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 – July 2, 2014
8:30 a.m.

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

Absent:

Also Present:
Roger Acebo
Kevin Anderson
Jim Coles
Leon Davis
Steve Ganzkov
Jamie Jamieson
Norman Kildow
Steve Larry
Mark Larson
Bennie Oulds
Toni Palmer
Michael Sager

Also Present:
Ed Sharrer
Brad Skaggs
Casey Stowe
Mike Thedford
Delise Tomlinson
Natasha Bunch
Jane Malone
Carol Young

The special meeting was called to order at 8:30 a.m. by Chairman Pegues. Chairman Pegues stated this meeting is a Special Meeting, combining the Work Study and Regular Meetings. Decisions will be made, votes and action taken. 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: Jane Malone - A quorum was established.
2. Routine, Repetitive Items for Action:
   a. Minutes of June 5, 2014 Work Study Meeting
   b. Minutes of June 5, 2014 Work Study Meeting, Executive Session
   c. Minutes of June 12, 2014 Regular Meeting
   d. Minutes of June 12, 2014 Regular Meeting, Executive Session

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

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

The motion passed unanimously.

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

   a. Executive Director’s Monthly Report

   1. TDA Strategic Planning Session: The 2014 TDA Strategic Planning session will be held on Thursday, September 18, 2014, from 8:30 a.m. until 2:00 p.m. on the 10th floor, South Conference Room at City Hall. The purpose of the session is to determine how to facilitate additional redevelopment in underserved areas. Items to be discussed include: working relationships with the City of Tulsa Staff, recommending redevelopment projects in TDA Sector Plans, and defining a plan to facilitate area redevelopment. Staff is in the process of selecting a facilitator for the event.

   2. Project Status Update

   - Blue Dome Anchor, LLC: The purchase of the Hartford Building by Blue Dome Anchor, LLC closed on June 9, 2014 in the amount of $2.4 million. The redevelopment plans are to develop a mixed-use commercial/retail/residential project in two (2) phases. City of Tulsa vehicular inventory will be relocated to 23rd and Jackson. [Location of property: 110 North Greenwood.]

   - Tulsa Urban Development Group, LLC, d/b/a Urban8: The property closed on May 12, 2014 in the amount of $175,859. TDA’s Chairman, General Counsel, and Executive Director met with representatives of Urban8, LLC and TOSA to discuss a utility easement required to provide Oklahoma Natural Gas access to the site and it was determined that this process is unnecessary. Construction has commenced. [Location of Property: North of 3rd Street, between Greenwood Avenue and Kenosha Street.]

   - Hartford Commons, LLC: Representatives were present for a presentation. This is also an agenda item for the Executive Session. Construction plans and specifications are complete and will be submitted to the City of Tulsa, Development Services for permit approval. The first portion of the Tax
Abatement process has been completed. Hartford Commons is requesting a six month extension on the Redevelopment Agreement to allow time to perform the 1031 Tax Exchange. The project is valued at approximately $22.7 million. [Location of property: SE corner of Greenwood Avenue and E. 2nd St.]

- **100 Boulder, formerly Mapview Associates, Inc.:** An issue has arisen regarding the relocation of the existing art work on the northwest corner of 2nd and Boulder Avenue. On June 19, 2014, there was a discussion about the recent relocation of the public artwork with the construction of the 100 West Parking structure. The City of Tulsa Staff is reviewing TDA’s Redevelopment Agreement to ensure the relocation was properly addressed. The artwork is an asset owned by Tulsa Parking Authority and placed in the public right-of-way at the direction of the Arts Council. Tulsa Parking Authority (TPA) and The Arts Council are working to resolve the issue. Construction continues to progress. [Location of the property: SW Corner of 1st St. and Boulder Ave.]

- **Fire Station No. 1:** CORE and Associates, LLC are currently working on a market study to support the overall master plan for the area. The timeline for the market study is 365 days. The TDA Board of Commissioner’s reviewed and approved a Resolution authorizing the decoupling of the Agreement for the redevelopment of Fire station No. 1 and the parking lot located south and east of the site. [Location of the property: 411 S. Frankfort Avenue.]

