

**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 North Conference Room

Thursday – February 6, 2020  
9:00 a.m.

**Present:**

Nancy Lynn Roberts, Chairwoman  
Carl Bracy, Commissioner  
Thomas Boxley, Commissioner

Jot Hartley, General Counsel

**Absent:**

Steve Mitchell, Vice Chairwoman  
Ashley Philippsen, Commissioner

O.C. Walker, Executive Director

**Also, Present:**

Kevin Anderson  
Annette Bess  
Michael Birkes  
Cheryl Black  
Linn Cain  
Stephon Chappell  
Jim Coles  
Vanessa Hall-Harper  
Kian Kamas  
Nan Kemp  
Josh Kunkel

**Also, Present:**

Rhett Morgan  
Stan Pinkham  
Kevin Rice  
Casey Stowe  
Ciore Taylor  
Dawn Warrick  
Dennis Whitaker

Demauri Myers  
Nicole Travis

**The Regular Meeting was called to order at 9:05 a.m. by Chairwoman Roberts. Decisions will be made, votes and action taken. 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:** Nicole Travis called roll: Chairwoman Roberts, Commissioner Bracy and Commissioner Boxley were present. Vice Chairman Mitchell and Commissioner Philippsen were absent. A quorum was present.
2. **Request to Remove Items from the Consent Agenda.**

None.

**3. Consideration of Consent, Routine, Repetitive Items for discussion, consideration and vote to approve:**

- a. 3.a.- Minutes of January 9, 2020 Regular Meeting.
- b. 3.b.- Minutes of January 9, 2020 Executive Session Meeting.
- c. 3.c.- **Resolution No. 6638** approving payment of Advance No. 4 in the amount of \$50,503.31 to Vast Bank pursuant to a Loan Agreement for utility relocation representing 83% total completion.

After discussion, Commissioner Bracy moved to approve the minutes, Agenda Items 3.a., 3.b., and 3.c. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley

Nays: None

The motion passed unanimously.

**4. Consideration of Items Removed from Consent Agenda (Separate vote on each item)**

None.

**5. Chairwoman and Staff Monthly Reports - A copy of this report was included in the Commissioners' packets. Copies of the Report were available at the table in the rear of the room.**

Chairwoman Roberts emphasized that changes in reports to the Board will be made moving forward, due to her serving as the TDA Chairwoman and the Interim Executive Director. She will present a high-level Chairwoman's corner report and Demauri Myers, Project Analyst will present a monthly project report.

Roberts stated the TDA staff has done great work in the conduct of office affairs to ensure that operations continue at a functional level. TDA is currently in the process of re-evaluating, modernizing and working to improve and simplify processes, which includes establishing roles and responsibilities within the office based on skills and skill sets.

The primary goal is to improve efficiencies, as well as service levels to the stakeholders. Roberts stated that during the first quarter of 2020, TDA will focus on improving office and staff efficiencies. For the second quarter of 2020, the focus will be to improve service levels. She indicated the public will continue to experience change to TDA operations and that it is important for the public to know that TDA is

doing its part to improve the way public dollars are being used to administratively manage the office.

Chairwoman Roberts introduced Demauri Myers, Project Analyst, who presented the monthly project report. He received an undergraduate degree from Langston University and an MBA from Oklahoma Christian University. Roberts stated she is currently working with Myers and expects him to become able to successfully manage development projects for Tulsa Development Authority. She indicated he brings a strong and impressive skill set to TDA and is extremely proud of him. Roberts added it's exciting to watch Myers and Ms. Travis grow in their skills sets, as well as Carol and Jane that contribute with their knowledge and experience.

**A. Price Family Parking Garage Project - Price Family Parking, LLC:**

No new information.

**B. Adams Building - 403 Cheyenne, LLC:**

No new information.

**C. Hartford Crossing, LLC/Blue Dome Anchor, LLC:**

- **Hartford Crossing - 111 S. Greenwood Ave.** The Construction is currently in progress and the project remains on schedule.
- **Blue Dome Anchor – Hartford Building Project - 110 S. Harvard Ave.** Leasing efforts continue for the remaining vacant space, with an increased interest over the past few months.

