

01/07/2020 3:02 pm

MELISSA C. STICE
CITY CLERK

**TULSA DEVELOPMENT AUTHORITY
BOARD OF COMMISSIONERS**

NOTICE OF REGULAR MEETING

Thursday, January 9, 2020

9:00 a.m.

**One Technology Center
10th Floor North Conference Room
175 East 2nd Street
Tulsa, Oklahoma 74103**

AGENDA

TO: Nancy Lynn Roberts, Chairwoman
Steve Mitchell, Vice Chairman
Carl Bracy
Thomas Boxley
Ashley Philippsen
Jot Hartley, General Counsel

Notice is given that a Regular Meeting of the Board of Commissioners of the Tulsa Development Authority will be held at One Technology Center, 10th Floor, North Conference Room, 175 East 2nd Street, Tulsa, Oklahoma 74103, 9:00 a.m., on the 9th day of January 2020, for consideration of the following:

1. Roll Call
2. Request to remove item(s) from the consent agenda
3. Consideration of Consent, Routine, Repetitive Items for discussion, consideration and vote to approve:
 - a. Minutes of December 5, 2019 Regular Meeting
 - b. Minutes of December 5, 2019 Executive Session Meeting
 - c. Minutes of December 19, 2019 Special Meeting
 - d. Minutes of December 23, 2019 Special Meeting

- e. Minutes of December 23, 2019 Executive Session Special Meeting
 - f. Discussion, consideration and vote to approve a Resolution approving the 7th Draw Request from Price Family, LLC in the amount of \$16,390.61, representing an additional 7% completion of the Project, bringing the total completion of the Project to 100% and 100% receipt of approved loan funds from Downtown Development Redevelopment Funds for construction of a Parking Garage located at 419 South Main Street, Tulsa, Oklahoma.
4. Consideration of Item(s) Removed from Consent Agenda (Separate vote on each item)
 5. Executive Director's Monthly Report
 - Discussion, consideration and vote to accept Executive Director's Monthly Report
 6. City of Tulsa, Mayor's Office of Economic Development, Kian Kamas
 - a. Mayor's Office of Economic Development - Update to TDA Board
 - b. Mayor's Office of Community Development – Update to TDA Board on Unity Heritage Citizens Advisory Team meetings and next steps
 - c. Mayor's Office – Update to TDA Board on the Downtown and surrounding Neighborhoods Housing Study, Development Strategies
 7. General Counsel
 - a. Pending Litigation Report
 8. Discussion, consideration and vote to accept Financial Reports
 - a. November 2019 - Income and Expenditures Report
 - b. Credit Card Report
 9. Receive, Discuss and Vote:

- a. Discussion, consideration and vote to approve a Resolution to enter into a Contract for Sale of Land for Private Redevelopment with Leroy H. Alfred for TDA owned property located at 1960 North Hartford Avenue, Tulsa, Oklahoma (Dirty Butter) for the amount of \$12,000.00.
- b. Discussion, consideration and vote to approve a Resolution to enter into a Contract for Sale of Land for Private Redevelopment with Darrin Guillory and Angela Guillory for TDA owned property located at 1980 North Hartford Avenue, Tulsa, Oklahoma (Dirty Butter) for the amount of \$12,000.00.
- c. Discussion, consideration and vote to approve a Resolution authorizing funding for relocation of the storm drain on the Southeast corner of North Main Street and West Mathew B. Brady Street, also located on the North side of Fairfield Inn and Suites, 111 North Main Street, Tulsa, Oklahoma, in the amount of \$168,356.00, payable from the Brady Art's District TIF funds (The Brady Art's District).
- d. Discussion, consideration and vote to approve a Resolution approving a request for a Second Amendment of an Amended Contract for Sale of Land for Private Redevelopment with Village East Properties, LLC dated January 4, 2019 to grant an extension of time from December 31, 2019 to June 30, 2020 to complete the Village Flats, LLC project located on Lots 17-21, 27, 85-88, Block 1, The Village at Central Park. The property is generally located on the Southwest Corner of East 6th Street South and South Peoria Avenue, Tulsa, Oklahoma.
- e. Discussion, consideration and vote to approve a Resolution authorizing the execution of a Quit Claim Deed from TDA to the City of Tulsa solely for the purpose of clearing the City of Tulsa's title to the Greenwood Cultural Center property located at 322 North Greenwood Avenue, Tulsa, Oklahoma.
- f. Discussion, consideration and vote to authorize General Counsel to evaluate the feasibility of, and to the extent feasible enter into negotiations for a Redevelopment Agreement that contemplates the use of North Peoria TIF funds to provide funding to Tulsa Economic Development Corporation for infrastructure and/or public facilities improvements in an amount up to \$1,500,000.00 for development of a proposed grocery store project located East of North Peoria Avenue, between East Seminole Place and East

Reading Street, Tulsa, Oklahoma (Shoppes on Peoria). The feasibility evaluation to be authorized will include but not be limited to making an appropriate determination as to the amount of available funds given previous expenditures authorized as well as interest earned and accumulated, and the appropriate use of those funds as permitted and authorized by the North Peoria TIF Project Plan.