- **Hogan on Greenwood, LLC:** A construction fence has been placed around the perimeter of the project site. A construction trailer is on site and the equipment has mobilized. Construction will commence after the building permit has been issued. [Location of property: NE Corner of South Greenwood Ave. and East 1st Street.]

- **Wilkins Project:** The redeveloper will provide an update of the schematic drawings at the August Work Study session. The proposed project plans include 94 hotel rooms and the balance of the project will include multi-family housing. [Location of property: NW corner of Archer and Elgin Ave.]

- **The Flats on Archer:** The Structural Engineer is analyzing the report to determine structural components of the building including details for plumbing and electrical. The project Architect is completing the exterior design work. Upon completion, The Flats on Archer will present the information to the TDA Board for approval. Construction is scheduled to begin July 15, 2014. [Location of property: 110 N. Boston Ave.]

- **One Place Hotel - Hampton Inn and Suites:** The redeveloper has decided against moving forward with residential component, as the timeline for completion would require an extension. The hotel component is moving forward with the Hotel Franchise Agreement between One Place Hotel and Hampton Inn and Suites. The project will consist of 124 guest rooms and the architect is GH2. The revised plans should be complete in 60 days. At that
time, the redeveloper will bring the revised plans to the TDA Board for approval. A change in construction plans will require an amendment to the Redevelopment Agreement. This item will be discussed at the August Work Study Meeting. [Location of property: Northeast corner of 3rd and Denver Avenue.]

3. **The Zoning Code Update:** A City of Tulsa zoning update meeting was held on June 18, 2014. Items discussed included: driveway widths, central business district parking standards, parking, and additional items detailed in the Executive Director’s report. A few of the next action items include: discuss the proposal of implementing Mixed-Use Institutional zoning in the newly adopted Utica Midtown Corridor Small Area Plan. Area hospitals and property owners collaborated on implementing the plan which is reflective in the zoning code proposal.

4. **Sector Plan Update:** This item will be discussed in Executive Session. General Counsel provided a draft agreement between Houseal Lavigne Associates and TDA. The City of Tulsa staff was given the opportunity to review the agreement for feedback. The goal is to have the agreement in place by August 2014.

5. **Southwest National Association of Housing and Redevelopment Officials:** The Southwest NAHRO 74th Annual Conference was held on June 22-24, 2014 at the Renaissance Hotel in Tulsa, Oklahoma. The purpose of the conference was a networking opportunity with professional peers and to gain knowledge of various state activities. TDA facilitated and sponsored a tour of multi-family housing developments in Tulsa, which included a tour of the Hartford Commons project. Comments by Commissioner Bracy and Executive Director Walker regarding the following:

- 1921 Race Riot
- History of Downtown Tulsa, Greenwood, Pine, and Martin Luther King Jr. Boulevard
- GAP Band (Greenwood, Archer, and Pine)
- Approximately 25 people attended the tour

A letter from Tony Hoch, Vice President of Community Revitalization and Development with SW NARHO, was received thanking and congratulating Executive Director Walker for the tour.

6. **Service Agreement between the City of Tulsa and Tulsa Development Authority:** This item is on the agenda to discuss in the Executive Session.

7. **TDA Website:** The TDA website was launched in 2003 and since that time, there have been slight modifications. TDA staff met with Jeff Barnes of Walsh-Barnes Associates to discuss upgrading the website. The primary purpose for upgrading the website is to rebrand TDA and include social networking, such as Twitter for announcements and creating a Facebook image. Jeff Barnes has provided two options for the front page for the Board
to review. The next action item is to decide on the page layout. The next meeting with Jeff Barnes is scheduled for Tuesday, July 8, 2014.

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

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

The motion passed unanimously.

