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 – August 14, 2014
8:30 a.m.

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

Absent:
Steve Mitchell, Commissioner

Also Present:
Kevin Anderson
Bruce Bolzle
Andrew Coffey
Jim Coles
Leon Davis
Steve Ganzkow
Sammye Hitchye
Steve Larry
Michelle Lester
Billie Parker
Raheem Raheemah
Michael Reed

Also Present:
Martha Schultz
Casey Stowe
Dawn Warrick
Joyce G. Smith-Williams
Bill White
Kandy White
NaTasha Bunch
Jane Malone
Carol Young

The regular meeting was called to order at 8:32 a.m. by Chairman Pegues. 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 called roll. Commissioner Steve Mitchell was absent. A quorum was established.

2. **Routine, Repetitive Items for Action:**
   a. Minutes of July 2, 2014 Special Meeting
b. Minutes of July 2, 2014 Special Meeting, Executive Session

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

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

The motion passed unanimously.

d. June 2014 - Comparative Financial Statements

Commissioner Peters moved to approve Resolution No. 5988, approving Tulsa Development Authority Financial Report for June 2014, Program Income Report for Fund No. 5540, and the Comparative Financial Statements. Commissioner Bracy seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

f. Finance Department’s Quarterly Invoice

Commissioner Roberts moved to approve Resolution No. 5989, approving payment of invoice from the City of Tulsa Finance Department in the amount of $2,740.01 for the accounting services rendered April 1, 2014 through June 30, 2014. Commissioner Bracy seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

3. Receive, Discuss, and Vote:

a. Discussion, consideration, and vote to approve a Resolution from the Lacy Park Advisory Council to amend the current language in the existing Tax Increment Finance District to extend the expiration date from 2017 to 2027: Michael Reed, representative of the Lacy Park Advisory Council was present to provide information and answer questions. After discussion, Commissioner Peters moved to approve Resolution No. 5990, requesting amendment of provisions of tax increment district No. 4 (a/k/a North Peoria TIF) to extend expiration date for an additional term of ten years from 2017 to 2027. Commissioner Bracy seconded the motion. The vote was recorded as follows:
Ayes: Pegues, Bracy, Peters, and Roberts
Nays: None

The motion passed unanimously.

b. Discussion, consideration, and vote to approve a Resolution of Support regarding the submission of tax incentive abatement to the Tulsa City Council for the purpose of requesting abatement of the increase in property taxes for the following properties: Coliseum, LLC, 625 South Elgin Avenue; Hartford Commons, LLC, 200 South Greenwood Avenue; River City Development, LLC, 400 South Boston Avenue; and River City Development, LLC, 522 South Boston Avenue. Jim Coles was present to provide information and answer questions from the Commissioner’s. Chairman Pegues stated one vote will be taken for all four requests. After discussion, Commissioner Roberts moved, approving and authorizing submission of Tax Incentive Abatement agreements to the City of Tulsa for consideration and adoption by the City of Tulsa for consideration and adoption by the City of Tulsa Pursuant to the Provisions of the Tax Incentive District Number One, City of Tulsa, Oklahoma, for the following:

- Resolution No. 5991 – Project Plan - Coliseum, LLC – 625 South Elgin
- Resolution No. 5992 – Project Plan - Hartford Commons, LLC -200 South Greenwood Avenue
- Resolution No. 5993 - Project Plan – River City Development – 400 South Boston Avenue
- Resolution No. 5994 – Project Plan – River City Development – 522 South Boston Avenue

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 authorizing Draw Request No. 4 from East End Village, LLC for the Downtown Housing Fund for the East End Village project located at 401 and 405 South Elgin Avenue, 408 and 418 South Frankfort Avenue, 414 East 4th Street, and 415 East 5th Street, Tulsa, Oklahoma. Executive Director Walker provided information and history of the Draw Requests for the project. After discussion, Commissioner Peters moved to approve Resolution No. 5995, approving payment of Advance Number Four to East End Village, LLC pursuant to Redevelopment Agreement for the East End Village Project. Commissioner Bracy 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 a Redevelopment Agreement, Construction Plans and Specifications for William and LaKeshu White for City of Tulsa owned property located at 638 East Seminole Place, Dirty Butter-Heritage Hills Extension, Tulsa, Oklahoma. William and LaKeshu White were present to answer questions from the Commissioner’s. After discussion, Commissioner Bracy moved to approve Resolution No. 5996, approving Redevelopment Contract and Construction documents submitted by William and LaKeshu White for Redevelopment of City of Tulsa owned real property located at 638 East Seminole Place, 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.

