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. TDA has not received signed commitments from TOSA and Urban8, LLC. TOSA has provided a preliminary site design for the proposed park. 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 project is complete. TDA will execute a Certificate of Completion when the Certificate of Occupancy is received from the Developer. [Location of the property: Southwest Corner of 1st Street and Boulder Ave.]
- **Fire Station No. 1/CORE Associates, LLC:** CORE Associates continues to make progress on the Fire Station in conformance with the terms of the existing Redevelopment Agreement. The City of Tulsa is currently storing historic fire trucks in the garage bays. [Location of the property is 411 South Frankfort Ave.]
- **Hogan on Greenwood, LLC:** Office Building. Site work for parking will start soon. 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 Architect and Engineer are finalizing the Construction Documents to meet the requirements of the 4.0 Prototype. The Redeveloper, Project Architect, and Construction

Company are reviewing bids in an effort to finalize a project budget by June 2015. The Ross Group, W3, PSO, and City of Tulsa are coordinating efforts to resolve the PSO issue. Construction is scheduled to begin in February 2016. General Counsel Hartley stated another Attorney has been named to represent the Wilkins. [Location of property: Northwest corner of Archer and Elgin Avenue.]

- **The Flats on Archer:** 140 unit apartment building. TDA's General Counsel is ready to proceed with preparation of the requisite Certificates upon advice that the closing is imminent. The goal is have the property closed by July 2015. [Location of property: 110 N. Boston Avenue.]
- **East End Village:** 64 unit apartments. Executive Director Walker anticipates an update next week from the Redeveloper regarding a completion date. [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 has secured a lease with a customer management solutions company. The Redeveloper is reviewing bids to update the interior and exterior of the building. The interior remodel is scheduled to begin July 2015. [Location of the property: 110 South Hartford Avenue.]
- **YMCA Lofts:** Mixed-use with 45 unit apartments. The Redeveloper applied for the State Historic Preservation Office, Historic Tax Credit and anticipates the process should be complete in three (3) months. The first floor will become parking spaces for the tenants of the building, adding an additional 20 to 30 parking spaces. [Location of the property: 515 South Denver Avenue.]
- **Vandever Lofts:** 40 apartment units. This project is complete. [Location of the property: 16 East 5th Street South.]
- **The Petrous Group:** Retail-Dollar General. Mike Mantle with the Petrous Group and Reuben Gant met with the Dunbar Neighborhood Association to continue discussion of the proposed Dollar General Store. The Dunbar Neighborhood Association is not in favor of the proposed store, and a letter was sent to TDA expressing the reasons and concerns for opposition. Mike Mantle also submitted a letter and offer a letter to TDA for purchase of the TDA owned land. This is an Agenda item for further discussion. [Location of property: East of Martin Luther King, Jr. Blvd., between East Queen Street and East Seminole Place.]

2. **Sector Plan Update:** Houseal Lavigne plans to return to Tulsa on June 1 -2, 2015 and will meet with the Citizens Advisory Teams (CAT) for the North Tulsa and Kendall Whittier areas. Houseal Lavigne will have their evaluation and results from the various workshops.
3. **City of Tulsa Zoning Code Update:** Kirk Bishop will attend the TDA Work Study session in June to provide the TDA Board of Commissioner's an overview of the proposed Zoning Code Update.
4. **TDA Website:** A list of website revisions in order of priority, were submitted to the website host administrator. Executive Director Walker answered questions from the Board regarding the update process and completion date.

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 – Project scope is being confirmed and design has commenced. The project will not be complete prior to the 2015 summer festivals. City of Tulsa lighting specifications will need to be confirmed prior to project completion. The cost estimate is due in the next few months.
- **Proposed streetscape improvements to Cameron Street:** Fund No. 6963 – No new information.
- **Elgin streetscape improvements:** Fund No. 6967 – The project is complete with the exception of meter hookups and fixture installation. The Downtown Coordinating Council will pay the water bills once the meter is set and transferred from the Tulsa Industrial Authority.

b. **North Peoria TIF Update - Derek Gates: A copy of the report is included in the Commissioner's packets:** Derek Gates met and interviewed several people to gain an understanding of the current status of the North Peoria TIF. The TIF have a revenue projection of \$7.8 million, \$5.57 million actual, and \$1.35 million spent. Mr. Gates recommended in his report not extending the TIF at this time, but may explore extension in the future after more projects are developed. Mr. Gates recommends the next step of action should be to hold a public meeting to gain insight and feedback from the community. The TDA Board of Commissioner's recommended Mr. Gates maintain collaboration with City of Tulsa personnel.

