REGULAR MINUTES
Tulsa Development Authority Board of Commissioners
Regular Meeting

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

Thursday – November 7, 2019
9:00 a.m.

Present:
Steve Mitchell, Vice Chairman
Roy Peters, Commissioner
Carl Bracy, Commissioner
Thomas Boxley, Commissioner

Absent:
Nancy Lynn Roberts, Chairwoman

O.C. Walker II, Executive Director
Jot Hartley, General Counsel

Also, Present:
Kevin Anderson
Annette Bess
Cheryl Black
Linn Cain
Arthur Candler
Jim Coles
Nick Doctor
Becky Gligo
Vanessa Hall-Harper
Walker Hanson
Kristen Hughes
Kian Kamas
Josh Kunkel
Kimberly Marsh-MacLeod

Also, Present:
Julie Miner
Rhett Morgan
Ashley Philippsen
Burlinda Radney
Kevin Rice
Dawn Warrick
Dennis Whitaker
Janc Malone
Demauri Myers
Nicole Travis
Carol Young

The Regular Meeting was called to order at 9:00 a.m. by Vice Chairman Mitchell. Decisions will be made, votes and action taken. 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: Vice Chairman Mitchell, Commissioner Peters, Commissioner Bracy and Commissioner Boxley were present. Chairwoman Roberts was absent. A quorum was present.

2. **Consideration of Consent, Routine, Repetitive Items for discussion, consideration and vote to approve:**
   

b. Minutes of October 3, 2019 Executive Session Meeting.

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

   **Ayes:** Mitchell, Peters, Bracy and Boxley  
   **Nays:** None

The motion passed unanimously.

3. **Consideration of Items Removed from Consent Agenda**

   None.

4. **Executive Director’s Monthly Report - A copy of this report was included in the Commissioners’ packets. Copies of the Report were available at the table in the rear of the room.**

   **A. Price Family Parking Garage Project - Price Family Parking, LLC:**  
The project is complete. TDA is waiting to receive the Certificate of Occupancy. Once it is received, TDA will dovetail the process by issuing a Certificate of Completion. The loan repayment is $1,670,000.00 for the term of twelve (12) years and ninety (90) days from November 4, 2017.

   **B. Adams Building - 403 Chevenne, LLC:**  
The project is complete. On October 3, 2019, the TDA Board of Commissioner’s reviewed and approved Draw Request No. 14 from the Downtown Development and Redevelopment Fund in the amount of $980.00 for Residential Development in Downtown Tulsa, representing an additional .20% for a total of 100% completion.

   On November 6, 2019, TDA Executive Director met with Oklahoma Natural Gas (ONG) representatives regarding a new program for families and projects. Mr. Walker also indicated the Adams Building was the first project to take advantage of the program that earned approximately $200,000.00 of incentives, from ONG and the Downtown Housing Assistance Project.
C. **Hartford Crossing, LLC/Blue Dome Anchor, LLC:**

- **Hartford Crossing - 111 S. Greenwood Ave.** The Construction is currently in progress, and the project remains on schedule.

- **Blue Dome Anchor – Hartford Building Project - 110 S Harvard Ave.** The building is 90% occupied. Merrick was granted a building permit for their space, anticipating improvements beginning in December 2019.

D. **The Village at Central Park (Darin Ross):**

This item will be discussed during Executive Session.

E. **The Village Flats, LLC:**

The Construction is currently in progress, and the project remains on schedule.

F. **Laura Dester Site:**

**Possible Redevelopment**

TDA Executive Director, will present the Redevelopment Agreement for approval to the TDA Board of Commissioners during the November 7, 2019, Regular meeting. Mr. Walker also stated they are still in the process of working on the Lease Agreement. TDA General Counsel reported that the purchaser returned with additional requests and stated it needed to be negotiated and finalized. Further discussion will take place in Executive Session.

Commissioner Peters inquired if TDA was acquiring properties around the flood control project surrounding the Laura Dester site. Mr. Walker reported that TDA has ceased acquiring property in the Laura Dester area, as well as the Pearl District. He further stated that the City of Tulsa, is in the process of acquiring property for the west pond. Kian Kamas, Chief of Economic Development, stated engineering services is currently working with Councilor McKee of District 4, to review the history and the engineering need for the west pond.

**Demolition**

The Demolition Agreement for the 7th and Troost property was executed, and the demolition has commenced. The Contractor is currently in the process of obtaining a Sewer Plug permit with the City of Tulsa.