**D. The Village at Central Park (Darin Ross):**

This item will be discussed during Executive Session.

Chairwoman Roberts stated a citizen's complaint was received on February 5, 2020, expressing their concern regarding adequate parking with the additional units that are proposed for that project. TDA forwarded the complaint to the developer, who was very appreciative considering they previously worked with the concerned citizen on various projects, and other homeowner association groups. The developer will prepare a response, as well as collaborate with the citizen and other homeowners in that area. TDA anticipates a report by March Regular Board meeting regarding the parking, and how to properly address those concerns.

**E. The Village Flats, LLC:**

This item will be discussed during Executive Session.

**F. Laura Dester Site:**

**Possible Redevelopment**

This item will be discussed during Executive Session.

**Demolition**

Both structures have been demolished.

**G. Vast Bank - Block 44, The Ross Group:**

Tom Biolchini, Developer informed TDA that he will be seeking administrative approval on the Black Wall Street Mural that is to be placed on the bottom floor of Vast bank. Hannibal Johnson, Author provided the narrative to be displayed on the mural that conveys a strong story contributing to the rich heritage of Greenwood and Black Wall Street.

Chairwoman Roberts added when Vast bank became the Redeveloper of the project, TDA emphasized that given the location of the lot, and the history with Greenwood, it was imperative to honor and pay recognition to the past. Chairwoman Roberts is pleased with how Vast bank delivered it in such a meaningful way, as well as collaborate with Hannibal Johnson, a respected member of the North Tulsa community, who provided the narrative for the mural.

**H. Morton's Reserve Properties, LLC, formerly Pine Place Development, LLC:**

This item will be discussed during Executive Session.

**I. East Latimer Project/Capital Homes, LLC:**

Non new information.

**J. The Flats on Archer/SATTCOM Investments:**

No new information.

**K. Urban Renewal Plans/Sector Plan:**

- Crutchfield Area Neighborhood:
  - No new information.
- Crosbie Heights Neighborhood:
  - No new information.
- Pearl District Neighborhood:
  - No new information.

- Amendment to the Greenwood/Unity Heritage Neighborhoods Plan:
  - The Unity Heritage Citizens Advisory Team (UHCAT) met on January 28, 2020, at Rudisill Regional Library. The purpose of the meeting was to begin skill-building as a group to inform the UHCAT of future planning and enhance their input towards the sector plan.

Attorney Leslie V. Batchelor, Center for Economic Development Law, provided a presentation on “Using Urban Renewal Tools Fairly and Effectively for Community Development.” The next UHCAT meeting is scheduled for 6:00 p.m., on March 12, 2020, at Rudisill Regional Library.

Chairwoman Roberts commented that the speaker did a wonderful job presenting the issues that arise in typical urban renewal plan administration. She stated the speaker shared some interesting experiences that occurred in Oklahoma City, and lessons learned from that process. She also stated it was presented well, very informative and educational for all in attendance.

**L. North Tulsa Tax Increment Financial District:**

TDA Staff will plan to create a budget that will define future growth patterns in the study area. Demauri Myers, Project Analyst stated he will arrange a meeting with the City of Tulsa Staff to establish next steps in moving forward.

**M. TDA Land North of the IDL (Former UCT Land):**

The RFP was released in December 2019 and approximately sixty-five (65) consultants have expressed interest regarding the project. The RFP will be open for sixty (60) days to receive responses.

**N. Downtown Housing Study Request for Proposals (RFP):**

Development Strategies facilitated an alignment meeting a few weeks ago at the Tulsa Central Library where they presented a draft of the plan and answered questions from different entities within the City of Tulsa. On January 23, 2020, the consultants hosted a drop-in meeting that allowed a few Commissioners, and individuals from other boards and authorities within Tulsa, to meet with Development Strategies to ask questions that will align themselves on how they can help implement part of the Housing Study. The final plan will be presented in a few weeks or months that will provide information on decisions relating to the next steps for Housing projects.

