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 – October 2, 2014
8:30 a.m.

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

Absent:

Also Present:
Kevin Anderson
Tom Baker
Andrew Coffey
Jim Coles
Leon Davis
Norman Kildow
Leon Davis
Norman Kildow
Steve Larry
Michelle Lester
Scott Rodenhaven
Michael Reed
Carrie Shell
Paul Shell

Also Present:
Mike Thedford
Brian Walker
NaTasha Bunch
Jane Malone
Carol Young

The meeting was called to order at 8:31 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 October 2, 2014 Tulsa Development Authority Work Study Session and will be incorporated by reference to these minutes. The agenda will be followed as filed. Chairman Pegues recognized and welcomed Tom Baker with the Downtown Coordinating Council to the meeting.
1. **Roll Call:** Jane Malone called roll; Chairman Pegues, Vice Chairman Peters, and Commissioner’s Braey, and Roberts were in attendance. Commissioner Mitchell arrived at 8:34 a.m. A quorum was present.

2. **Executive Director’s Monthly Report—**

1. **TDA Strategic Planning Session**

   - The Strategic Planning Session was held on Thursday, September 18, 2014. The facilitator’s, Ian Carlton and Shawn Schaefer, were from the University of Oklahoma. The following (4) four broad strategies were developed from the retreat:
     - Improve Understanding
     - Set Strategic Direction
     - Increase Collaboration
     - Expand Resources

   The top (3) three action items from the Retreat are:
     - Release a RFQ for consultant to prepare an Annual Report
     - Release a RFQ for consultant to prepare a Strategic Plan
     - Engage a Real Estate Agent for assistance in securing property in North Tulsa

   The RFQ’s are an Agenda Item for today’s meeting.

2. **Project Status Update**

   - **Blue Dome Anchor, LLC:** The redeveloper presented the plans and specifications to the Board on September 4, 2014. The redeveloper is in the process of acquiring cost estimates for the project. [Location of the property: 110 South Greenwood.]

   - **Tulsa Urban Development Group, LLC, d/b/a Urban8:** The project is moving forward. GEO thermal walls are being installed. Public Service Company of Oklahoma is redesigning electrical grid to the project. Privately Funded Public Improvements (PFPI) is complete. [Location of the property: North of 3rd Street, between Greenwood Avenue and Kenosha Street.]

   - **Hartford Commons, LLC:** The Tax Abatement Application is in process for presentation to various taxing Authority’s. Construction is set to begin late October or early November. The redevelopers for Urban 8 and Hartford Commons are strategizing with Public Service Company of Oklahoma to use the existing 20 foot utility easement (U/E) located west of the property. [Location of property: SE corner of Greenwood Ave. and E. 2nd Street.]
- **100 Boulder, formerly Mapleview Associates, Inc.:** The project is complete. Executive Director Walker and General Counsel Hartley toured the property on September 10, 2014. After the Certificate of Occupancy is issued, TDA will provide a Certificate of Completion. [Location of the property: Southwest Corner of 1st Street and Boulder Ave.]

- **Fire Station No. 1/CORE Associates, LLC:** The redevelopers want to proceed to closing. General Counsels for TDA and CORE Associates will meet to discuss the closing. [Location of the property is 411 South Frankfort Ave.]

- **Hogan on Greenwood, LLC:** The foundation and slab will be in place in October. Executive Director Walker met with the redevelopers on October 1, 2014 to discuss seeking streetscape assistance. The redevelopers will present a request at TDA’s November meeting. [Location of property: Northeast corner of South Greenwood Avenue and East 1st Street.]

- **Wilkins Project:** Time constraints, an existing wataetable and limestone are reasons for preventing the development of underground parking. The redeveloper’s engineering and design team has concluded the optimal solution is to develop parking above ground. The redeveloper, the architect, and engineers are present today to present redesign plans which includes above ground parking. The redeveloper also has a request for an extension of time. [Location of property: Northwest corner of Archer and Elgin Avenue.]

- **The Flats on Archer:** On September 11, 2014, the TDA Board of Commissioner’s approved a resolution authorizing a 60 day extension to complete due diligence. [Location of property: 110 N. Boston Avenue.]

- **The Petrous Group:** Dollar General is negotiating to merge with Family Dollar. The proposal to build a Dollar General on the property has been placed on hold until negotiations are concluded and TDA will be contacted at that time. [Location of property: Northeast corner of Martin Luther King Blvd and East Queen Street.]

