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 – December 5, 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:
Roger Acebo
Kevin Anderson
Pat Connelly
Leon Davis
Mike Dickerson
Robert Eggleston
Bart James
Norman Kildow
Steve Larry
Samantha O'Neal

Also Present:
Tina Patel
Pete Patel
Brittany Sawyer
Hurst Swiggart
Lara Weber
Jarrel Wade
Jane Malone
Robin Watkins
Carol Young

The meeting was called to order at 8:35 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 December 5, 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 Nancy Roberts who will serve on the Board of Commissioners, replacing Paula Bryant-Ellis.

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 the modifications indicated in “Bold” print. Mr. Davis reported on the following projects:

- **The Flats on Archer, LLC**
  - Contract Amount - $360,000.00 on October 8, 2013
  - Principals: Co-Managers – Howard Aufleger and Sam Combs III
  - Project to consist of 61 units (49 one-bedroom, and 12 two bedroom)
  - 69 sub-surface parking spaces
  - Real Estate is reviewing new appraisal

- **Ogan’s Circle**
  - Plat has been filed
  - The City of Tulsa will not purchase the property as previously reported; the City of Tulsa plans to build a street.

Chairman Pegues commented TDA needs to meet with the owners prior to the City of Tulsa putting in the street.

- **Greenwood CDC/Mixed Use Development**
  - Location – Southwest Corner of Archer and Greenwood

- **100 Boulder, LLC, formerly Mapleview Associates, LLC**
  - Construction will commence first quarter of 2014

- **Wintrust Homes LLC, formerly American Equities, LLC**
  - Rescinded Agreement with redeveloper by Tulsa Development Authority Resolution approved on November 14, 2013.

Commissioner Peters inquired as to the status of the Urban8 and Hartford Commons Projects. Executive Director Walker responded that the Plat would be signed today by Chairman Pegues. Mr. Davis stated these projects require a new water line to service the additional projects.
Executive Director Walker inquired of Mr. Davis regarding the status of the property transferred back to the City of Tulsa. Mr. Davis responded that 18 parcels were sold at auction and will close next week. The project known as “The Lots on Cincinnati” will be sold by Tulsa Development Authority.

A Request for Proposal (RFP) has been issued on the Evans/Fintube and Morton sites. The Morton site has been cleaned up, and Brownfield funding is available for clean-up on the Evans/Fintube site. Commissioner Bracy wanted to know the appraisal amount of the sites. This information will be provided by Mr. Davis.

b. Mr. Roger Acebo (Acquisition) – Copy of report is included in the Commissioner’s packets: Mr. Acebo provided an updated Staff Report.

- Kendall Whittier West Park Tenant Relocation – final processing of eligible relocation benefits to Mr. Juan Calero.
- City Staff, Mr. Ray Meldrum, will review the appraisals of the seven (7) Tulsa Development Authority properties to be sold by a competitive bid process.

The reports were accepted as presented

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:

- **BOK v. Hardy and TDA**
  9-27-13: Property appraised at $30,000.00. Sheriff’s sale resulted in “No Sale”.

Personal Injury Claim:

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

Other:

- **Glenda Nale Rubert – Assignment of Mortgage and Note to the City of Tulsa**
This item will be placed on the Tulsa Development Authority Regular Meeting Agenda to be discussed in Executive Session.

* Wilkins/Novus Homes
  An update will be provided next week at the Tulsa Development Authority Regular Meeting.

4. Financial Reports

a. October 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. October 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.

d. CDBG Program Income – Earnest Money Deposit Fund No. 5540 – This item was removed from the Agenda by Chairman Pegues.

e. 2012 – 2013 TDA Audit Report – Received a “clean opinion” from the auditor, McGladrey LLP, together with a strong “A” Grade

Mr. Norman Kildow was thanked by Chairman Pegues for his assistance.

5. Discussion and consideration to review the Tulsa Development Authority, Sector Plan Request for Proposal (RFP) update: Executive Director Walker commented 16 of the 24 Sector Plans will expire in June 2014. The request is for Tulsa Development Authority to issue a 30-day Request for Proposal (RFP) for a vendor to guide the process of revising and extending the following existing plans:

- Crawford Sector
- Lincoln Sector
- Cheyenne Sector
- Dunbar Sector
- Cherokee Sector
- B-West Sector
- Lansing Sector
- Douglas Sector
- Hartford Sector
- Mt Zion Sector

- Unity Sector
- Booker T. Sector
- Extension Sector
- Franklin Sector
- Moton Sector
- Carver Sector
- Emerson Sector
- King Sector
- Osage Sector
Tulsa Development Authority will notify H.U.D. to start the process now.

6. Discussion and consideration of 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 with a request from the redeveloper to extend the dates and terms of the Redevelopment Agreement to end no later than December 2014. The Redeveloper was not in attendance to respond to questions. This item will be placed on the Agenda for the Tulsa Development Authority Board’s Regular Meeting.

Commissioner Peters provided a history of the Downtown Housing Fund. Commissioner Peters was Chairman of the Tulsa Develop Authority Downtown Housing Task Force.

The Redeveloper of the East End Project needs to present at the next Tulsa Development Authority meeting and provide more definitive information, as well as a timeline.

7. Discussion and consideration to receive project update from One Place Developers for property located north of 3rd Street, between Denver and Cheyenne Avenue, Tulsa, Oklahoma: Executive Director Walker provided an overview and status update. Mr. Bob Eggleston, representing One Place, provided handouts and detailed presentation. He responded to concerns regarding the parking and redevelopment project. General Counsel Hartley commented there will need to be a contract amendment for the new owner and hotel on the January 2014 Work Study meeting Agenda. Pete and Tina Patel provided a presentation regarding the proposed Hotel.

Commissioner Bracy moved to go into Executive Session at 9:40 a.m., seconded by Commissioner Peters. The vote was recorded as follows:

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

The motion passed unanimously.

8. 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 an offer from Blue Dome Anchor LLC for the Tulsa Development Authority owned property located at 110 S. Hartford Avenue, Tulsa, Oklahoma, a/k/a Hartford Building. [25 O.S. §307(b)(4) and §307(c)(10)]

c. Discussion and consideration of General Counsel annual review.

9. Vote to return to open session: Commissioner Bracy moved to return to Open Session at 10:26 a.m., seconded by Commissioner Peters. The vote was recorded as follows:

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

The motion passed unanimously.

10. 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.

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

   Items to be placed on the Regular Meeting Agenda:

   **Executive Session Agenda Items:**

   8. b. Blue Dome Anchor, LLC – Tulsa Development Authority is prepared to move forward with negotiations on the re-development contract.

   8. c. General Counsel Hartley – Annual Review due.

   **Work Study Agenda Items:**
3. a. Final Relocation Benefits – Juan Calero

4. a., b., c. October 2013 Financial Reports

4. e. 2012-2013 TDA Audit Report

5. Tulsa Development Authority Sector Plan

6. East End Village LLC

8.b. Blue Dome Anchor, LLC

8.c. General Counsel Hartley – Annual Review

12. New Business: Executive Director Walker commented on a request from Mr. Bruce Bozle for a Tulsa Open Space Alliance (TOSA) request. Before proceeding, additional information is needed.

13. Adjournment: Commissioner Bracy moved to adjourn at 10:32 a.m., seconded by Commissioner Peters. 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:

Julius Pegues, Chairman

Jot Hartley, Esq., General Counsel

[12-5-2013 – Work Study Minutes (rw-jm-ar)]