Chairwoman Roberts stated the next possible actions are being prioritized. Tulsa Development Authority (TDA) is assigned to collaborate with Working in Neighborhoods (WIN) that includes preparation of a list of TDA owned properties to put back on the market for redevelopment by persons who desire to own a home and reside in North Tulsa. Roberts mentioned that TDA staff has had collaborative

meetings with WIN and are extremely excited about the initiatives and actions that can be undertaken quickly that can make a positive impact upon the availability of housing opportunities for citizens that desire to reside in North Tulsa.

**O. Dirty Butter- Heritage Hills Extension:**

1960 North Hartford Avenue – Leroy Alfred: Leroy Alfred has signed and agreed to the terms of the Contract for Sale of Land for Private Redevelopment. The next step in the process is for Mr. Alfred to submit Construction Documents, Plans and Specifications for Board Approval.

1980 North Hartford Avenue – Darrin and Angela Guillory: Darrin and Angela Guillory have signed and agreed to the terms of the Contract for Sale of Land for Private Redevelopment. The next step in the process is for the Guillory's to submit Construction Documents, Plans and Specification for Board Approval.

2010 North Hartford Avenue – Alecia Peel: Construction is currently in progress and the framing is set to begin very soon.

2020 North Hartford Avenue- Cheryl Wright: Cheryl Wright has signed and agreed to the terms of the Contract for Sale of Land for Private Redevelopment and will be submitting Construction Documents, Plans and Specification for Board approval as early as March 2020.

540 East Queen Street – Lelia Brown: Construction is currently in progress and the structure is beginning to take shape.

After discussion, Commissioner Boxley moved to accept TDA's Chairwoman's Corner Report and the Monthly Project Report for February 2020. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley

Nays: None

The motion passed unanimously.

**6. City of Tulsa, Mayor's Office of Economic Development, Kian Kamas:**

a. Monthly Update regarding Community and Economic Development Strategic Planning

Kian Kamas, Chief of Economic Development, provided a detailed report regarding the Strategic Planning Process regarding the RFP. Mrs. Kamas stated a recommendation was made at the January meeting regarding the firm that will facilitate the Strategic Planning Effort that includes; Tulsa Development Authority, Tulsa Industrial Authority, Tulsa Parking Authority, and Tulsa Public Facilities Authority.

On January 16, 2020, the purchasing department presented its recommendation, and has now begun the process of negotiating the contract with the selected firm. Kamas stated the actions the city is undertaking currently, relate to increasing the amount of funding available for that effort. Kamas also stated that the City of Tulsa Mayor had appropriated \$150,000.00 in the FY20 General Fund Budget for that effort. She indicated the fees quoted for most proposals came in at the amount of \$250,000.00 or above and that the fee quoted for the proposal selected by the City was for \$250,000.00.

Kamas further stated the City will go to the Economic Development Commission (EDC) requesting the approval of a budget amendment increasing appropriations in the EDC fund by \$50,000.00. The City anticipates approval and will use a portion of the funds they currently have available. Kamas added the City believe it's appropriate and the EDC members believe it's appropriate as well, that the request comes to them, and the remaining \$50,000.00 come from an implementation fund.

Kamas affirmed the Strategic Planning Effort is key to implementation for some of our small area plans and other plans across the City so, expect contract negotiations to be ongoing throughout February. The goal is to begin working with the firm to begin outlining the sketch of work for the project, and potentially have a kickoff by the end of March or early April.

Commissioner Bracy inquired about the deliverables if they will be in May or June.

Kamas responded and stated by the end of the year. The firm outlined a four (4) month schedule. The final recommendation will be towards the end of the year.

Kamas acknowledged that Chairwoman Roberts serves on the steering committee, as well as participated in the working committee that reviewed and selected the proposals.

## **7. General Counsel:**

- a. **Pending Litigation Report was included in the Commissioner's packet:** General Counsel Hartley provided the monthly pending litigation report and Counselor Hartley reported that any changes or new items are indicated in "BOLD" print. He also provided a status and overview of the report.