3. **Zoning Code Update:** The adoption of the updated Zoning Code will roll out in the Fall of 2014.

4. **Sector Plan Update:** Devin Lavigne of Houseal Lavigne will be present for the TDA October 9, 2014 Board Meeting. Mr. Lavigne will be meeting with TDA Board, Tulsa City Council, a representative from Tulsa Mayor’s Office, and Tulsa Metropolitan Area Planning Commission. A tour of the Sector Plan Areas is also scheduled for Mr. Lavigne. Chairman Pegues stated two Commissioners could attend the activities scheduled for Houseal Lavigne.
5. **Service Agreement between the City of Tulsa and Tulsa Development Authority:** A Resolution to enter into a Service Agreement with the City of Tulsa was approved by the TDA Board on August 11, 2014. General Counsel Hartley made revisions to incorporate language from the City of Tulsa’s Planning Department and Asset Management Department. This is an Agenda item for today’s meeting.

6. **TDA Website:** TDA Staff met with Jeff Barnes of Walsh-Barnes to discuss updating TDA’s website. Executive Director Walker explained the Strategic Plan and Annual Report will aid in the content creation of the Website. He envisions the Strategic Plan, Annual Report, and Updated Website to roll-out simultaneously. Vice Chairman Peters suggested updating Board Member information prior to completion of the Strategic Plan and Annual Report.

7. **TDA Office Space:** The TDA Office is accepting bids for interior remodel of Suite D. Currently, the project preliminary low estimate is $21,000.00. Executive Director Walker explained the attachment included in the Executive Director’s Report details the bids and cost received thus far. Executive Director Walker explained the move from Suite A to Suite D is projected to occur during the 1st of the year.

8. **Daniel Park/1st and Lewis Avenue:** Ron Edwards, a property owner in the Kendall Whittier area, is interested in purchasing TDA owned property located at East 1st Street and South Lewis Avenue (21 South Lewis). Ron Edwards endeavors to create a food truck court with multiple food trucks on the property. The property is being appraised.

9. **3104 Housing Inventory:** TDA has six (6) vacant single family dwellings that will be placed on the disposition list for sale. The properties were appraised July 17, 2014 and will be sold on an “as is” basis. Underserved families will be given first priority to purchase these properties as their primary residence. Real Estate Investors will have second priority for purchasing the structures. The appraisal value ranges between $6,500.00 and $9,500.00. The target date for the sale of the properties is November 1, 2014.

3. **Staff Reports and Discussion – City of Tulsa (C.O.T.)

   a. **Central Park TIF Request – Jim Coles:** A copy of the report is included in the Commissioner’s packets: Jim Coles provided an update of the tax abatement process for the Hartford Commons project. He also provided an explanation for the Central Park TIF request. The Central Park TIF has expired; however, funds can be utilized after expiration. The Downtown Coordinating Council is requesting $70,000.00 to establish a stock of light replacements for the 10th and Elgin streetscape along with funds for repair costs and other streetscape improvements. Mr. Tom Baker was present to provide further
explanation of the request. General Counsel Hartley clarified the transactions for this request would require the approval of the Executive Director.

b. TIF Project Update – Mike Thedford: A copy of the report is included in the Commissioners packets:

- **Blue Dome Lighting Project**: Fund No. 6967 – The design kickoff meeting is scheduled for today, October 2, 2014.

- **Proposed streetscape improvements to Cameron Street**: Fund No. 6963 – A transition occurred in personnel at EDA and additional documentation was requested. The documentation will be complete by the end of the year.

- **Elgin streetscape improvements**: Fund No. 6967 – The project is 20% complete.

4. 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.

**Condemnation:**

- **Charles Sturner**
  A scheduling order is in place. Pre-Trial conference is set for December 8, 2014 at 9:45 a.m.

**Personal Injury Claim:**

- **Gammil, Gary v. TDA**
  General Counsel is proceeding with discovery. Pre-Trial Conference is set for November 17, 2014.