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

a. TIF Project Update – Mr. Mike Thedford: A copy of this report was included in the Commissioner’s packets: Mr. Thedford’s updated Staff Report stands as presented. Mr. Thedford provided an overview regarding the status of the following TIF projects:

- **Blue Dome Lighting Project:** Fund No. 6967

- **Proposed streetscape improvements to Cameron Street:** Fund No. 6963. Estimated cost is approximately $360,000.00 to $450,000.00

- **Elgin streetscape improvements:** Fund No. 6967. The General Contractor for the Elgin Streetscape improvements is requesting that the City of Tulsa waive the sub-contractor bonding requirement, based on redundancy.

b. TIF Financial Report – Mr. Jim Coles: A copy of this report was included in the Commissioner’s packets: Mr. Coles and Executive Director Walker were contacted by Mr. Jamie Jamison with Village at Central Park regarding Central Park TIF Funds. Mr. Coles explained Central Park TIF funds was released during the annual inactive TIF funds cleanup, approved by the TDA Board. A portion of the funds were appropriated for public infrastructure according to an Agreement reached by Village at Central Park and the City of Tulsa. Mr. Coles is requesting $99,772.40 be removed from unencumbered cash and placed back into the Village at Central Park TIF. After discussion, Commissioner Peters moved to approve Resolution No. 5976 authorizing a budget amendment to reappropriate Central Park TIF funds for Village at Central Park Project. Commissioner Roberts seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.
5. 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 Sturmer**
  A notice of a scheduling conference was received by General Counsel Hartley.

Quiet Title:

- **TDA v. South Kansas and Oklahoma Railroad, et al.**
  General Counsel Hartley has received the survey and legal description of Lot 3. This property is not within the active railroad trackage. General Counsel is now preparing an agreed journal entry of judgment quieting the title.

Other:

- **Novus Homes (Wilkins)**
  The redevelopers are expected to attend the August TDA meeting for approval of construction documents. General Counsel Hartley expects the project to be closing soon.

Personal Injury Claim:

- **Gammil, Gary v. TDA**
  General Counsel continues to prepare responses to discovery requests from Plaintiff. City of Tulsa Legal Department Chief of Civil Litigation, Gerald Bender, has been advised of this pending litigation and is standing by in case they are needed.

6. Financial Reports

a. May 2014 - Income and Expenditure Report - included in the Commissioner packets: Mr. Norman Kildow provided information and an overview of the Income and Expenditure Report. Mr. Kildow answered questions from the Board of Commissioners.

b. May 2014 - Comparative Financial Statements – included in the Commissioner packets: Mr. Norman Kildow provided information and an overview of the Comparative Financial Reports. Mr. Kildow answered questions from the Board of Commissioners.
c. May 2014 - Program Income Report for Fund 5540 - included in the Commissioner packets: Mr. Norman Kildow provided information and an overview of the Program Income Report for Fund 5540.

After discussion, Commissioner Bracy moved to approve Resolution No. 5977 Tulsa Development Authority Financial Reports for May 2014, Program Income Report for Fund No. 5540, and the Comparative Financial Statements. Commissioner Mitchell seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

d. Amended Budget for Fiscal Year 2014 – 2015: Mr. Norman Kildow explained the proposed changes from the previously approved Budget. After discussion, Commissioner Mitchell moved to approve Resolution No. 5978 approving Amended Budget for Tulsa Development Authority Fund No. 3101 for Fiscal Year 2014 - 2015. Commissioner Roberts seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

7. Receive, Discuss and Vote:

a. Discussion, consideration, and vote to accept and approve the construction plans and specifications for the Hartford Commons project on property located at the southeast corner of East 2nd Street and Greenwood Avenue, Tulsa, Oklahoma. The redeveloper was present and presented a PowerPoint presentation of the construction documents. Executive Director Walker stated the construction documents comply with the standards of redevelopment agreement. After discussion, Commissioner Bracy moved to approve Resolution No. 5979 approving construction documents submitted by Hartford Commons, LLC for redevelopment project located at the southeast corner of East 2nd Street and South Greenwood Avenue, Tulsa, Oklahoma. Commissioner Roberts seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