### **Lien Foreclosure:**

- **Alpine Roofing, LLC v. MGT Construction**  
Pretrial Conference set for March 25, 2020.  
Jury trial set for April 13, 2020. Case remains pending.

**Breach of Contract and Lien Foreclosure:**

- **East End Village, LLC v. MGT Construction Management, Inc., et al**  
No new activity.
- **Sunbelt Fire Protection, Inc. v. MGT Construction Management, Inc., et al**  
No new activity.

**Declaratory Judgment:**

- **Hall Harper, et. al v. TDA:**  
Mediation ordered to be scheduled with Judge LaFortune prior to Pretrial Conference set for April 6, 2020.  
Special Counsel for TDA and TDA General Counsel have filed a Motion to dismiss the case on the grounds of mootness and a motion to conduct any trial as a non-jury trial. Case remains pending.

**Other:**

- **Novus Homes (Wilkins), CV- 2016-998:**  
Plaintiffs have filed an appeal, which has been placed on the accelerated appeal docket. Appellant filed certified record on January 27, 2020. TDA General Counsel will file a supplemental record on appeal by February 18, 2020. Case remains pending.

After discussion, Commissioner Boxley moved to accept the Community and Economic Development Strategic Planning and General Counsel Report. Seconded by Commissioner Bracy. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion passed unanimously.

**8. Discussion, consideration and vote to accept Financial Reports**

- December 2019 - Income and Expenditure Report - included in the Commissioners' packets:** Cheryl Black, Assistant Controller, provided an updated report and an overview of the Income and Expenditure Report to the Commissioners and answered questions.

Chairwoman Roberts extended her appreciation to Cheryl Black and Linn Cain for the tremendous support they've shown to TDA during this unexpected transition.

Roberts also mentioned the TDA staff has done an outstanding job in the effort of managing the petty cash fund.



- b. Comparative Financial Statements – included in the Commissioners’ packets:** Cheryl Black, Assistant Controller, provided an updated report and an overview of the Comparative Financial Statements to the Commissioners and answered questions.

Chairwoman Roberts stated that TDA has prepared reminder letters to anyone that has a loan payment due. Letters will be distributed at the beginning of each year to advise of the due date, as well as convey that extensions will not be granted.

- c. TIF Reports – included in the Commissioners’ packets:** Cheryl Black, Assistant Controller, provided an updated report and an overview of the TIF Reports to the Commissioners and answered questions.

General Counsel inquired about the Brady TIF Legal Services and specified that the appropriations are less than the life-to-date expenditures, and if the TDA Board need to approve the additional expenditure above the appropriated amount.

Cheryl Black responded and stated she will look into it and provide more information at a later time.

- d. Credit Card Report – included in the Commissioners’ packets:** TDA – Staff prepared a P-Card report.

After discussion, Commissioner Boxley moved to accept the Reports and approve the following Resolutions:

**Resolution No. 6639** approving the Tulsa Development Authority (TDA) Financial Report for December 2019 and the Comparative Financial Statements.

**Resolution No. 6640** approving the TIF Report.

**Resolution No. 6641** approving acceptance of the P-Card Report from the Tulsa Development Authority in the amount of \$987.54 for charges from December 5, 2019 through January 4, 2020.

The motion was seconded by Commissioner Bracy and the vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion passed unanimously.

- e. Invoice from City of Tulsa, Finance Department – included in the Commissioners’ packets:** Cheryl Black, Assistant Controller, provided an

updated invoice from the COT for October 1, 2019 through December 31, 2019, to the Commissioner's and answered questions.

After discussion, Commissioner Bracy moved to accept the Invoice from the City of Tulsa and approve the following Resolution:

**Resolution No. 6642** approving payment of invoice from the City of Tulsa Finance Department in the amount of \$3,950.56 for services rendered from October 1, 2019 through December 31, 2019.