G. **Vast Bank - Block 44, The Ross Group:**

On October 21, 2019, TDA Executive Director and General Counsel met with Commissioner Bracy and Tom Biolchini to discuss the terms and conditions of the Amendment, as well as the placing of the Darven Brown Bust.

Commissioner Bracy stated the discussions are on-going regarding the placing of the Darven Brown Bust. Mr. Bracy also acknowledged the accomplishments of
Darven Brown and the footprints he left on Downtown Tulsa regarding development. Further discussions will continue with Tom Biolchini and Commissioner Boxley.

TDA Executive Director and General Counsel will plan to meet with the representatives of the Stadium Trust to recommend the Darven Brown bust or plaque be placed at the Drillers Stadium. Mr. Biolchini stated he would consider placing a plaque of Darven Brown on the VAST bank building, if TDA is unsuccessful in obtaining a new location. Further discussion will take place in Executive Session.

II. Morton’s Reserve Properties, LLC, formerly Pine Place Development, LLC:
On October 8, 2019, TDA Executive Director spoke with Michael Smith and Lynda Dorman via conference call regarding the Redevelopment Project. The purpose of the call was to provide The Dorman Group an overall view of the project.

TDA Executive Director provided the scope of the Redevelopment Agreement as well as the North Peoria TIF assistance, for infrastructure improvements to the site. The Dorman Group will provide a Letter of Funds to the Pine Place Development by December 31, 2019.

Mr. Walker spoke with a representative of the Rudsill Regional Library regarding expansion, as well as an opportunity to purchase the Morton site. The Library was advised that the site was under a Contract for Redevelopment. TDA will begin having conversations with the Tulsa Regional Library Board and Michael Smith to see if there is an opportunity for partnership for the growth of the Library and for the Redevelopment of the Morton Site.

Commissioner Braey had concerns about extending the terms of the Redevelopment Agreement and wanted to ensure something was solidified.

I. East Latimer Project/Capital Homes, LLC:
No new information.

J. The Flats on Archer/SATTCOM Investments:
The project is complete. The term of the Redevelopment Agreement states the Redeveloper is to repay TDA in the amount of $750,000.00 by June 7, 2021.

K. Urban Renewal Plans/Sector Plan:
   - Crutchfield Area Neighborhood:
     - No new information.
• TDA Executive Director reported they are currently in the process of doing other projects regarding North Tulsa TIF which includes; facilitating development for the Crutchfield neighborhood.

• Crookie Heights Neighborhood:
  • TDA Executive Director contacted the Crookie Heights Neighborhood President asking to be added to their November agenda. Mr. Walker is also currently working with Councillor McKee on the communication with Crookie Heights regarding edits to the Sector Plan.

• Pearl District Neighborhood:
  • TDA will begin the process of adopting the Pearl District Sector Plan in January 2020.

• Amendment to the Greenwood/Unity Heritage Neighborhoods Plan:
  • Citizens Advisory Team (CAT) meeting is scheduled on Monday, November 18, 2019. The purpose of the meeting is to ensure the CAT has an understanding that TDA is pressing pause on the amendment process, to allow the completion of the Downtown Housing Study, as well as surrounding neighborhoods study.
  • Nick Doctor, Chief of Community Development and Policy, provided a brief update regarding the upcoming CAT meeting. Mr. Doctor reported he met with Chairwoman Roberts and Vice Chairman Mitchell indicating they are using this time wisely to plan effectively and to ensure they are on the right path.

L. **North Tulsa Tax Increment Financial District:**  
   On November 4, 2019, TDA Project Analyst, Demauri Myers, met with Jim Coles, Director of Economic Development, to obtain additional information to move the project forward. Hopefully, by the first of the year, TDA will prepare a document for the Board of Commissioners to review.

M. **TDA Land North of the IDL (Former UCT Land):**  
   TDA Executive Director stated he has been working with Ashley Philippson, Deputy Chief of Community Development and Policy, on the RFP for a consultant to do the study on the subject property. At this time, the RFP has not been released.

Kian Kamas, Chief of Economic Development, provided an update and reason for the RFP delay.
N. Downtown Housing Study Request for Proposals (RFP):
TDA Executive Director will meet with the consultant for the Downtown Housing Study today. The results will be complete by the end of 2019 or the beginning of 2020. Upon completion, it will be presented to the TDA Board of Commissioners.

Commissioner Peters stated he received a copy of the RFP that the Parking Authority issued and inquired if there was any correlation between the two RFP’s.