5. Financial Reports

a. **August 2014 - 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. The report stands as presented. Mr. Kildow also requested this item be placed on the Agenda for TDA’s Regular Board Meeting.
b. August 2014 - Program Income Reports - included in the Commissioner’s packets: Norman Kildow provided information and gave an overview of the Program Income Report Fund No. 5540. 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 packets. Norman Kildow provided an overview of the Comparative Financial Statements Report and answered questions from the Board. Mr. Kildow also requested this item be placed on the Agenda for TDA’s Regular Board Meeting.

Mr. Kildow also explained the auditors from McGladrey are here this week and thanked TDA Staff for responding quickly to the requests from the auditors. A draft of the Auditor Report will be available for TDA’s November meeting.

6. Discussion and consideration to review a request from the Lacy Park Advisory Council to amend the current language to allow Holiday Lighting along North Peoria Avenue, from East Pine Street to East Apache Street, Tulsa, Oklahoma: Executive Director Walker provided information and explained this request is from the Lacy Park Task Force for holiday lighting along north Peoria Avenue. Three bids were submitted, two for LED lights and one for incandescent lights. Mr. Michael Reed with Lacy Park Task Force was present to provide further explanation and answer questions from the Board. The Commissioner’s requested Mr. Reed provide clarification whether the lights are a purchase or lease and estimates for a 5 year period at next week’s Board meeting. Vice Chairman Peters stated he would not approve the holiday lights expenditure from the TIF funds. This item will be placed on the Agenda for TDA’s Regular Meeting.

7. Discussion and consideration to release a Request for Qualifications for consultant services to draft an Annual Report and Strategic Plan for the Tulsa Development Authority: Executive Director Walker explained the Request for Qualifications were action items from the Strategic Planning Session. The timeframe includes a proposal deadline for the end of October, negotiations for contracts in November, completion of the Annual Report at the end of November, and completion of Strategic Plan at the end of the Year. General Counsel Hartley stated the Board should approve the RFQ’s as two separate items. The RFQ for consultant services for draft of an Annual Report and the RFQ for consultant services for draft of a Strategic Plan will be placed on the Agenda for TDA’s Regular Meeting, as separate items.
8. Discussion and consideration to review a revised version of the Services Agreement between the City of Tulsa and Tulsa Development Authority: General Counsel Hartley stated the City of Tulsa's Legal Department approved the revisions and the Services Agreement is ready for execution. General Counsel Hartley explained the 30 day and 60 day cancellation clauses, and stated Ms. Dawn Warrick, Director of Planning and Economic Development with the City of Tulsa, is preparing the payment schedules for her respective department, and suggested TDA prepare the same document. This item will be placed on the Agenda for TDA’s Regular Meeting.

9. Discussion and consideration to review an amendment to an existing Redevelopment Agreement between William (Will) Wilkins, Cecilia Wilkins, Novus Homes, LLC and W3 Development, LLC and TDA for property located on the northwest corner of East Archer Street and North Elgin Avenue, Tulsa, Oklahoma: Executive Director Walker explained this is a request for an extension of time and to approve revised design plans. Cecilia Wilkins with Novus Homes, and Paul and Carrie Shell with SQD Architects, were present to give a presentation to the Board of the revised design plans. Paul Shell explained the rationale to move the underground parking to above ground parking. Cecilia Wilkins, Paul Shell, and Carrie Shell answered questions from the Board. This item will be placed on the Agenda for TDA’s Regular Meeting.

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

Ayes: Pegues, Peters, Bracy, Roberts, and Mitchell
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 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 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 Agreement for Services between Houseal Lavigne, Associates and TDA for the Sector Plan update. [25 O.S. §307(b) (4) and §307(c) (10)].

c. Confidential communication with Counsel regarding Ogan’s Circle development located South of Virgin Street, between Osage Prairie Trail and Lansing Avenue, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10)].

Executive Session adjourned at 10:45 a.m.

11. **Vote to return to open session:** Commissioner Bracy moved to return to Open Session at 10:48 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

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

   The motion passed unanimously.

12. **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.

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

   **Executive Session Agenda Items:**

   10. c. Ogan’s Circle

14. **New Business:** None.
15. **Adjournment:** Commissioner Mitchell moved to adjourn at 10:50 a.m., seconded by Commissioner Bracy. The vote was recorded as follows:

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

The motion passed unanimously.

**Tulsa Development Authority**  
Julius Pegues, Chairman

**Approved as to legal form and adequacy:**  
Jot Hartley, Esq., General Counsel

[10-2-2014 – Work Study Minutes (nb-jm)]