- c. **Brady TIF Request - Gates Building, LLC – Tom Wallace: A copy of the report is included in the Commissioner’s packets:** Scott Rodehaver, a representative from Wallace Engineering, was present in appearance for Tom Wallace. Stephen Watts and Ethan Dodd, representatives from Ross Group were also present. The group presented a Power Point presentation to the Board of streetscape improvements on the corner of Matthew Brady and Elgin. The streetscape improvements will cost \$356,000.00, but the request for TDA approval is \$106,000.00. Executive Director Walker questioned the status of the IDP process and Mr. Watts stated the application was submitted and they are awaiting feedback.

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. General Counsel Hartley anticipates the case will be closed before June 2015.

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. The Plaintiff filed a revised Summons on April 7, 2015; however, it was not served by a U.S Marshall. TDA filed a Special Appearance and Motion to Dismiss on April 29, 2015.

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. **March 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. March 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. Program Income for Earnest Money Deposits:** Norman Kildow provided a report and gave an overview of the Program Income for Earnest Money Deposits. Mr. Leon Davis answered questions regarding the earnest money deposit and art requirements for Missile Enterprises. Mr. Kildow, General Counsel Hartley, and Executive Director Walker responded to comments and concerns regarding escrow money. Mr. Kildow also requested this item be placed on the Agenda for TDA's Regular Board Meeting.
 - e. City of Tulsa – 3rd Quarter Invoice – January – March 2015:** Norman Kildow provided an Invoice for accounting services rendered January – March, 2015 in the amount of \$3,376.44, and gave an overview and answered questions from the Board. Mr. Kildow also requested this item be placed on the Agenda for TDA's Regular Board Meeting.
- 6. Discussion and consideration to review a request to sell TDA owned property located at 2833 East 41st Place North, Tulsa, Oklahoma:** Executive Director Walker stated the property is a vacant lot and Mrs. Imelda Rodriguez is interested in purchasing the lot for lawn expansion for her children to have a safe play environment. The appraisal value of the property is \$500.00. This item will be placed on the Agenda for TDA's Regular Meeting.
- 7. Discussion and consideration to review a request from Kendall Whittier Main Street to allow a "Tulsa Time" neon sign to be erected on the TDA owned parking structure located on the Southeast Corner of South Lewis Avenue and East Admiral Blvd., Tulsa, Oklahoma:** Executive

Director Walker introduced Mr. Ed Sharrer, representative from Kendall Whittier Main Street Association. Mr. Sharrer gave a Power Point presentation on the proposed neon sign to be erected on the Kendall Whittier Clock. Mr. Sharrer also responded to questions and concerns from the Board. This item will be placed on the Agenda for TDA's Regular Meeting.

8. **Discussion and consideration to review a request to allow a utility easement between Hartford Commons, LLC, Urban8, LLC and Tulsa Open Space Alliance (TOSA) on TDA property located East of South Greenwood Avenue, between East 2nd Street and East 3rd Street, Tulsa, Oklahoma:** Executive Director Walker stated all parties are in agreement to the utility easement and General Counsel Hartley has prepared the paperwork. Bruce Bolzle, representative with Tulsa Open Space Alliance, answered questions and concerns from the Board. This item will be placed on the Agenda for TDA's Regular Meeting.
9. **Discussion and consideration to review a request from The Petrous Group for TDA owned property located East of Martin Luther King Jr. Blvd., between East Queen Street and East Reading Street, Tulsa, Oklahoma:** Executive Director Walker explained Mike Mantle, representative with Petrous Group and the Dunbar Neighborhood Association met on two different occasions to discuss the proposed Dollar General Store project. Mike Mantle and Corey Myers, representative with the Dunbar Neighborhood Association, were present to state their respective positions regarding the proposed project, and answer questions and concerns from the Board. This item will be placed on the Agenda for TDA's Regular Meeting.
10. **Discussion and consideration to review a request from the Downtown Development and Redevelopment Committee to the TDA Board of Commissioner to assume responsibility for negotiation and preparation of a Redevelopment Agreement (incorporating conditions and terms to be supplied by the City of Tulsa) with The Ross Group, LLC for redevelopment of the International Harvester Building located on the Southeast Corner of East 2nd Street and South Frankfort Avenue, Tulsa, Oklahoma:** Executive Director Walker requested this item be stricken from the Agenda. Chairman Pegues stated to strike item 10.
11. **Discussion and consideration to review Schematic Drawings and Specifications from One Place Hospitality, LLC and to consider Amendment of Redevelopment Contract with One Place SE, LLC for the purpose of entering into a Redevelopment Contract between One Place Hospitality, LLC and the TDA Board of Commissioners for property located on the Northwest Corner of West 3rd Street and South Cheyenne Avenue, Tulsa, Oklahoma:** Executive Director Walker introduced Pete Patel, representative with Promise Hotels. Mr. Patel presented a redesign of the proposed Hotel which includes an additional 2

