SPECIAL MEETING MINUTES
Tulsa Development Authority Board of Commissioners
Special Meeting

One Technology Center
175 East 2nd Street
Tulsa, OK 74103
10th Floor South Conference Room

Wednesday – March 13, 2013
8:30 a.m.

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

Absent:
Paula Bryant-Ellis, Vice Chairman
John Clayman, Commissioner

Also Present:
Vaden Bales
Neal Bhow
Leon Davis
Norman Kildow
Steve Larry

Lee Levinson
Kathleen Watson
Jane Malone
Robin Watkins
Carol Young

The special meeting was called to order at 8:30 a.m. by Chairman Pegues. Reports and supporting documentation were distributed for this meeting and will be incorporated by reference to these minutes and filed with the meeting packet.

1. Roll Call: A quorum was established.

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

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

Ayes: Pegues, Bracy and Peters
Nays: None
The motion passed unanimously.


Commissioner Peters moved to approve Resolution No. 5826, Tulsa Development Authority Financial Report for January 2013, Program Income Report for Fund No. 3112, 3117, 3120, 5539 and 5540, and the Comparative Financial Statements. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

3. Receive:

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

- Tulsa Development Authority, Board of Commissioners Retreat
  - Develop a proactive Staffing Strategy to carry out the Mission of TDA.
  - Define Government Obligation Bonds to provide gap financing for development projects.
  - Implement a Service Agreement between Tulsa Development Authority and the City of Tulsa which would enhance our ability to carry out day-to-day operations.
  - Enhance collaboration with the City of Tulsa and define Tulsa Development Authority’s role(s) in development projects.
  - Dr. Epperson will attend the April Work Study session to provide an overview and re-cap of the Retreat.

- National Association of Housing and Redevelopment Officials, Legislative Conference
• Visit with an official in Washington, DC
  - On March 19, 2013, meet with Jeffrey Miller, Deputy Mayor for Planning and Economic Development.

• CDBG Equipment Inventory

• 3104 Homes Project

Commissioner Bracy moved to accept the Executive Director’s Monthly Report. Commissioner Peters seconded the motion. The vote was recorded as follows:

  Ayes: Pegues, Bracy and Peters
  Nays: None

The motion passed unanimously.

4. Receive, Discuss and Vote:

   a. Discussion, consideration and vote to approve a Resolution to release a Request for Proposals (RFP) for Landscaping and Property Maintenance Services on TDA owned properties located throughout the City of Tulsa for three (3) one (1) year terms: After discussion, Commissioner Peters moved to approve Resolution No. 5827, approving issuance of a Request for Proposals (RFP) for landscaping and property maintenance services on Tulsa Development Authority owned properties located throughout the City of Tulsa. Commissioner Bracy seconded the motion. The vote was recorded as follows:

  Ayes: Pegues, Bracy and Peters
  Nays: None

The motion passed unanimously.

   b. Discussion, consideration and vote to approve a Resolution to release a Request for Qualifications (RFQ) for Consulting Services for oversight to TIF projects: Executive Director Walker gave an overview and advised the Board that eligible expenditures will come out of the TIF. After discussion, Commissioner Peters moved to approve Resolution No. 5828 approving issuance of a Request for Qualifications (RFQ) for Consulting, Quality Control and Inspection Services for Oversight of the Implementation of the Specifications and Design of City of Tulsa TIF
Districts Projects. Commissioner Braey seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

c. Discussion, consideration and vote to approve a Resolution to allow a utility easement across TDA owned property located north of Archer Street between Main Street and Boulder Avenue, Tulsa, Oklahoma, A/K/A/ Legacy: General Counsel Hartley advised the Board to table this item. Commissioner Peters moved to table this item and Commissioner Braey seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

d. Discussion, consideration and vote to approve a Resolution to enter into negotiations with American Equities of Oklahoma LLC for the sale and redevelopment of TDA owned property located East of Cincinnati Avenue, between East Seminole Place and East Queen Street, Tulsa, Oklahoma: After discussion, Commissioner Braey moved to approve Resolution No. 5829, approving redeveloper (American Equities of Oklahoma LLC) and authorizing negotiation for the sale and redevelopment of Tulsa Development Authority-owned property located East of Cincinnati Ave., between East Seminole Pl. and East Queen St., Tulsa, Oklahoma. Commissioner Peters seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

