

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 – June 4, 2015

8:30 a.m.

Present:

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

Absent:

Roy Peters, Vice Chairman

Also Present:

Kevin Anderson
Tom Baker
Linn Cain
Steve Carr
Andi Clinger
Andrew Coffey
Leon Davis
Reuben Gant
Derek Gates
Peyton Haralson
Ryan Keith
Norman Kildow
Steve Larry
Jean Lu

Also Present:

Matt Newman
Warren Ross
Jeff Scott
Casey Stowe
Mike Thedford
NaTasha Bunch-Everly
Jane Malone
Carol Young

The meeting was called to order at 8:33 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 June 4, 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 Bracy, and Commissioner Roberts were in attendance. Vice Chairman Peters was absent. Commissioner Mitchell arrived at 9:05 a.m. 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. On May 14, 2015, the TDA Board of Commissioners approved Resolution No. 6094 authorizing an underground Right-of-Way Easement in favor of Public Service Company of Oklahoma (PSO) for TDA owned property located along South Greenwood Avenue. Wallace Engineering is working to get the signed original easement to PSO. A PSO scheduler will provide a time to commence. A pre-construction meeting will be scheduled prior to project commencement. The project is slated to be in the Tulsa Home Builders Association's Parade of Homes, June 13-21, 2015. [Location of the property: North of 3rd Street, between Greenwood Avenue and Kenosha Street.]
- **The Edge at East End Village (Hartford Commons, LLC):** 162 apartments. The redeveloper renamed the property "The Edge at East End Village" to capture the momentum in the East End Village. Construction progress has been delayed due to the weather; however, the contractor anticipates making up time after the weather clears. The Tax Abatement application was approved by all parties and the redeveloper is waiting for the final agreement. [Location of property: SE corner of Greenwood Ave. and E. 2nd Street.]
- **100 Boulder, formerly Mapleview Associates, Inc.:** 18 Condominium units. The project is complete. The redeveloper is working with the City of Tulsa Permit Center for a Certificate of Occupancy. The redeveloper reported three units have been sold. [Location of the property: Southwest Corner of 1st Street and Boulder Ave.]
- **Fire Station No. 1/CORE Associates, LLC:** Core Associates has concluded the Due Diligence as required by the Redevelopment Agreement and will submit plans for the August Work Study meeting. 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. The redeveloper indicated 80% of the external glass has been installed. Inclement weather hindered the construction timeline. The City of Tulsa plans to install a traffic light at the intersection of East 1st Street and South Greenwood

Avenue in the next 60 days. Construction of the Green Roof/Deck will be completed after the glass has been installed. [Location of property: Northeast corner of South Greenwood Avenue and East 1st Street.]

- **Wilkins Project:** Mixed-use 160 unit hotel. The redevelopers are in the process of detailing the final project budget. The PSO and other utility matters remain unresolved and surrounding property owners continue to work towards a resolution. The redeveloper is also moving forward with finalizing the investment offering. [Location of property: Northwest corner of Archer and Elgin Avenue.]
- **The Flats on Archer:** 140 unit apartment building. TDA's General Counsel has prepared all closing documents to facilitate a three (3) party closing between The Flats on Archer, Metro Plains, and TDA. The closing has been held up because the manager is traveling. The goal is to have the property closed by July 2015. [Location of property: 110 N. Boston Avenue.]
- **East End Village:** 64 unit apartments. On March 12, 2015, the TDA Board of Commissioners reviewed and approved Resolution No. 6069, extending the terms and conditions of the Redevelopment Agreement until May 1, 2015. On May 22, 2015, the redevelopers indicated they would like to extend all terms and conditions of the Redevelopment Agreement until October 1, 2015. Building No. 1 is 70% complete and will need additional time for completion. 48 units are completed and leased. This is an Agenda item for today. [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 in negotiations to secure a lease for the first floor. The second and third floors are slated for Office Space. The Redeveloper is considering wrapping the entire building with a porch façade. The proposed apartment units to be constructed on the west, are being redesigned and will be a new six (6) story structure. Blue Dome is considering having Hartford Avenue designated as a One Way Street. [Location of the property: 110 South Hartford Avenue.]
- **YMCA Lofts:** Mixed-use with 45 unit apartments. The Redeveloper applied for the National Register for Historic Places and anticipates the process should be complete in six (6) months. All units have been framed and sheetrock will be installed. The existing windows have been replaced with windows that were originally designed for the building. The project should be complete by December 2015. [Location of the property: 515 South Denver Avenue.]