stories, with 5 additional guestrooms, and no basement. The projected cost of the project is \$17.3 million and will be 1500 square feet. This item will be placed on the Agenda for TDA's Regular Meeting

12. **Discussion and consideration to receive an update from One Place, LLC for property located on the Northeast Corner of West 3rd Street and South Denver Avenue, Tulsa, Oklahoma:** Executive Director Walker introduced Bob Eggleston, representative with One Place, LLC. Mr. Eggleston presented to the Board a proposal to construct a 3 story building on the remaining undeveloped Northwest corner of West 3rd Street and Denver Avenue. Mr. Eggleston proposes the building could be developed as apartments, office space, or retail. Mr. Eggleston will provide the Board with another update when the design phase becomes complete.

Commissioner Roberts moved to go into Executive Session at 10:26 a.m., seconded by Commissioner Mitchell. The vote was recorded as follows:

Ayes: Pegues, Roberts, and Mitchell
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 a request to amend an existing Redevelopment Agreement between One Place SE, LLC and TDA for property located on the Northwest Corner of West 3rd Street and South Cheyenne Avenue, and Northeast Corner of West 3rd Street and South Denver Avenue, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10).]

- b. Confidential communication with Counsel regarding a request to amend an existing Redevelopment Contract between One Place SE, LLC and TDA to:
 - i. Provide for the sale of property located on the Northwest Corner of West 3rd Street and South Cheyenne Avenue, Tulsa, Oklahoma to One Place Hospitality, LLC, and
 - ii. Provide for assignment of existing Redevelopment Contract, as amended, by One Place SE, LLC to One Place SW, LLC for remaining property located on the Northeast Corner of West 3rd Street and South Denver Avenue. [25 O.S. §307(b) (4) and §307(c) (10).]
- c. 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).]

14. **Vote to return to Open Session:** Commissioner Mitchell moved to return to Open Session at 11:08 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

Ayes: Pegues, Roberts, and Mitchell

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. **Gather information for the purpose of developing a Strategic Plan for the Tulsa Development Authority – EverMore Services, LLC (Cynthia Stewart):** Cynthia Stewart reviewed the 2nd Draft with the Commissioners and asked for feedback on items missing information. The items included: Goals and Objectives, Stakeholders and Stakeholder Plans, and Revenue Sources. Norman Kildow answered questions and concerns regarding Revenue Sources and Cynthia Stewart stated she would distribute the Projections Report, prepared by Norman Kildow to the Board.

18. **New Business:** None.

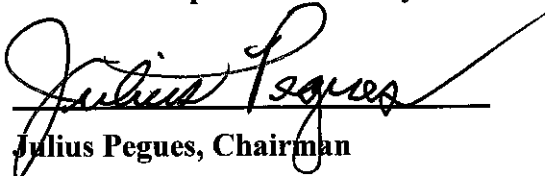
19. **Adjournment:** Commissioner Mitchell moved to adjourn at 11:55 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

Ayes: Pegues, Roberts, and Mitchell

Nays: None

The motion passed unanimously.

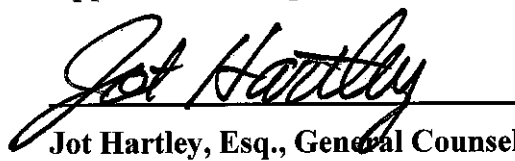
Tulsa Development Authority



Julius Pegues, Chairman

[5-7-2015 – Work Study Minutes (nbe-)]

Approved as to legal form and adequacy:



Jot Hartley, Esq., General Counsel