The motion was seconded by Commissioner Boxley and the vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley

Nays: None

The motion passed unanimously.

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

- a. Discussion, consideration and vote to approve a Resolution approving the request for permission to install Tulsa Bike Share Bike Racks on TDA-owned property located in the Kendall-Whittier Neighborhood on the corner of East Admiral Boulevard and South Lewis Avenue.

TDA General Counsel inquired if the City has other bike rack locations? If so, are there any requirements, license or a standard form of agreement?

Kian Kamas responded and stated it depends on the location. Some of the Bike Racks are located within the right of way. Kamas also stated a license agreement process may have gone through, but ultimately it depends on the location.

Kamas suggested that TDA contact INCOG to request copies of agreements they currently have from other property owners.

After discussion, Commissioner Boxley, moved to accept **Resolution No. 6643** approving and authorizing Chairwoman Roberts and General Counsel Hartley to negotiate appropriate arrangements for the Bike Racks to be installed on TDA-owned property. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley

Nays: None

The motion passed unanimously.

- b. Discussion, consideration and vote to approve a Resolution approving the Black Wall Street Mural as a component of the construction plans for the Vast Bank

Building (Block 44, City of Tulsa), with the condition of the ability of TDA to secure a proper location for the Darven Brown Commemorative Bust or Plaque with the Stadium Trust or owner of another suitable location.

Chairwoman Roberts provided an explanation regarding the mural and how it tells the story of Black Wall Street and the African American Community that was established in North Tulsa, as well as the horrific tragedy that took place where the 1921 Tulsa Race Massacre occurred. Roberts indicated that Vast bank anticipates TDA's approval. However, TDA may need to return to Vast bank if unable to obtain an agreement with the Stadium Trust for the placement of the Darven Brown bust or plaque on Stadium Trust owned property in recognition of his efforts on behalf of the City of Tulsa and TDA for many years. If the Stadium Trust is unwilling to facilitate placement of the bust or plaque on its property, or in the event that TDA then cannot obtain an alternate site elsewhere, TDA will return to Vast bank. The approval of this Mural will be subject to the condition, that, in the event that a satisfactory alternate location cannot be obtained for placement of the Daven Brown bust or plaque, TDA reserves the right to go back and place a bust or plaque for Darven Brown on the VAST Bank property.

Commissioner Boxley stated there are other locations to consider in terms of placement. He also stated the developer with Vast bank had concerns about how it was represented, and the conflict related to Darven Brown surrounding gentrification that occurred in North Tulsa.

Commissioner Bracy stated they are exploring some other avenues and Vast Bank would be the last option if unsuccessful in obtaining another suitable location.

General Counsel stated he has been in communication with the Counsel of the Stadium Trust who met with the Chairman. He further stated both parties are fully aware of the request.

After discussion, Commissioner Bracy, moved to accept **Resolution No. 6644** approving subject to the condition that TDA also pursue other avenues in addition to Vast bank for the Darven Brown bust or plaque and the further condition, that, in the event that a satisfactory alternate location cannot be obtained for placement of the Daven Brown bust or plaque, TDA reserves the right to go back and place a bust or plaque for Darven Brown on the VAST Bank property . Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion passed unanimously.

- c. Discussion, consideration and vote to retain Special Counsel for the purpose of preparing and presenting training materials to the Board and Staff as directed by

the Chairwoman, including but not limited to the Open Records Act, Open Meeting Act, Confidentiality, Conflict of Interest and Eminent Domain.

Chairwoman Roberts stated it is appropriate to include continual education training for the TDA Board. In light of community concerns, and questions it is advisable to revisit these topics. Roberts suggested arranging a special meeting in order to achieve that. Roberts indicated there is no need for Special Counsel and realized she along with TDA General Counsel can coordinate the training to avoid going outside the General Counsel.

Commissioner Bracy suggested we look at the operating procedures component of TDA as part of this discussion.

Chairwoman Roberts responded and stated that it will be included as a separate item possibly in March or April. She added that confidentiality statements were executed by the staff, followed by an internal meeting regarding Confidentiality and Conflicts of Interest.