Kian Kamas, Chief of Economic Development, stated the Hunden team and the development strategies team coordinated the RFP. Mrs. Kamas also added the initial part of the feasibility analysis they prepared, helped them to understand what the site and the market can support.

O. Dirty Butter- Heritage Hills Extension:
On the Agenda today, a request to terminate a Contract for Private Redevelopment between Shelia B. Thompson and the Tulsa Development Authority for the purchase of property located at 1960 North Hartford Avenue, Tulsa, Oklahoma.

On the Agenda today, a request to terminate a Contract for Private Redevelopment between Floyd Roberts and Kuma Roberts and the Tulsa Development Authority for the purchase of property located at 1980 North Hartford Avenue, Tulsa, Oklahoma.

After discussion, Commissioner Bracy moved to accept TDA’s Executive Director's Report for November 2019. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Mitchell, Peters, Bracy and Boxley
Nays: None

The motion passed unanimously.

5. City of Tulsa, Mayor’s Office of Economic Development, Kian Kamas:


Kian Kamas, Chief of Economic Development, provided a detailed report regarding the Strategic Planning Process regarding the RFP. The RFP is scheduled to close on November 20, 2019. The goal is to distribute the qualified proposals to the team that will review the proposals on November 22, 2019. The team reviewing the proposals are TDA Executive Director and the Chairs of each Trust Authority that are impacted by the work. Mrs. Kamas stated she will provide a memo monthly to the TDA Executive Director, providing updates of the RFP.

b. Mayor’s Office of Economic Development – Update to TDA.

Kian Kamas, Chief of Economic Development, provided information on a variety of projects the City of Tulsa is currently working on as follows;
Muncie Power Products

This is a partnership project between the City and George Kaiser Family Foundation (GKFF). On November 6, 2019, an agreement was signed between the City of Tulsa and GKFF for the vision funding that will help tremendously with the site increments.

Commissioner Boxley inquired of the amount of jobs that Muncie Power Products will bring to the community. Mrs. Kamas stated approximately 300 jobs will be brought to the community. They are currently in a rainbow process and have been working with Tulsa Community Work Advance on the hiring process, to ensure they hire from the community that they will ultimately be located in. She further stated that Muncie has a strong training program and are committed to helping people strengthen their skills and advance their careers.

Commissioner Bracy asked if they are anticipating new housing as a result of the expansion. Mrs. Kamas stated having that substantial of an investment go into that site, certainly bodes well for the neighborhood surrounding it. The Housing Authority is currently working on a conversion of Comanche Park.

Downtown Master TIF

The City is currently working on several projects that includes negotiating Development Agreements within the Downtown Master TIF boundary and focusing on finalizing TIF Policy that will provide clarity on how to make decisions for funding. The next step is focusing on the policy and learning how to identify and prioritize potential public projects to be funded.

Downtown and Near Downtown Housing Study

TDA Executive Director met with the consultant team and they focused on the analysis of the market and the demand on various price points for housing in our study area. Kian Kamas stated the primary focus is understanding how we can redeploy their revolving loan funds that will be returning over the next several years. She also stated that $5.6 million will be coming back this year and $5.2 million next year.

Commissioner Bracy inquired how the funds can be used to expand and take it further north. Mrs. Kamas stated the focus is on the study of the boundaries that are within the Downtown Housing Study that stretches north and stops at Pine. Their goal is to have maximum impact and encourage more people to live in the urban core of the city that will help the neighborhoods grow and revitalize, while determining different strategies the City can use with those funds.
Retail Market Study and Strategy

Commissioner Boxley stated that several commissioners, as well as the community, have expressed great concern about some of the existing buildings, particularly in North Tulsa, that can be repurposed and beautified to stabilize and increase the Retail Development area due to a lack of diverse retail opportunities in different sections of the city.

Mrs. Kamas responded and stated one of the strategies is to focus on Infill Development and create tools that will support the launch and growth of local retailers, as well as commercial small businesses. Currently, a strategy is being developed that the City is committed to the idea that National Retailers are important, and they are part of the future of how Tulsa will redevelop from a retail perspective. For areas like Cherry Street, Greenwood and Route 66 - those areas have remained vibrant by local retailers and commercial businesses. The City of Tulsa is going to do everything possible to support their growth and help as many Tulsans start businesses that will be become anchors for commercial centers.

6. City of Tulsa, Mayor’s Office of Housing Policy Director, Becky Gligo:

a. Information on the Housing Strategies and Policy.

