REGULAR MINUTES
Tulsa Development Authority Board of Commissioners
Regular Meeting

One Technology Center
175 East 2nd Street
Tulsa, OK 74103
10th Floor South Conference Room
Thursday – December 12, 2013
8:30 a.m.

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

Absent:
John Clayman, Commissioner

Also Present:
Kevin Anderson
Leon Davis
Norman Kildow
Steve Larry
John Snyder

Also Present:
Delise Tomlinson
Kathleen Watson
Jane Malone
Robin Watkins
Carol Young

The regular meeting was called to order at 8:33 a.m. by Chairman Pegues. 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: A quorum was established.

2. Routine, Repetitive Items for Action:
   a. Minutes of November 7, 2013 Work Study Meeting
   b. Minutes of November 7, 2013 Work Study, Executive Session
   c. Minutes of November 14, 2013 Regular Meeting
   d. Minutes of November 14, 2013 Regular Meeting, Executive Session

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

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

The motion passed unanimously.

e. Tulsa Development Authority Financial Report for October 2013
f. October 2013 - Comparative Financial Statements

Commissioner Bracy moved to approve Resolution No. 5908: Tulsa Development Authority Financial Reports for October 2013, Program Income Report for Fund No. 5540, and the Comparative Financial Statements. Commissioner Peters seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

3. Receive: Executive Director’s Monthly Report. Executive Director Walker highlighted the following items:

a. Project Status Update

1. One Place, LLC: Provided a conceptual update for Phase 3 of 4, as well as partnering with Promise Hotels to develop an eight story - 120 rooms Hampton Hotel. One Place, LLC plans to bring schematic drawings, together with a revised Redevelopment Agreement between One Place, LLC and Tulsa Development Authority to the January 2014 meeting for approval. [Location of the property – 201 S. Cheyenne.]

2. Tulsa Urban Development Group, LLC, d/b/a Urban8: Chairman Pegues executed an Agreement Guaranteeing Installation of Improvements for the subject property. Tulsa Development Authority has agreed to sponsor $95,555 of the installation of the Sanitary Sewer. Tulsa Development Authority has authorized assistance of $26,005 after the Certificate of Completion has been issued by both Hartford Common, LLC and Tulsa Urban Development Group, a/k/a Urban8. McGuire Brothers Construction, Inc. will be the contractor for installation of the Sanitary Sewer. The Plat was submitted to INCOG to begin the process for Planning Commission approval. Urban 8, LLC has filed the Infrastructure Development Plans (IDP) with the City of Tulsa, and they have been approved. [Location of the property - North of 3rd Street, between Greenwood Avenue and Kenosha Street.]

3. Hartford Commons, LLC: Chairman Pegues executed an Agreement Guaranteeing Installation of Improvements for the subject property. Phase II Environmental Assessment continues to be performed on the property and should be complete within 30 days. A copy of the Environmental Assessment report has been requested. Tulsa Development Authority’s General Counsel filed documents with Tulsa County to Judicially Vacate Hartford Avenue
from 2nd to 3rd Street, and the subject alleyway. [Location of property - SE corner of Greenwood Ave. and E. 2nd St.]

4. **100 Boulder, formerly Mapleview Associates, Inc.:** The Developer’s plans are to break ground in January 2014. The construction contractor has received the final construction document. Final funding of the construction loan is pending. Tulsa Development Authority reimbursed funds to the City of Tulsa, minus approved reimbursable expenses. [Location of the property – SW Corner of 1st St. and Boulder Ave.]

5. **Fire Station No. 1:** A Redevelopment Agreement has been executed with Core Associates and the Good Faith deposit has been received by Tulsa Development Authority. The City of Tulsa Fire Department has vacated the subject property. Project Architect is in preliminary design phase. The project is currently in the Due Diligence phase of the Redevelopment Agreement. A Pre-Development meeting with the City of Tulsa, Permit Center was held December 11, 2013. Core plans are to submit the schematic drawing for the February 6, 2014 Tulsa Development Authority Work Study Session. [Location of the property is 114 S. Elgin.]

6. **Hogan on Greenwood, LLC:** Has recently submitted construction financial documents and schematic drawings are in the process of being developed. [Location of property - NE Corner of South Greenwood Ave. and East 1st Street.]

7. **Wilkins Project:** W3 Development continues to finalize the agreement with Marriott. The Marriott brand W3 is in negotiations with Town Place Suites. W3 Development plans to submit schematic drawing and provide an update for the January 2014 Work Study session. The Project Architect will facilitate design team to schedule a project kick-off and schematic design meeting. [Location of property - NW corner of Elgin Ave.]

8. **The Flats on Archer:** The Flats on Archer LLC has submitted schematic plans for review and approval for the January 2014 Work Study session. The Flats on Archer LLC requested a meeting to discuss the plans and provide further details about their concept for this site. The project Architect has proposed various design changes and amenities. The proposed project is slated for 61 units (49 of the units will be one bedroom and 12 units will be two bedrooms). [Location of property – 110 N. Boston Ave.]

