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 – January 2, 2014
8:30 a.m.

Present:
Julius Pegues, Chairman
Carl Braey, Commissioner
Roy Peters, Commissioner
Nancy Roberts, Commissioner
O.C. Walker II, Executive Director
Jot Hartley, General Counsel

Absent:
Steve Mitchell, Commissioner

Also Present:
Roger Acebo
Kevin Anderson
Clay Bird
Jim Coles
Leon Davis
Mike Dickerson
Norman Kildow
John Price
Mike Sikes
Brad Skaggs

Also Present:
John Snyder
Delise Tomlinson
Kathleen Watson
Dennis Whitaker
Cecilia Wilkins
Will Wilkins
Jane Malone
Robin Watkins
Carol Young

The meeting was called to order at 8:37 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. All Reports and supporting documentation were distributed for the January 2, 2013 Tulsa Development Authority Work Study Session and will be incorporated by reference to these minutes. The agenda will be followed as filed.

Chairman Pegues welcomed Steve Mitchell, in his absence, who will serve on the Board of Commissioners, replacing John Clayman.

1. Roll Call
Jane Malone called roll: Chairman Pegues and Commissioner’s Bracy, Peters and Roberts were in attendance. A quorum was present.

2. **Staff Reports and Discussion - City of Tulsa (C.O.T.)**

   **a. Mr. Leon Davis (Disposition)** – Copy of this report was included in the Commissioner’s packets: Mr. Davis provided an updated Staff Report with modifications indicated in “Bold” print. Mr. Davis reported on the following projects:

   - **The Flats on Archer, LLC**
     - Schematic Plans due December 8, 2013
   - **One Developers, LLC**
     - No change
   - **Ogan’s Circle**
     - No change
   - **Senior Living Community**
     - Contract Extension expires on February 11, 2014
   - **GreenArch LLC**
     - Southeast Corner of Archer and Greenwood
       - Closing pending title impediment on railroad right-of-way.
         - Anticipated closing – first quarter 2014
   - **100 Boulder, LLC, formerly Maplevel Associates, LLC**
     - Construction will commence first quarter of 2014
   - **Wintrust Homes LLC, formerly American Equities LLC**
     - At the request of the re-developer, Tulsa Development Authority, by Resolution No. 5903, rescinded the Contract on November 14, 2013.
   - **Hartford Commons LLC**
     - No change
   - **Tulsa Urban Development Group, LLC, d/b/a Urban8, LLC**
     - No change

   Chairman Pegues asked the Executive Director to obtain the status of the Plat regarding Tulsa Urban Development Group, LLC, d/b/a Urban8, LLC

   This item should be placed on the Agenda for an update, regarding Urban8.
• Hogan on Greenwood LLC
  • No change

• Vandever Lofts Project (Vision 2025 Funding)
  • Will be discussed under Agenda Item 8.

• Core Associates LLC
  • No change

• East End Village, LLC – Vision 2025 Funding
  • No change

b. Mr. Roger Acebo (Acquisition) – Copy of report is included in the Commissioner’s packets: Mr. Acebo provided an updated Staff Report.
  • City Staff has completed review of the seven property appraisals and provided copies to the Executive Director.

  The reports were accepted as presented

c. TIF Project Update – Mike Thedford: Executive Director Walker provided an overview regarding the status of TIF projects, as follows:
  • Blue Dome Lighting Project: Fund 6967 – 88 lights throughout Blue Dome District. Project scope is being defined, light fixture has been selected, awaiting design proposal from engineer.

  • John Hope Park Improvements: Banner Arm attachment and banner. Attachment pricing and supplier still being determined.

  • Proposed streetscape improvements to Cameron Street: Streetscape enhancements meeting Brady District Standard. Fund 6963 – Scope is currently being defined – will tie into recent/existing streetscape improvements.

  • Elgin streetscape improvements: Streetscape Enhancements matching Downtown Streetscape Master Plan guidelines. Fund 6967 – Bids are currently being reviewed and qualified to determine recommended bid award. Construction to begin first quarter 2014.

d. Tax Abatement Request – East End Village: Mr. Jim Coles provided an overview and is requesting a Resolution of Support. Mr. Brad Skaggs, Mr. Clay Bird and Mr. Mike Dickerson were available to provide
additional information, as requested. The requesting party must qualify for 1 of 3 HUD regulations:

1. Enterprise Zone
2. Historic
3. Reinvestment Area

This item will be placed on the Agenda for the Tulsa Development Authority Board’s Regular Meeting. Executive Director Walker will check and see if the Revised Plan has been approved.

3. General Counsel

a. Pending Litigation Report was included in the Commissioner packets:
   Counsel Hartley provided the monthly pending litigation report. Counsel Hartley reported that any changes or new items are indicated in “BOLD” print. He also provided a status and overview of the report:

   Foreclosure Cases:
   - **BAC Home Loans v. Maudie Elliott**
     Alias Special Execution issued 10-3-13 and recalled on 11-26-13 with Sheriff’s Sale cancelled same date.
   - **TDA v. Ruby Cornelius**
     The City of Tulsa has still not executed acceptance of the assignment.
   - **TDA v. Mary Williams**
     The City of Tulsa has still not executed acceptance of the assignment.
   - **TDA v. Katherine M. Peters**
     The City of Tulsa has still not executed acceptance of the assignment.