Becky Gligo, Director of Housing and Policy, provided information on the Housing Strategy that will be launched in approximately two weeks. Mrs. Gligo stated the housing strategy has several areas of focus, ten goals and supportive action steps related to those goals. A few areas of focus are: Homelessness, Eviction, and Preservation of Existing Affordable Housing. Mrs. Gligo further stated there is great cooperation with the County Health Department, and part of the housing strategy will encompass the work that WIN is doing with the housing opportunity partnership program, that takes vacant and abandoned properties while partnering with non-profit developers to create affordable housing opportunities. TDA will continue to collaborate with Mrs. Gligo on how to maximize density to create more housing opportunities for Tulsans.

7. General Counsel:

a. Pending Litigation Report was included in the Commissioner’s packet: General Counsel Hartley provided the monthly pending litigation report and Counselor Hartley reported that any changes or new items are indicated in “BOLD” print. He also provided a status and overview of the report.

Lien Foreclosure:

- Alpine Roofing, LLC v. MGT Construction
  No new activity.
Breach of Contract and Lien Foreclosure:
- East End Village, LLC v. MGT Construction Management, Inc., et al
  No new activity.
- Sunbelt Fire Protection, Inc. v. MGT Construction Management, Inc., et al
  No new activity.

Declaratory Judgment:
- Hall Harper, et. Al v. TDA:

Other:
- Novus Homes (Wilkins), CV- 2016-998:
  Pretrial Conference was held on September 5, 2019. Non-jury trial to be held on October 31st and November 1st, 2019. Case remains pending.

  TDA General Counsel stated they had a one-day trial after the report was produced. No verdict has been received. A motion was filed to ask the court to determine the action to be moot. The court granted the other side fourteen days to respond.

Commissioner Bracy complimented General Counsel on moving the needle and resolving several issues.

8. Discussion, consideration and vote to accept Financial Reports

a. September 2019 - Income and Expenditure Report - included in the Commissioners’ packets: Cheryl Black, Assistant Controller, provided an updated report and an overview of the Income and Expenditure Report to the Commissioners and answered questions.

Commissioner Peters asked if TDA should create a policy in terms of notifying payment dates to acquire funds. TDA Executive Director reported the staff is currently working on a spreadsheet that indicates payment due dates and amounts due.

General Counsel advised we should not put it in a policy, given the lenders might say we are violating our policy, although it is in the note.

b. Credit Card Report – included in the Commissioners’ packets:
  TDA – Staff prepared a P-Card report.
c. Invoice from City of Tulsa, Finance Department – included in the Commissioners’ packets: Cheryl Black, Assistant Controller, provided an updated invoice from the COT for July 1 – September 30, 2019, to the Commissioner’s and answered questions.

d. TIF District Quarterly Report – included in the Commissioners’ packets: Cheryl Black, Assistant Controller, provided an updated report and answered questions.

e. Draft Audit for FY 2018-2019 – included in the Commissioners’ packets: Cheryl Black, Assistant Controller, was joined by Kristen Hughes, Auditor, who provided detailed information regarding the Draft Audit Report and answered questions.

After discussion, Commissioner Bracy moved to accept the Reports and approve the following Resolutions:


Resolution No. 6603 approving acceptance of the P-Card Report from the Tulsa Development Authority in the amount of $718.05 for charges from September 5, 2019 through October 4, 2019.

Resolution No. 6604 approving payment of invoice from the City of Tulsa Finance Department in the amount of $5,256.31 for services rendered from July 1, 2019 through September 30, 2019.

Resolution No. 6605 amending previous Resolutions for Appropriation from Accounts for TIF I, II, IV and V, and authorizing transfers from Current Appropriated Administration Balance to the Unobligated Cash Balance in said TIFs.

The motion was seconded by Commissioner Peters and the vote was recorded as follows:

Ayes: Mitchell, Peters, Bracy and Boxley
Nays: None

The motion passed unanimously.

9. Receive, Discuss and Vote:

a. Discussion, consideration and vote to approve a Resolution approving the Annual Calendar for 2020.
After discussion, Commissioner Bracy, moved to approve Resolution No. 6606 approving the Tulsa Development Authority Board Meeting Schedule for January 2020 to January 2021. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Mitchell, Peters, Bracy and Boxley
Nays: None

The motion passed unanimously.

b. Discussion, consideration and vote to approve a Resolution approving Amendment of TDA Policies and Procedures – Section 20. Real Estate Sales and Leasing and Amendment of TDA Land Disposition Procedures Manual, for the Imposition of Limitations Upon the Development, Leasing or Conveyance of TDA owned Property located North of the North Boundary of the Inner Dispersal Loop (IDL), former UCT Land.