- g. Discussion, consideration and vote to approve a Resolution to grant full authority during the suspension of O.C. Walker to the TDA Chairperson to act with the full capacity, duties and authority of the Executive Director of TDA for the purpose of handling all day-to-day affairs, including but not limited to, such matters as approving payroll, approving reimbursement of routine office expenses, overseeing operations, attending meetings, and executing documents.
- h. Discussion, consideration and vote to update the Interim Use Policy of the Tulsa Development Authority Board designed to help the staff in effectively and efficiently processing requests for interim use of land in the control of TDA by further delineating a process for submitting requests to TDA, for further delineating the criteria to be considered by the Board in voting upon the same, for further clarification around interim uses as they relate to zoning board requirements, and for limitations on the allowed terms and conditions of the use.
- i. Discussion, consideration and vote to approve a Resolution to amend the hourly rate of TDA General Counsel from \$175.00 per hour to \$200.00 per hour.

10. 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)(11) 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:

- d. Confidential communication with Counsel regarding status of negotiations with representatives of Amenome, LLC, for redevelopment of the Laura Dester Site located at 1427 East 8th Street, Tulsa, Oklahoma. [(Title 25 O. S. Section 307(C)(11).]
- e. Confidential communication with Counsel regarding status of negotiations for the terms and conditions of an Amendment to an existing Redevelopment Agreement between TDA and Pearl Development, LLC for property located on the southwest corner of South Peoria Avenue and East 6th Street South, Tulsa, Oklahoma. [(25 O. S. §307(B) (4) and §307(C)(11).]
- f. Confidential communication with Counsel regarding status of negotiations for approval and consent by TDA to a Partial Assignment of the Redevelopment Agreement with The Village at Central Park, LLC to VEP II, LLC and approval of an Amended Contract for Sale of Land for Private Redevelopment with VEP II, LLC to facilitate the sale of Lots 70 – 79, Block 1, The Village at Central Park, from the Village at Central Park, LLC to VEP II, LLC and redevelopment of said Lots. The property is located on the southwest corner of East 6th Street South and South Peoria Avenue, Tulsa, Oklahoma. [25 O.S. §307(B) (4) and §307(C) (11).]
- g. Confidential communication with Counsel regarding a requested amendment of Mortgage and a Third Amendment to the terms and conditions of a Redevelopment Agreement with Mayfield, LLC for a loan of TDA unrestricted funds for the purchase and redevelopment of real property and subsequent redevelopment to support an economic development initiative by Mayfield, LLC, impacting the development of Downtown Tulsa, Oklahoma. [25 O.S. §307(B) (4) and §307(C) (10).]
- h. Confidential communication with Counsel regarding pending litigation for property located at 744 East Pine Street, Tulsa, Oklahoma, (Case No. CV-2017-1049, Tulsa County, Tulsa, Oklahoma) (Rupe Helmer Group/Tulsa 18537, LLC - Dollar General Project.) [25 O.S. §307(B) (4) and §307(C) (11).]
- i. Confidential communication with Counsel regarding the terms and conditions for employment of Special Counsel to assist TDA in the investigation and response thereto. [25 O.S. §307(B)(4).]

Confidential communication with Counsel and Special Counsel regarding a pending claim or grievance filed on December 19, 2019 by a TDA employee, the investigation of the same and the response of TDA thereto [25 O.S. §307(B)(4)], including the response by TDA to an Open Records Request made on or about December 24, 2019, by Tulsa World received by Counsel Hartley for TDA relating to requested release of the personnel file of O.C. Walker, Executive Director,.

11. Vote to Return to Open Session

12. Statement of the Executive Session

13. Discussion, consideration and vote on items discussed in Executive Session:

- a. Amenome, LLC – Contract for Sale of Land for Private Redevelopment and Lease of Real Property from the City of Tulsa (Laura Dester Site).
- b. Pearl Development, LLC – Settlement Agreement for Termination of Contract for Sale of Land for Private Redevelopment.
- c. The Village at Central Park, LLC – Consent to Sale and Assignment; and Amended Contract for Sale of Land for Private Redevelopment – VEP II, LLC.
- d. Mayfield, LLC – Mortgage Amendment and Third Amendment to Redevelopment Agreement.
- e. Dollar General Project, 744 East Pine Street, Tulsa, Oklahoma, (Case No. CV-2017-1049). Rupe Helmer Group/Tulsa 18537, LLC) – Tulsa County, Oklahoma litigation
- f. Engagement of Special Counsel for the purpose of investigating and responding to the grievance filed by a TDA Employee on December 19, 2019.
- g. Actions on any recommendations, if any, made by Special Counsel relating to investigating and responding to the grievance filed by a TDA Employee on December 19, 2019, including but not limited

to actions on the recommendation for Response to Open Records Request by Tulsa World received by Counsel Hartley for TDA relating to personnel file of O.C. Walker, Executive Director.

14. New Business

15. Adjournment