   Other:
   - **Lamar Central Outdoor Advertising**
     Plaintiff’s counsel submitted a settlement offer on 12-17-13 that will be discussed with the Tulsa Development Authority Board and the City of Tulsa legal counsel.
   - **Novus Homes (Wilkins)**
     Wilkins advised that they have been awarded a hotel franchise agreement to be completed within 90 days from 1-1-14.
Personal Injury Claim:

- **Gammell, Gary v. TDA**  
  Liability insurer has been contacted regarding defense of lawsuit. Counsel Hartley suggested this item be placed on the Tulsa Development Authority Regular Meeting Agenda to be discussed in Executive Session.

4. Financial Reports

   a. **November 2013 – Income and Expenditure Report - included in the Commissioner packets:** Mr. Norman Kildow provided an updated report and an overview of the Income and Expenditure Report to the Commissioners and answered questions.

   b. **November 2013 - Program Income Reports included in Commissioner’s packets:** Mr. Norman Kildow provided information and gave an overview of the Program Income Report Fund No. 5540.

   c. **Comparative Financial Statements – included in the Commissioner packets.** Mr. Norman Kildow provided an overview of the Comparative Financial Statements Report and answered questions from the Board.

5. Discussion and consideration of Commissioner Bracy and Executive Director’s attendance at the National Association of Housing & Redevelopment Officials (NAHRO) Conference on March 9 – 12, 2014, in Washington, DC: Executive Director Walker provided an overview regarding attending NAHRO Conference, along with Commissioner Bracy, to gain knowledge that will enhance future operations of the Tulsa Development Authority. This item will be placed on the Agenda for the Tulsa Development Authority Board’s Regular Meeting.

6. Discussion and consideration of an extension request from William Wilkins, Cecilia Wilkins, NOVUS Homes, LLC and W3 Development LLC for the proposed redevelopment of TDA owned property located on the northwest corner of Archer Street and Elgin Avenue, Tulsa, Oklahoma: Executive Director Walker provided an overview of the NOVUS Homes, LLC and W3 Development LLC project with a request received from the redeveloper to extend the dates and terms of the Redevelopment Agreement. Mr. Will Wilkins provided an update and responded to questions. This item will be placed on the Agenda for the Tulsa Development Authority Board’s Regular Meeting.

7. Discussion and consideration to receive Schematic Drawing and Specifications from The Flats on Archer, LLC for property located on the
northwest corner of Archer Street and Boston Avenue, Tulsa, Oklahoma, commonly known as 110 N. Boston Avenue: Executive Director Walker provided an overview of the The Flats on Archer, LLC Schematic Drawing and Specifications and introduced Mr. Mike Sikes, representing Sikes Abemathic Architects for The Flats on Archer, LLC. Mr. Sikes also provided a detailed presentation of the schematic drawings and specifications. He responded to concerns regarding parking, security and exterior materials. Mr. Sikes agreed to return to the February Work Study with updated Schematics. This item will be placed on the Agenda for the Tulsa Development Authority Board’s Regular Meeting.

8. Discussion and consideration to review Draw Request No. 3 from TDL NOW II, LLC to TDA from the Downtown Housing Fund for the Vandeaver Lofts Project located at 16 East 5th Street: Executive Director Walker provided an overview of the TDL NOW II, LLC Draw Request No. 3 and advised this is a routine item request. Mr. John Snyder provided an update of the Vandeaver Lofts Project and answered questions from the Board. This item will be placed on the Agenda for the Tulsa Development Authority Board’s Regular Meeting.

Commissioner Bracy moved to go into Executive Session at 9:55 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

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

The motion passed unanimously.

9. 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 Tulsa Development Authority 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 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 economic Development opportunities for TDA. [25 O.S. §307(b)(4) and §307(c)(10)]

c. Confidential communication with Counsel regarding Lamar Advertising. [25 O.S. §307(b)(4) and §307(c)(10)]

10. Vote to return to open session: Commissioner Bracy moved to return to Open Session at 10:35 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

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

The motion passed unanimously.

11. 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.

12. Discussion and consideration on items discussed in Executive Session.

   Items to be placed on the Regular Meeting Agenda:

   Executive Session Agenda Items:

   9. c. Lamar Advertising – General Counsel Hartley provided the history and an update with his recommendation.

   Work Study Items to be placed on the Regular Meeting Agenda:

   2. a. Leon Davis – Urban8 water line issue
   2. d. East End Village
   4. a., b., c. November 2013 Financial Reports
   5. NAHRO
   6. Wilkins
   7. The Flats on Archer
8. Vandever Lofts Project

9.c. Lamar Advertising

13. New Business: Mr. Jim Coles requested a Resolution in Support of T.I.F. for three locations owned by Kanbar Properties, and being developed by Art Deco Lofts and Apartments, LLC, (Adams Building, LLC - 403 S. Cheyenne Ave, 111 West 5th Building, LLC - 111W, 5th St., and Transok Building, LLC - 2 W, 6th St., these will be three separate Resolutions) from Tulsa Development Authority, as it relates to abatement under the Local Development Act Review Committee within the boundaries of the City of Tulsa Tax Incentive District Number One for a period not to exceed six years.

14. Adjournment: Commissioner Bracy moved to adjourn at 11:04 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

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

The motion passed unanimously.

Tulsa Development Authority

[Signature]
Julius Pegues, Chairman

Approved as to legal form and adequacy:

[Signature]
Jot Hartley, Esq., General Counsel

[1-2-2014 – Work Study Minutes (rw-jm-ar)]