General Counsel stated he has been directed to update TDA Policies to include all the amendments to date. He is currently working on it and is hopeful it will be ready for the next regular board meeting. General Counsel read a memorandum that stated, TDA is not a public trust. The statutes for public trusts, require the execution of a non-conflict of interest affidavit certificate by the trustees of each public trust. The law authorizing the formation and operation of Urban Renewal Authorities does not require the execution of a non-conflict of interest affidavit certificate by the TDA Commissioners, but it has been TDA's practice for the Commissioner to execute the same certificate as the City has required the Trustees of the City Authorities organized as public trust to execute.

Chairwoman Roberts suggested TDA continue with those practices. It's advisable and important to continue to put those appropriate reminders and practices in place.

After discussion, Commissioner Bracy, moved to accept **Resolution No. 6645** approving to retain General Counsel for the purpose of setting a Special Meeting to prepare and present educational material for the TDA Board and Staff on the subject of Open Records Act, Open Meeting Act, Confidentiality, Conflict of Interest and Eminent Domain. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley

Nays: None

The motion passed unanimously.

- d. Discussion, consideration and vote to approve a Request from Bobby Eaton, Jr., regarding the Interim Use of the former Morton Hospital Site located at 605 East Pine Street, Tulsa, Oklahoma.

Chairwoman Roberts stated Mr. Eaton has a great deal of interest in hosting a farmer's market on the weekends during the late Spring and running through the Summer months. TDA adopted the Interim Use Policy in January and will use this effort to develop the standardized contracting process for Interim uses. Roberts also stated she spoke with Michael Smith, Manager of Pine Place Development LLC, who is currently under a Contract for Sale of Land for Private Redevelopment with TDA for the former Morton Hospital site. Mr. Smith fully supports the interim use. Chairwoman Roberts is requesting authorization for TDA's General Counsel and herself to engage in discussions and negotiations with Mr. Eaton to assess and determine whether the creation and establishment of an Interim use of this nature is satisfactory to TDA from a legal standpoint.

Commissioner Boxley suggested communicating with Mr. Eaton regarding what's going on in the community and inform him of a fully operational Farmer's Market at Langston University Tulsa Campus. Boxley stated it's something worth considering to avoid the duplication of services.

General Counsel inquired about who leads the Farmers Market at Langston University?

Commissioner Boxley responded and stated Sherry Laskey and Bill White. The Farmers Market has been in operation for 3- 4 years.

After discussion, Commissioner Bracy, moved to approve **Resolution No. 6646** authorizing Chairwoman and General Counsel to enter into discussion and negotiations for a farmers' market interim use of the Morton site. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley

Nays: None

The motion passed unanimously.

- e. Discussion, consideration and vote to approve a Resolution approving a request by Stephon and Anita Chappell to cancel the previous sale of TDA-owned property located at 2127 North Peoria Avenue and initiate the sale of the two lots located at 217 and 221 East Queen Street, Tulsa, Oklahoma, subject to retention of deposits and appropriate costs by TDA.

Chairwoman Roberts explained that Stephon and Anita Chappell recently sold their home in North Tulsa and are interested in building a home. They initially purchased two lots that were located at 2127 N. Peoria Ave. At the expense of Mr. Chappell, the lots were combined with the idea of building a home. He was fully aware there would be additional lot space, and there were empty lots on all sides of those two lots, but they were owned by a nearby landlord. Mr. Chappell worked with the landlord to acquire additional lot footage, but the landlord declined to sell, and as a result, the home he designed and intended to build will not fit on the two lots.

Mr. Chappell has explored and identified two other lots that are located on East Queen Street, to place his home. He would purchase the two lots and once again incur the expense of combining the lots. Roberts referred to a depiction in the board packet that describes where East Queen Street is located, and the portion of land TDA owns. Roberts stated there is commercial frontage on North Martin Luther King, Jr. Boulevard adjacent to those lots and questioned if TDA wanted to give up a segment of the commercial property that runs along MLK. Considering, there are other homes in that zone, the proposed use of the two lots on East Queen Street is consistent with the use that's already there.