- **Vandever Lofts:** 40 apartment units. This project is complete. All units are leased. The first floor is being leased and filling with commercial tenants. The Redeveloper has a final draw remaining. [Location of the property: 16 East 5th Street South.]
 - **The Petrous Group:** Retail - Dollar General. On May 14, 2015, the TDA Board of Commissioners approved Resolution No. 6095, approving Redevelopment Contract with the Petrous Group, Inc. for the sale and redevelopment of TDA owned property located East of Martin Luther King Jr. Blvd., between East Queen Street and East Reading Street, Tulsa, Oklahoma. A meeting was held on June 2, 2015, with TDA's Chairman, General Counsel, Executive Director, Petrous Group and the Consultant regarding the conditions and design guidelines to be incorporated in the Redevelopment Agreement. [Location of property: East of Martin Luther King, Jr. Blvd., between East Queen Street and East Reading Street.]
2. **Sector Plan Update:** Houseal Lavigne returned to Tulsa on June 1 - 2, 2015 and met with the Citizens Advisory Teams (CAT) for the North Tulsa and Kendall Whittier areas. The Kendall Whittier CAT team met on Monday, June 1, 2015, and the North Tulsa CAT team met on Tuesday, June 2, 2015. Houseal Lavigne will return and provide their evaluation, including results from the meetings and workshops. To date, TDA has been invoiced in the amount of \$48,742.42, the total cost of the Sector Plan update is \$217,000.00.
 3. **City of Tulsa Zoning Code Update:** The Zoning Update Committee plans to wrap up all comments by June 5, 2015. The Committee is not sure when the update can be presented to the TDA Board of Commissioners.
 4. **TDA Website:** A list of website revisions in order of priority, were submitted to the website host administrator. Executive Director Walker is waiting for the completion of the Strategic Plan and Annual Report to complete the TDA website update.
 5. **Project Updates:**
 - Tulsa North Community Development Corporation
 - Omega Alpha Development/Carland Group
 - Dirty Butter – Heritage Hills Extension
 - Tulsa Open Space Alliance (TOSA).

The status of the above projects are on-going, but do not have monthly updates. As new information is received regarding the projects, the Executive Director will inform the Board of Commissioners.

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 design layout will be done next week. Approval is still needed for the lighting specifications.
- **Proposed streetscape improvements to Cameron Street:** Fund No. 6963 – No new information.
- **Elgin streetscape improvements:** Fund No. 6967 – The project is complete and Mr. Thedford will collect the final pay application upon the conclusion of the TDA meeting today.

b. North Peoria TIF Update - Derek Gates: A copy of the report is included in the Commissioner’s packets: Derek Gates met with City of Tulsa staff and key stakeholders regarding the North Peoria TIF. Mr. Gates will collect pricing of proposed projects. Several stakeholders mentioned improving lighting on Peoria from Pine to Apache as a proposed project. Mr. Gates will meet with the community in the TIF area to explain the proposed projects, costs of the projects, define the TIF area and, the conditions in which the TIF funds can be expended. Mr. Leon Davis suggested Mr. Gates meet with Mr. Jim Coles regarding the signage for the Peoria corridor. Mr. Gates answered questions and concerns from the Board of Commissioners.

c. Tulsa Parking Authority - Peyton Haralson: A copy of the report is included in the Commissioner’s packets: Executive Director Walker introduced Peyton Haralson, the new Executive Director of the Tulsa Parking Authority. Mr. Haralson stated he is requesting assistance with funding for a marketing campaign. The campaign will update parking signage and will increase street presence of the parking facilities. Mr. Haralson is requesting \$147,000.00 from the Technology TIF, which represents 60% of the total project cost. The total cost of the project is \$245,000.00. The project will take approximately 6-8 months to complete. Mr. Haralson answered questions and concerns from the Board. Mr. Haralson requested this item be placed on the Agenda for TDA’s Regular Board Meeting.

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 closed! Agreed Journal Entry of Judgment was filed. Case completed and file closed.

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 and TDA was served with the summons. TDA will file another Motion to Dismiss since the Summons has been served.

Other:

- **Novus Homes (Wilkins)**
TDA is waiting on Redevelopers to provide financial ability to construct documentation.
- General Counsel Hartley requested an Annual meeting following the Board Meeting next week for the TDA’s two subsidiaries, Tulsa Uptown Redevelopment Corporation and Tribune Building Redevelopment Corporation. Counsel Hartley explained an Annual meeting is necessary for election of officers and that the subsidiaries hold the loan for the Metro Brady Lofts.

5. Financial Reports

- a. **April 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 regarding the Complete Households invoice. The report stands as presented. Mr. Kildow also requested this item be placed on the Agenda for TDA’s Regular Board Meeting.

- b. **April 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. **TDA 2015 – 2016 Fiscal Budget:** Norman Kildow provided a budget and gave an overview of the proposed budget for fiscal year 2015 - 2016 and answered questions from the Board. 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 City of Tulsa services (excluding accounting) rendered January – March, 2015 in the amount of \$1,965.90, 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 terminate a Contract for Sale of Real Estate between Tianna Jackson and TDA for property located at 1310 North Olympia Avenue, Tulsa, Oklahoma:** Executive Director Walker stated this is a request to terminate the contract with Tianna Jackson, who is in default due to non-payment. A default letter was sent to Ms. Jackson and correspondence was received from her stating she did not wish to continue with the Contract. This item will be placed on the Agenda for TDA's Regular Meeting.
7. **Discussion and consideration to review a request from the City of Tulsa [Downtown Development and Redevelopment Committee] to the TDA Board of Commissioners to assume responsibility for negotiation and preparation of a Redevelopment Agreement (incorporating conditions and terms to be supplied by the City of Tulsa) with River City Development, LLC for the redevelopment of the Enterprise Building as the Meridia Apartments, located at 522 South Boston Avenue, Tulsa, Oklahoma:** Executive Director Walker stated the Mayor has signed the Service Agreement between the City of Tulsa and Tulsa Development Authority and introduced Jim Hawkins with River City Development, LLC. River City Development, LLC is requesting a \$1.3 million loan over a six