9. **East End Village:** Mark Larson has requested a one (1) year extension from the Tulsa Development Authority Board of Commissioners to complete the Redevelopment project. Construction and Demolition began on the interior, structure and roof of subject project on November 1, 2013. The abatement process is moving forward with the City of Tulsa. [Location of property – 401-405 S. Elgin, 408 & 418 S. Frankfort, 414 E. 4th St., 415 E. 5th St.]

4. **Sector Plan Update**
Tulsa Development Authority Board of Commissioners will review a Resolution authorizing the release of the RFP to update the Sector Plans. The Sector Plan release date is Sunday, December 15, 2013. Responses are due on January 15, 2014. Tulsa Development Authority Board of Commissioners will review and respond to all potential Respondents by February 15, 2014. The entire process should be completed by September 2014. There is a three step process to adopt the plans:

i. TDA Board Action
ii. Tulsa Metropolitan Area Planning Commission (TMAPC) action
iii. Tulsa City Council approval

The City of Tulsa is willing to facilitate the RFP process, but Tulsa Development Authority is responsible for funding the project.

5. **3104 Homes Project:** City of Tulsa Real Estate Department Staff received appraisals on November 29, 2013 for the subject properties and staff is currently reviewing the appraisals

Commissioner Brady moved to accept the Executive Director’s report, seconded by Commissioner Roberts. The vote was recorded as follows:

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

**Nays:** None

The motion passed unanimously.

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

   a. **Discussion, consideration and vote to receive 2012-2013 Annual Audit from McGladrey LLP:** After discussion, Commissioner Brady moved to approve [Resolution No. 5909](#), the Audit Report for Fiscal Year Ending June 30, 2013. Commissioner Peters seconded the motion. The vote was recorded as follows:

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

   **Nays:** None

   The motion passed unanimously.

   b. **Discussion, consideration and vote to approve a request and proposal from City of Tulsa Working in Neighborhoods (WIN) Department for assignment of Housing Rehabilitation Program Loan Funds, Promissory Notes and Mortgages for property located at 1428 North Rosedale Avenue, Tulsa, Oklahoma, (Glenda Nale Rubert):** General Counsel Hartley provided an overview of the recommendation to assign the mortgage and note for Glenda Nale Rubert property to the City of Tulsa WIN Department. After discussion, Commissioner Peters moved to approve [Resolution No. 5910](#), Tulsa Development Authority assignment
of Promissory Note and Mortgage from Glenda Nale Rubert to City of Tulsa. Commissioner Bracy seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

c. Discussion, consideration and vote to approve a Resolution releasing a Request for Proposal (RFP) for the Tulsa Development Authority Sector Plan update: After discussion, Commissioner Bracy moved to approve Resolution No. 5911, for the issuance and release of a request for proposal (RFP) for an update of certain sector plans. Commissioner Roberts seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

d. Discussion, consideration and vote to approve a Resolution authorizing an extension request, from East End Village LLC to TDA, for the East End Village project located at East 5th Street and South Elgin Avenue, Tulsa, Oklahoma. This project was approved for Downtown Housing Funds: Executive Director Walker provided an overview of the extension request from East End Village. After discussion, Commissioner Peters moved to approve Resolution No. 5912, for a Third Amendment of the Redevelopment Agreement with East End Village, LLC for the redevelopment of the property located at East 5th Street and South Elgin Avenue. Commissioner Bracy seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

5. 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 a Redevelopment Agreement between Blue Dome Anchor LLC and TDA for property located at 110 S. Hartford Avenue, Tulsa, Oklahoma, a/k/a The Hartford Building.

b. Confidential communication with Counsel regarding a potential claim from Gary Gammill to TDA for Precision Equity Apartments that was acquired as part of the Kendall–Whittier West Park project, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10)].

c. Discussion and consideration of General Counsel annual review.

Commissioner Bracy moved to go into Executive Session at 9:09 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

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

The motion passed unanimously.

6. Vote to return to open session.

Commissioner Bracy moved to return to Open Session at 10:06 a.m., seconded by Commissioner Roberts. The vote was recorded as follows:

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

The motion passed unanimously.

7. 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.

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

5.a. Commissioner Roberts moved to approve Resolution No. 5913, approving Contract for Sale of Land for Private Redevelopment with Blue Dome Anchor, LLC for the purchase and Redevelopment of Hartford Building property located East of Greenwood Avenue, between First Street and Second Street, Tulsa, Oklahoma, Commissioner Peters seconded the motion. The vote was recorded as follows:
Ayes: Pegues, Bracy, Peters and Roberts
Nays: None

The motion passed unanimously.

5.c. Commissioner Bracy moved to approve Resolution No. 5914, for Extension of Contract with General Counsel of Tulsa Development Authority. Commissioner Peters seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.


10. Adjournment: The meeting adjourned at 10:12 a.m.

Commissioner Bracy moved to adjourn, 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
Approved as to legal form and adequacy:

[Signatures]

[12-12-2013 – Regular Meeting Minutes - (rw-jen-ar)]