Stephon Chappell expressed his desire to build a larger home on TDA-owned land. Chappell also stated he has no desire to move or live anywhere else other than North Tulsa and prefers to reside as close to his place of employment as much as possible.

Chairwoman Roberts stated there was a conflict disclosure in the staff report confirming there is a TDA staff member that has relatives who live in a home next to the lots. Roberts further stated the staff member was not allowed to participate in this effort as a result of that condition.

Chairwoman Roberts asked the Board to agree and move forward to repurchase the lot that was originally sold and the sale of the additional two lots on East Queen Street with two conditions; 1: That a Certificate of Occupancy be issued within two years from the date the contract is signed, and 2: that resale of the property by Stephon Chappell and/or Anita Chappell would be prohibited for 5 years from the issuance of a Certificate of Occupancy.

Chairwoman Roberts complimented Mr. Chappell on his hard-work and effort and patience during this transition.

After discussion, Commissioner Bracy, moved to approve **Resolution No. 6647** approving TDA's repurchase of the previously owned of TDA-owned property located at 2127 North Peoria Avenue, cancellation of the existing Contract for Sale of Land for Private Redevelopment for that property and initiation of negotiations for the sale of the two lots located at 217 and 221 East Queen Street, Tulsa, Oklahoma, to Stephon and Anita Chappell subject to retention of deposits and appropriate costs by TDA from the Good Faith Deposit

held under the existing Contract for Sale of Land For Private Redevelopment and further subject to two additional conditions: 1: That a Certificate of Occupancy be issued within two years from the date the contract is signed, and 2: that resale of the property by Stephon Chappell and/or Anita Chappell would be prohibited for 5 years from the issuance of a Certificate of Occupancy.. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion passed unanimously.

Commissioner Bracy moved to go into Executive Session at 10:15 a.m., seconded by Commissioner Boxley. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion passed unanimously.

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:

- a. Confidential communication with Counsel regarding a potential claim resulting from Complete Household Services accident occurring February 3, 2020 on TDA-owned land located North of the IDL. [(Title 25 O. S. Section §307 (B)(4).]
- b. Confidential communication with Counsel regarding negotiations with representatives of Amenome, LLC, and discussion of requested revisions to drafts of Contract for Sale of Land for Private Redevelopment with TDA and Lease of Real Property with City of Tulsa for redevelopment of the Laura Dester Site located at 1427 East 8<sup>th</sup> Street, Tulsa, Oklahoma. [(Title 25 O.S. Section §307 (C)(11).]
- c. Confidential communication with Counsel regarding status of negotiations for the terms and conditions of a settlement agreement for the termination of an existing Redevelopment Agreement between TDA and Pearl Development, LLC for

property located on the southwest corner of South Peoria Avenue and East 6<sup>th</sup> Street South, Tulsa, Oklahoma. [(Title 25 O.S. Section §307 (C)(11).]

- d. Confidential communication at the request of representatives of Tulsa Economic Development Corporation (TEDC) regarding a request for assistance from North Peoria TIF to provide funding assistance, consistent with the Project Plan, for an economic development project. [(Title 25 O.S. Section §307 (C) (11).]
- e. Confidential communication with Special Counsel, Robert Sartin, Esq., regarding a pending claim or grievance by a TDA employee, and the ongoing investigation and response thereto. [(Title 25 O.S. Section §307(C)(1) and Title 25 O.S. Section §307 (B) (4).]
- f. Confidential communication with Special Counsel and TDA General Counsel regarding execution of confidentiality and conflict of interest statements by TDA employees and TDA Commissioners for the prevention of claims. [(Title 25 O.S. Section §307 (B) (4).]
- g. Confidential communications with Counsel regarding request by Michael Smith with Pine Place Development for Amendment of Contract for Sale of Land for Private Redevelopment to extend time for satisfaction of contract requirements for redevelopment of former Morton Hospital site located at 605 East Pine Street, Tulsa, Oklahoma. [(Title 25 O.S. Section §307 (C)(11).]