year repayment term, or as set out in the Special Project Agreement. Mr. Hawkins presented a PowerPoint presentation to the Board of the proposed Meridia Apartments project and answered questions and concerns. This item will be placed on the Agenda for TDA's Regular Meeting.

8. **Discussion and consideration to review a request from the City of Tulsa [Downtown Development and Redevelopment Committee] to the TDA Board of Commissioners 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 stated this is the second recommendation from the Downtown Development and Redevelopment Fund Committee. Ross Group is requesting a \$700,000.00 loan over a five year period for the Redevelopment of the International Harvester Building. Warren Ross, the CEO of the Ross Group, presented a PowerPoint presentation to the Board of the proposed project and answered questions. Mr. Tom Baker, a representative with the Downtown Coordinating Council, provided comments and compliments to TDA. This item will be placed on the Agenda for TDA's Regular Meeting.
9. **Discussion and consideration to review an Agreement for Consent to Sale and Transfer of Land Subject to Contract for Sale of Land for Private Redevelopment between Tulsa Development Authority, One Place SE, LLC, One Place Hospitality, LLC, and One Place Investments, LLC for property located at the Northwest Corner of West 3rd Street and South Cheyenne Avenue, Tulsa, Oklahoma:** General Counsel Hartley stated this is a Three Party Agreement to tie together the various entities associated with One Place for the Sale and Redevelopment of the Northwest corner of West 3rd Street and South Cheyenne Avenue. General Counsel answered questions from the Board regarding the administration fee payable to TDA. General Counsel Hartley also stated the Amendment for One Place SE, LLC will be on the agenda for next month's TDA meeting. This item will be placed on the Agenda for TDA's Regular Meeting.
10. **Discussion and consideration to review an amendment to an existing Redevelopment Agreement between East End Village, LLC and TDA for properties located at 401 and 405 South Elgin Avenue, 408 and 418 South Frankfort Avenue, 414 East 4th Street and 415 East 5th Street, Tulsa, Oklahoma:** Executive Director Walker stated this is a request for an extension until October 1, 2015 for completion of the entire project. The building is 70% complete, and will require additional time. This item will be placed on the Agenda for TDA's Regular Meeting.

11. **Discussion and consideration to enter into a Redevelopment Contract with Nelson+Stowe, LLC for TDA owned property located on the southeast corner of East 3rd Street and South Frankfort Avenue, Tulsa, Oklahoma:** Executive Director Walker introduced Casey Stowe, representative with Nelson+Stowe, LLC. Mr. Stowe presented the Board with unofficial plans of the redesigned shipping container development to be located on the Southeast corner of East 3rd Street and South Frankfort Avenue. Mr. Stowe answered questions and concerns from the Board. This item will be placed on the Agenda for TDA's Regular Meeting

Commissioner Mitchell moved to go into Executive Session at 10:20 a.m., seconded by Commissioner Bracy. The vote was recorded as follows:

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

The motion passed unanimously.

12. **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 possible land acquisition of property located at 208 East Reading Street, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10).]
 - b. Confidential communication with Counsel regarding the Redevelopment of TDA owned property located south of East Virgin Street between Lansing Avenue and Osage Prairie Trail, Tulsa, Oklahoma. [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 (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).]

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

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

The motion passed unanimously.

14. **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

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

Agenda Items for June 11, 2015 Regular Meeting:

- 3(c). Tulsa Parking Authority
Annual Meetings - Subsidiaries
- 5(abc). April Financial Reports
- 5(d). TDA 2015 – 2016 Fiscal Budget
- 5(e). City of Tulsa – 3rd Quarter Invoice
- 6. Terminate Contract – Tianna Jackson
- 7. River City Development, LLC - Redevelopment Agreement
- 8. Ross Group, LLC - Redevelopment Agreement
- 9. One Place - Three Party Agreement
- 10. East End Village - Amendment
- 11. Nelson+Stowe, LLC - Redevelopment Agreement
- 12(a). 208 East Reading Street
- 12(c). First Street Lofts
Strategic Plan
Executive Director Evaluation

16. **New Business:** None.

17. **Adjournment:** Commissioner Bracy moved to adjourn at 11:23 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

Ayes: Pegues, Bracy, and Roberts
Nays: None

The motion passed unanimously.

Tulsa Development Authority



Julius Pegues, Chairman

[6-4-2015 – Work Study Minutes (nbe-)]

Approved as to legal form and adequacy:



Pat Hartley, Esq., General Counsel