b. Discussion, consideration, and vote to approve a Resolution authorizing execution of a Redevelopment Agreement, acceptance of
Construction Plans and Specifications, submitted by Bennie Oulds, for City of Tulsa owned property located at 2010 North Hartford Avenue, Dirty Butter-Heritage Hills Extension, Tulsa, Oklahoma. A copy of the draft redevelopment agreement and construction plans and specifications were included in the Commissioner’s packets. Bennie Oulds was present to answer questions regarding the construction documents. Executive Director Walker stated the construction plans comply with the redevelopment agreement. After discussion, Commissioner Roberts moved to approve Resolution No. 5980 approving Redevelopment Contract and Construction Documents submitted by Bennie Oulds for redevelopment of City of Tulsa owned real property located at 2010 North Hartford Avenue, Tulsa, Oklahoma. Commissioner Mitchell seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

c. Discussion, consideration, and vote to approve a Resolution authorizing execution of a Redevelopment Agreement, acceptance of Construction Plans and Specifications, submitted by Larry E. Crawford, for City of Tulsa owned property located at 1890 North Hartford Avenue, Dirty Butter-Heritage Hills Extension, Tulsa, Oklahoma. A copy of the draft redevelopment agreement and construction plans and specifications were included in the Commissioner’s packets. Executive Director Walker stated the construction plans comply with the redevelopment agreement. After discussion, Commissioner Peters moved to approve Resolution No. 5981 approving Redevelopment Contract and Construction Documents submitted by Larry E. Crawford Jr. for redevelopment of City of Tulsa owned real property located at 1890 North Hartford Avenue, Tulsa, Oklahoma. Commissioner Roberts seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

d. Discussion, consideration, and vote to approve a Resolution authorizing upgrades to the TDA owned Whittier Square parking lot located on the southeast corner of Lewis Avenue and Admiral Boulevard, Tulsa, Oklahoma; Executive Director Walker provided information regarding the request. Ed Sharrer, Executive Director with Kendall Whittier Main Street Association, is requesting TDA financially assist with upgrading electrical service in the parking lot. The Kendall Whittier Main Street Association is contributing $1,000 toward the cost of the electrical work. After discussion, Commissioner Roberts moved to approve Resolution No. 5982 authorizing upgrades to the TDA owned
parking lot on real property located at the southeast corner of South Lewis and East Admiral Boulevard, Tulsa, Oklahoma. Commissioner Mitchel seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

e. **Discussion, consideration, and vote to approve a Resolution authorizing entering into negotiations with East End Village, LLC for the disposition and sale of Tulsa Development Authority owned property on the Southeast corner of East 3rd Street and South Frankfort Avenue, Tulsa, Oklahoma.** Executive Director Walker provided information regarding the request by Mark Larson with Larson Development, LLC. Mr. Larson was present to answer questions from the Board. The letter of interest was included in the Commissioner’s packets. After discussion, Commissioner Peters moved to approve Resolution No. 5983 authorizing negotiations with East End Village, LLC for the sale and redevelopment of TDA owned real property located at the Southeast corner of East 3rd Street and South Frankfort Avenue, Tulsa, Oklahoma. Commissioner Mitchell seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

f. **Discussion, consideration, and vote to review and approve Draw Request No. 3 from East End Village, LLC for Downtown Housing Fund for the East End Village project located at 401 and 405 S. Elgin, 408 and 418 S. Frankfort Avenue, 414 East 4th Street, and 415 East 5th Street, Tulsa, Oklahoma.** Executive Director Walker provided documentation to the Commissioners to support Draw Request No. 3 from East End Village. Copies of the documents are included in the Commissioners Packet. Executive Director Walker stated this Draw Request is for $61,128.44, which reflects 44% completion. After discussion, Commissioner Mitchells moved to approve Resolution No. 5984 approving payment of Advance No. 3 to East End Village, LLC pursuant to redevelopment agreement for the East End Village Project. Commissioner Peters seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.
g. Discussion, consideration, and vote to approve a Resolution to enter into a Redevelopment Agreement for TDA owned property located at 210 E. 51st Place North, Tulsa, Oklahoma. Executive Director provided information regarding the condition of the property, the fair market value, and the purchase offer. The property was appraised at $4,500 and since that time, the property was vandalized. An estimate to repair the electrical system was obtained in the amount of $4,200. DeAngelo McBee is interested in purchasing the property as an investment for $1,500. Executive Director Walker answered questions from the Board regarding the procedures for securing properties. Executive Director Walker also explained the sale of the property would be on an “as is” basis. After discussion, Commissioner Bracy moved to approve Resolution No. 5985 authorizing negotiations and execution of redevelopment contract for the sale and redevelopment of TDA owned real property located at 210 East 51st Place North, Tulsa, Oklahoma. Commissioner Roberts seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

