

## REGULAR MINUTES

### Tulsa Development Authority Board of Commissioners Regular Meeting

One Technology Center  
175 East 2<sup>nd</sup> Street  
Tulsa, OK 74103  
10<sup>th</sup> Floor South Conference Room

Thursday – July 9, 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  
Tom Baker  
Linn Cain  
Steve Carr  
Andi Clinger  
Andrew Coffey  
Sam Combs  
David Davis Jr.  
Erick Donaldson  
Steve Ganzkow  
Jack Henderson  
Yvonne Hovell  
Norman Kildow  
Steve Larry  
Jean Lu

#### Also Present:

Alisia Myers  
Jeff Scott  
Cynthia Stewart  
NaTasha Bunch-Everly  
Jane Malone  
Carol Young

**The regular meeting was called to order at 8:34 a.m. by Chairman Pegues. Decisions will be made, votes and action taken. A quorum was established. The Agenda will be followed as printed. Reports and supporting documentation were distributed for this meeting and will be incorporated by reference to the minutes and filed with the meeting packet.**

1. **Roll Call:** Jane Malone called roll; Chairman Pegues, Vice Chairman Peters, Commissioner Bracy, and Commissioner Roberts were in attendance. Commissioner Mitchell was absent. A quorum was present.

2. **Routine, Repetitive Items for Action:**

- a. Minutes of June 4, 2015 Work Study Session
- b. Minutes of June 4, 2015 Executive Session Meeting
- c. Minutes of June 11, 2015 Regular Meeting
- d. Minutes of June 11, 2015 Executive Session Meeting
- e. Minutes of June 22, 2015 Special Meeting

Commissioner Bracy moved to approve the minutes, Agenda Items 2. a., 2.b., 2.c., 2.d., and 2.e., seconded by Commissioner Roberts. The vote was recorded as follows:

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

**The motion passed unanimously**

- f. Tulsa Development Authority Financial Report for May 2015
- g. May 2015 – Comparative Financial Statements
- h. May 2015 – Program Income Report

Vice Chairman Peters moved to accept the Tulsa Development Authority Financial Report for May 2015 and Comparative Financial Statements for May 2015, and approve **Resolution No. 6113**, approving payment of the May 2015 – Program Income Report, seconded by Commissioner Bracy. The vote was recorded as follows:

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

**The motion passed unanimously.**

3. **Receive, Discuss, and Vote:**

- a. **Discussion, consideration, and vote to approve a Resolution to enter into a Contract with David Green for the sale of TDA owned property located at 312 East Xyler Street, Tulsa, Oklahoma:** Executive Director Walker stated the property was appraised at \$8,000.00. Mr. Green will make a \$2,000.00 deposit and will pay a monthly amount of \$250.00 for 24 months. He recommended the item be approved as presented. After discussion, Vice Chairman Peters moved to approve **Resolution No. 6114**, approving Redevelopment Contract with David Green for purchase of TDA property located at 312 East Xyler, Tulsa, Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: none**

**The motion passed unanimously.**

- b. **Discussion, consideration, and vote authorizing a Resolution approving a Redevelopment Agreement with DG TUL MLK, LLC 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 the Agreement contains aesthetic conditions for the design of the building and fence surrounding the property. Executive Director Walker stated the merger between Family and Dollar General is official and the next step in the process consists of the Redeveloper rezoning the property for Commercial use with the Tulsa Metropolitan Area Planning Commission. After discussion, Commissioner Roberts moved to approve **Resolution No. 6115**, approving Redevelopment Contract with DG TUL MLK, LLC (formerly Petrous Group) for sale and Redevelopment of TDA property located at the NE corner of Martin Luther King Jr. Blvd. and East Queen Street, Tulsa, Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- c. **Discussion, consideration, and vote to approve a Resolution authorizing a request to allow a utility easement for Tulsa Urban Development Group, LLC, d/b/a/ Urban8, on TDA owned property located East of South Greenwood Avenue, between East 2<sup>nd</sup> Street and East 3<sup>rd</sup> Street, Tulsa, Oklahoma:** Chairman Pegues stated this item was stricken from the Agenda at the request of the property owner.
- d. **Discussion, consideration, and vote to authorize a Resolution approving a request to enter into a Redevelopment Agreement with River City Development, LLC from the City of Tulsa (Downtown Development and Redevelopment Fund Committee) to the TDA Board of Commissioners for the redevelopment of the Enterprise Building as the Meridia Apartments, located at 522 South Boston Avenue, Tulsa, Oklahoma:** General Counsel Hartley explained the Agreement will require revisions to the position of the TDA mortgage. The Attorney for River City Development, Andrea Clinger, Tom Baker, and River City Development are in Agreement with adding TDA in second mortgage position. General Counsel Hartley stated he would revise the Agreement. After discussion, Commissioner Bracy moved to approve **Resolution No. 6116**, approving Redevelopment Agreement with River City Development, LLC for Redevelopment of City of Tulsa property located at 522 South Boston Avenue, Tulsa, Oklahoma.