e. Discussion, consideration and vote to approve a Resolution to terminate Resolution No. 5598, Authorizing negotiations with the Tulsa Opera for the purchase and redevelopment of Fire Station No. 1, City of Tulsa owned property located at 411 S. Frankfort Avenue, Tulsa, Oklahoma: After discussion, Commissioner Braey moved to approve Resolution No. 5830, rescinding Resolution No. 5598 and terminating negotiations with Tulsa Opera, Inc. for the sale and redevelopment of Former Fire Department Headquarters, located at 411 S.
Frankfort Ave., Tulsa, Oklahoma. Commissioner Peters seconded the
motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously

f. Discussion, consideration and vote to approve a Resolution to submit
a request to the Tulsa City Council for additional time for TDA to
negotiate a Redevelopment Agreement for the sale and redevelopment
of the Fire Station No. 1, City of Tulsa owned property located at 411
S. Frankfort Avenue, Tulsa, Oklahoma: After discussion, Commissioner
Bracy moved to approve Resolution No. 5831, requesting
authorization by Tulsa City Council to Conduct Negotiations for Sale and
Redevelopment of the Former Fire Department headquarters (Fire Station
No. 1), located at 411 S. Frankfort Ave., Tulsa, Oklahoma and upon
receipt of such approval, approving such negotiations by Tulsa
Development Authority. Commissioner Peters seconded the motion. The
vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously

g. Discussion, consideration and vote to approve a Resolution
authorizing TDA’s Chairman, Executive Director and General
Counsel to enter into negotiations with any interested party for the
purchase and redevelopment of Fire Station No. 1, City of Tulsa
owned property located at 411 S. Frankfort Avenue, Tulsa,
Oklahoma: After discussion, Commissioner Bracy moved to approve
Resolution No. 5831, requesting authorization by Tulsa City Council to
Conduct Negotiations for the Sale and Redevelopment of the Former Fire
Department Headquarters (Fire Station No. 1), located at 411 S. Frankfort
Ave., Tulsa, Oklahoma and upon receipt of such approval, approving such
negotiations by Tulsa Development Authority. Commissioner Peters
seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously

h. Discussion, consideration and vote to approve a Resolution to
authorize TDA’s Chairman, Executive Director and General Counsel
to negotiate the terms of an irrevocable standby bank letter of credit in favor of TDA in the amount of $4,000,000 as substitute collateral in place of the second mortgage that currently secures the promissory note on Metro at Brady and Tribune Lofts, Tulsa Oklahoma. After discussion, Commissioner Bracy moved to approve Resolution No. 5832, authorizing negotiations with American Residential Group, LTD and Tribune Acquisition, LLC for Substitution of Security for existing indebtedness to Tulsa Uptown Redevelopment Corp. and Tribune Building Redevelopment Corp. with an Irrevocable Standby Bank Letter of Credit – Tribune Lofts II/Metro Lofts at Brady. Commissioner Peters seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
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) and 307(c)(10) for the purpose of confidential communication with counsel regarding potential claims and/or matters for Economic Development initiatives:

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

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

6. Vote to return to open session.

Commissioner Bracy moved to return to Open Session, seconded by Commissioner Peters. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
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:

5a. Following discussion, Commissioner Peters moved to approve Resolution No. 5833 approving negotiations with GreenArch, LLC for amendment of the Redevelopment Agreement with Tulsa Development Authority to settle potential claims of GreenArch, LLC. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

5c. Following discussion, Commissioner Peters moved to approve Resolution No. 5834 authorizing execution of Sixth Amendment to Redevelopment Agreement between Tulsa Development Authority and First Street Lofts, L.L.C. – two month extension from February 13, 2013 to April 13, 2013. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

5d. Following discussion, Commissioner Bracy moved to approve Resolution No. 5835 authorizing issuance of Request for Proposal (RFP) for sale and Redevelopment of Hartford Building Site and surrounding real property located at the southeast corner and the northeast corner of 3rd Street and Greenwood Ave., Tulsa, Oklahoma. Commissioner Peters seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy and Peters
Nays: None

The motion passed unanimously.

9. New Business: None
10. **Adjournment**: The meeting adjourned 10:09 a.m.

Commissioner Bracy moved to adjourn, seconded by Commissioner Peters. The vote was recorded as follows:

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

The motion passed unanimously.

Tulsa Development Authority

Approved as to legal form and adequacy:

[Signature]
Julius Pegues, Chairman

[Signature]
Jot Hartley, Esq., General Counsel

[3-13-2013 – Regular Meeting Minutes - (ex-cy-jm-ar)]