e. Discussion, consideration, and vote to approve a Resolution authorizing the execution of the Service Agreement between the City of Tulsa and the Tulsa Development Authority. Dawn Warrick, Director of Planning and Economic Development, was present to provide information regarding the proposed Service Agreement. General Counsel Hartley stated the contract would be revised to include edits submitted by Dawn Warrick, and to be approved by Tulsa Development Authority. After discussion, Commissioner Peters moved to approve Resolution No. 5997, approving and authorizing execution of a Service Agreement between the City of Tulsa and the Tulsa Development Authority. Commissioner Bracy seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

f. Discussion, consideration, and vote to approve a Resolution authorizing the execution of the Agreement for Professional Planning Services between HouSeal Lavigne Associates, LLC and the Tulsa Development Authority for the Sector Plan Update. General Counsel Hartley advised approval of subcontractors is in addition to the Professional Planning Services Agreement. Commissioner’s suggested Devin Lavigne attend TDA’s September meeting. After discussion, Commissioner Peters moved to approve Resolution No. 5998, approving the Agreement for Professional Planning Services between Tulsa Development Authority and HouSeal Lavigne Associates, LLC for update of the City of Tulsa Sector Plan. Commissioner Bracy seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

g. Discussion, consideration, and vote to approve a Resolution approving an amendment to an existing Redevelopment Agreement between Tulsa Open Space Alliance, LLC (TOSA, LLC) and TDA for property located between 2nd and 3rd Streets, East of Greenwood Avenue, Tulsa, Oklahoma. Bruce Bolzle, representative with TOSA, was present to provide an update. He stated The Arts and Humanities Council was acceptable to accepting Green Space Art proposals for the project. After discussion, Commissioner Roberts moved to approve Resolution No. 5999, approving Third Amendment to Redevelopment Agreement with Tulsa Open Space Alliance, Inc. for the redevelopment of TDA owned property located along Greenwood Avenue between 2nd and 3rd Streets, Tulsa, Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

h. Discussion, consideration, and vote to approve a Resolution approving the fourth amendment to an existing Redevelopment Agreement between Hartford Commons, LLC and TDA for property located South of 2nd Street, between Kenosha Avenue and Greenwood Avenue, Tulsa, Oklahoma. General Counsel Hartley stated this request provides clarification of previously approved Third Amendment’s extension date. After discussion, Commissioner Bracy moved to approve Resolution No. 6000, approving Fourth Amendment to Redevelopment Agreement with Hartford Commons, LLC for the redevelopment of TDA owned property located near the southeast corner of Greenwood Avenue and Second Street, Tulsa, Oklahoma. Commissioner Roberts seconded the motion. The vote was recorded as follows:

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

The motion passed unanimously.

4. 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 TDA owned property located on the southeast corner of East 3rd Street and South Frankfort Avenue, Tulsa, Oklahoma. [25 O.S. §307(b)(4) and §307(c)(10)]

b. Confidential communication with Counsel regarding negotiations for the sale of TDA owned property located on the northeast corner of Martin Luther King Jr. Boulevard and East Seminole Place, Tulsa, Oklahoma to The Petrous Group, now DG TUL MLK, LLC. [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)]

d. Confidential communication with Counsel regarding a Redevelopment Agreement between CORE and Associates, LLC and TDA for City of Tulsa owned property located on the southeast corner of 4th Street and Frankfort Avenue, Tulsa, Oklahoma, a/k/a Fire Station No. 1. [25 O.S. §307(b) (4) and §307(c) (10)]

e. Confidential communication with Counsel regarding fifth-year evaluation of O.C. Walker, TDA Executive Director. [25 O.S. §307(b) (4) and §307(c) (10)]

Commissioner Roberts moved to go into Executive Session at 9:15 a.m., seconded by Commissioner Bracy. The vote was recorded as follows:

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

The motion passed unanimously.

Commissioner Roberts exited the meeting upon the conclusion of Executive Session at 10:25 a.m.

V 5. Vote to return to open session.

Commissioner Bracy moved to return to Open Session at 10:25 a.m., seconded by Commissioner Peters. The vote was recorded as follows:

   Ayes: Pegues, Bracy, and Peters
   Nays: None

The motion passed unanimously.
6. 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.

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

Executive Session Agenda Items:

4.a. - After discussion, Commissioner Bracy moved to approve Resolution No. 6001, rescinding previous TDA Resolution No. 5983 and Authorizing the Termination of Negotiations with East End Village, LLC for the Sale and Redevelopment of TDA owned property located at the southeast corner of East 3rd Street and South Frankfort Avenue, Tulsa, Oklahoma. Commissioner Peters seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy, and Peters
Nays: None

The motion passed unanimously.

4.e. – After discussion, Commissioner Peters moved to approve Resolution No. 6002, approving Annual Employee Evaluation of Executive Director and approving increase in Annual Salary and Bonus. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Pegues, Bracy, and Peters
Nays: None

The motion passed unanimously.

8. New Business:

Commissioner Bracy congratulated Chairman Pegues on his reappointment as Chairman and Commissioner Peters on his appointment to Vice Chair.

Commissioner Bracy extended high praise to Executive Director Walker and staff for the success in the past year.

9. Adjournment: Commissioner Peters moved to adjourn the meeting at 10:31 a.m., seconded by Commissioner Bracy. 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:

Julius Pegues, Chairman

JoT Hartley, Esq., General Counsel

{8-14-2014 – Regular Meeting Minutes - (nb-)}