h. Discussion, consideration, and vote to approve and authorize the Chairman of Tulsa Development Authority to execute and deliver a Quit Claim Deed to “The Bend, L.L.C.” quit claiming any interest in Lot Eleven (11), Block One (1), Third and Greenwood Addition, a resubdivision of Block 111 and part of Block 112 of the Original Town, now City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 6513, a/k/a 212 S. Kenosha Avenue, Tulsa, Oklahoma. General Counsel Hartley provided an explanation as to the rationale to approve execution of the Quit Claim Deed and allow Hartford Commons to close on the property currently under the agreement. After discussion, Commissioner Bracy moved to approve Resolution No. 5986 to approve execution of Quit Claim Deed to Satisfy Title Requirements contained in Title Commitment to Hartford Commons, LLC for property located at 212 South Kenosha Avenue, Tulsa, Oklahoma. Commissioner Mitchell seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy, Peters, Roberts, and Mitchell 
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 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 an amendment to the existing Redevelopment Agreement between Tulsa Development Authority and Hartford Commons, LLC for property located on the southeast corner of East 2nd Street and South Greenwood Avenue, Tulsa Oklahoma. [25 O.S. §307(b)(4) and §307(c)(10)].

b. Confidential communication with Counsel regarding an update to the First Street Lofts project, located one-quarter (1/4) mile East of Detroit Avenue, and South of 1st Street, (310 E. 1st Street) Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (10)].

c. Confidential communication with Counsel and conferring on matters regarding the Tulsa Development Authority’s Sector Redevelopment Plans update and the contract with Houseal Lavigne. [25 O.S. §307(b) (4) and §307(c) (10)].

d. Confidential communication with Counsel 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)].

e. Confidential communication with Counsel regarding potential redevelopment by Petrous Group for property located on the corner of Martin Luther King, Jr. Blvd. and East Queen Street, formerly known as “Lots on Cincinnati”. [25 O.S. §307(b) (4) and §307(c) (10)].

Commissioner Bracy moved to go into Executive Session at 10:22 a.m., seconded by Commissioner Mitchell. The vote was recorded as follows:

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

The motion passed unanimously.

9. Vote to return to open session.

Commissioner Mitchell moved to return to Open Session at 11:35 a.m., seconded by Commissioner Bracy. The vote was recorded as follows:

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

The motion passed unanimously.

10. 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.

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

Executive Session Agenda Items:

Commissioner Bracy moved to approve Resolution No. 5987 approving Third Amendment to Redevelopment Agreement with Hartford Commons, LLC for the redevelopment of Tulsa Development Authority owned property located on the southeast corner of East 2nd Street and South Greenwood Avenue, Tulsa, Oklahoma. The motion was seconded by Commissioner Mitchell. The vote was recorded as follows:

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

The motion passed unanimously.

12. Announcements: Chairman Pegues stated Executive Director Walker’s evaluation will be conducted at the next meeting on August 7, 2014.

13. Adjournment: Commissioner Bracy moved to adjourn the meeting at 11:38 a.m. seconded by Commissioner Roberts. The vote was recorded as follows:

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

The motion passed unanimously.

Tulsa Development Authority

Approved as to legal form and adequacy:

Julius Pegues, Chairman

[7-2-2014 – Special Meeting Minutes – [ob-act]]

Joe Hartley, Esq., General Counsel