Commissioner Roberts seconded the motion. The vote was recorded as follows:

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

**The motion passed unanimously.**

- e. **Discussion, consideration and vote to approve a Resolution to approve a Resolution authorizing acceptance of the 2015 – 2021 Strategic Plan, Growing Tulsa – Enriching Communities, drafted by Cynthia Stewart:** Cynthia Stewart stated the Strategic Plan is complete with the exception of the picture of the Board of Commissioners. After the Board picture is received, she will distribute the final Plan to Executive Director Walker. The Chairman and Commissioner's thanked Ms. Stewart for her efforts in completing the Strategic Plan. After discussion, Vice Chairman Peters moved to approve **Resolution No. 6117**, approving and adopting the 2015 – 2021 Strategic Plan for Tulsa Development Authority, prepared by EverMore Services, LLC. Commissioner Bracy seconded the motion. The vote was recorded as follows:

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

**The motion passed unanimously.**

**Prior to Executive Session, Commissioner Bracy introduced two guests, Mr. Dave Davis and Mr. Erick Donaldson. Commissioner Bracy stated they are from Detroit, Michigan and are Venture Capitalists. Each guest expressed thanks for the invitation to the TDA meeting.**

**Chairman Pegues recognized City of Tulsa Councilor Jack Henderson. Councilor Henderson thanked Chairman Pegues for his professionalism and for his service as TDA's Chairman. Councilor Henderson also welcomed Vice Chairman Peters as the TDA Chairman.**

**Commissioner Bracy moved to go into Executive Session at 8:54 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:**

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

**The motion passed unanimously.**

4. **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 (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).]
- b. Confidential communication with Counsel regarding an update on Towne Place Suites – Wilkins Project located on the Northwest Corner of East Archer Street and North Boston Avenue, Tulsa, Oklahoma. [25 O.S. §307(b)(4) and §307(c)(10).]
- c. Confidential communication with Counsel regarding an update on The Flats on Archer project located on the Northwest Corner of East Archer Street and North Boston Avenue (110 North Boston Avenue), Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10).]
- d. Confidential communication with Counsel regarding annual evaluation of TDA Executive Director. [25 O.S. §307(b) (4) and §307(c) (10).]

- 5. Return to open session: Commissioner Bracy moved to return to open session at 10:25 a.m., seconded by Vice Chairman Peters. The vote was recorded as follows:**

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

- 6. Statement of Executive Session: During 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.**

- 7. Discussion, consideration and vote on items discussed in Executive Session:**

4.a. – First Street Lofts – General Counsel Hartley explained this item is Deferred until the August TDA meeting at the request of The Ross Group.

4.b. – Wilkins Project – General Counsel Hartley explained action is also

Deferred until the August TDA meeting at the request of the Redeveloper. The Redeveloper will be present at the August meeting.

4.c – The Flats on Archer – General Counsel Hartley stated he would prepare a Contract Amendment to include the change in parking plans and will have available for approval at the August TDA meeting.

4.d. – Executive Director Evaluation - After discussion, Commissioner Bracy moved to approve **Resolution No. 6118**, approving Annual Employment Evaluation of Executive Director and Approving Increase in Annual Salary and Bonus. Vice Chairman Peters seconded the motion. The vote was recorded as follows:

**Ayes: Pegues, Peters, Bracy, and Roberts**

**Nays: None**

**The motion passed unanimously.**

8. **New Business:** The Commissioners thanked Chairman Pegues for his dedication, commitment, and leadership as TDA Chairman and noted that he was not leaving TDA, but will become a Commissioner. Chairman Pegues stated he believes in helping to improve our City for all citizens.

9. **Adjournment:** Commissioner Bracy moved to adjourn the meeting at 10:34 a.m. Commissioner Roberts seconded the motion. The vote was recorded as follows:

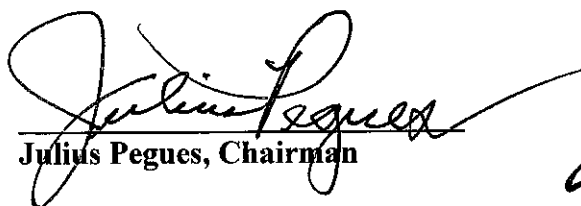
**Ayes: Pegues, Peters, Bracy, and Roberts**

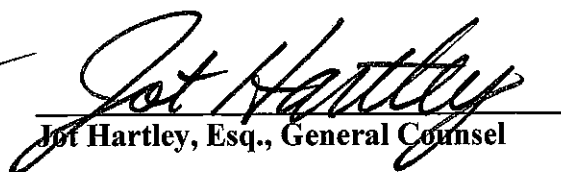
**Nays: None**

**The motion passed unanimously.**

**Tulsa Development Authority**

**Approved as to legal form and adequacy:**

  
Julius Pegues, Chairman

  
Jot Hartley, Esq., General Counsel

[7-9-2015 – Regular Meeting Minutes - (nbe-)]