11. **Vote to Return to Open Session:** Commissioner Boxley moved to return to Open Session at 11:56 a.m., seconded by Commissioner Bracy. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion passed unanimously.

12. **Statement of the 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.

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

- 10.a. Complete Household Services – No action taken at this time.
- 10.b. Confidential communication with Counsel regarding negotiations with representatives of Amenome, LLC and discussion of requested revisions to drafts of Contract for Sale of Land for Private Redevelopment with TDA and Lease of Real Property with City of Tulsa for redevelopment of the Laura Dester



Site located at 1427 East 8<sup>th</sup> Street, Tulsa, Oklahoma. [(Title 25 O.S. Section §307 (C) (11).]

After discussion, Commissioner Bracy moved to approve **Resolution No. 6648** approving the Contract for Sale of Land for Private Redevelopment with TDA and Lease of Real Property with City of Tulsa for redevelopment of the Laura Dester Site located at 1427 East 8<sup>th</sup> Street, Tulsa, Oklahoma. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion was passed unanimously.

10.c. Pearl Development, LLC – No action taken at this time.

10.d. Confidential communication at the request of representative of Tulsa Economic Development Corporation (TEDC) regarding a request for assistance from North Peoria TIF to provide funding assistance, consistent with the Project Plan, for an economic development project.

After discussion, Commissioner Bracy moved to approve **Resolution No. 6649** approving and authorizing TDA's Chairwoman and General Counsel to negotiate the terms and conditions of providing financial assistance to TEDC from the North Peoria TIF Fund for the Project Oasis Project up to a maximum amount of \$1,500,000.00 subject to and consistent with the terms, conditions and limitations of the TIF Project Plan. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion was passed unanimously.

10.e. Confidential communication with Special Counsel, Robert Sartin, Esq., regarding a pending claim or grievance by a TDA employee, and the ongoing investigation and response thereto.

After discussion, Commissioner Boxley moved to approve **Resolution No. 6650** approving and authorizing TDA's Special Counsel to issue a letter of notice to O. C. Walker, II and his counsel providing a listing of the matters to be responded to by Mr. Walker at a predetermination hearing before the TDA Board of Commissioners. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Bracy and Boxley  
Nays: None

The motion was passed unanimously.

- 10.f. (1) Special Counsel – Execution of Confidentiality and Conflict of Interest Statement – TDA Employees.

TDA did not engage the Special Counsel regarding the execution of Confidentiality Statements. The staff executed their statements. Chairwoman Roberts and General Counsel are currently working on the draft statement that will be issued to the Commissioners. Chairwoman and General Counsel will work on getting those statements executed and will put the staff and Commissioners on a 6 month and 1-year executive cycle to ensure completion on a regular basis.

(2) General Counsel – Execution of Confidentiality and Conflict of Interest Statement – TDA Commissioners.

- 10.g. Confidential communications with Counsel regarding request by Michael Smith with Pine Place Development for Amendment of Contract for Sale of Land for Private Redevelopment to extend time for satisfaction of contract requirements for redevelopment of former Morton Hospital site located at 605 East Pine Street, Tulsa, Oklahoma.

After discussion, Commissioner Boxley moved to approve **Resolution No. 6651** authorizing amendment of the Contract for Sale of Land for Private Redevelopment to provide a thirty-day extension of time for satisfaction of contract requirements for redevelopment of former Morton Hospital site located at 605 East Pine Street, Tulsa, Oklahoma. and a request by Michael Smith with Pine Place Development to appear before the TDA Board during the Executive Session in March.


New Business: None.

14. Adjournment: Chairwoman Roberts adjourned the meeting at 12:05 p.m.

Approved as to legal form and adequacy:

Tulsa Development Authority:

  
\_\_\_\_\_  
Jot Hartley, Esq., General Counsel

By:   
\_\_\_\_\_  
Nancy Lynn Roberts, Chairwoman