After discussion, Commissioner Peters, moved to approve Resolution No. 6607 approving the Amendment of TDA Policies and Procedures – Section 20. Real Estate Sales and Leasing and Amendment of TDA Land Disposition Procedures Manual for the Imposition of Limitations Upon the Development, Leasing or Conveyance of TDA owned Property Located North of the North Boundary of the Inner Dispersal Loop (IDL), former UCT Land. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Mitchell, Peters and Boxley
Nays: Bracy

The motion passed by a majority vote.

c. Discussion, consideration and vote to terminate a Contract for Private Redevelopment between Shelia B. Thompson and the Tulsa Development Authority for the purchase of property located at 1960 North Hartford Avenue, Tulsa, Oklahoma.

After discussion, Commissioner Peters, moved to approve Resolution No. 6608 approving the termination and cancellation of Contract with Shelia Thompson for Redevelopment of Real Property Located at 1960 North Hartford Avenue, Tulsa, Oklahoma and Repurchase of said Real Property by TDA. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Mitchell, Peters, Bracy and Boxley
Nays: None

The motion passed unanimously.
d. Discussion, consideration and vote to terminate a Contract for Private Redevelopment between Floyd Roberts and Kuma Roberts and the Tulsa Development Authority for the purchase of property located at 1980 North Hartford Avenue, Tulsa, Oklahoma.

After discussion, Commissioner Peters, moved to approve Resolution No. 6609 approving the termination and cancellation of Redevelopment Contract with Floyd Roberts and Kuma Roberts for Redevelopment of Real Property Located at 1980 North Hartford Avenue, Tulsa, Oklahoma and Repurchase of said Real Property by TDA. The vote was recorded as follows:

Ayes: Mitchell, Peters, Bracy and Boxley
Nays: None

The motion passed unanimously.

Commissioner Bracy moved to go into Executive Session at 10:35 a.m., seconded by Commissioner Boxley. The vote was recorded as follows:

Ayes: Mitchell, Peters, Bracy and Boxley
Nays: None

The motion passed unanimously.

10. 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)(11) 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 negotiations with Kevin Rice of Amenome, LLC, for redevelopment of the Laura Dester Site located at 1427 East 8th Street, Tulsa, Oklahoma. [(Title 25 O. S. Section §307 (C)(11).]

b. Confidential communication with Counsel regarding status of negotiations of the terms and conditions of an Amendment to an existing Redevelopment Agreement between TDA and Pearl Development, LLC for property located on the southwest
corner of South Peoria Avenue and East 6th Street South, Tulsa, Oklahoma. [(Title 25 O.S. Section §307(C)(11).]

c. Confidential communication with Counsel regarding an amendment to the terms and conditions of an Agreement with Mayfield, LLC for a loan of TDA unrestricted funds in support of the purchase and redevelopment of real property and subsequent redevelopment to support an economic development initiative by Mayfield, LLC, impacting the development of Downtown Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307 (c)(10).]

d. Confidential communication with Counsel regarding a possible amendment with FSL2, LLC, also known as Jacob’s Lofts (formerly First Street Lofts) of the terms and conditions for a loan of Downtown Housing funds in support of the redevelopment of property located at 301 East 1st Street, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (11).]

e. Confidential communication with Counsel regarding pending litigation for property located at 744 East Pine Street, Tulsa, Oklahoma, and recommendation to retain Special Counsel for TDA. (Case No. CV-2017-1049.) (Rupe Helmer Group/Tulsa 18537, LLC – Dollar General Project.) [25 O.S. §307(b) (4) and §307 (C) (11).]

f. Confidential communication with Counsel regarding pending litigation filed by Wilkins in Case No. CV-2016-998. [25 O.S. §307(b) (4) and §307 (C) (11).]

11. **Vote to Return to Open Session:** Commissioner Boxley moved to return to Open Session at 11:23 a.m., seconded by Commissioner Peters. The vote was recorded as follows:

Ayes: Mitchell, Peters, Bracy and Boxley
Nays: None

The motion passed unanimously.

12. **Statement of the 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.

13. **Discussion, consideration and vote on items discussed in Executive Session.**

10.d. Confidential communication with Counsel regarding a possible amendment with FSL2, LLC, also known as Jacob’s Lofts (formerly First Street Lofts) of the terms and conditions for a loan of Downtown Housing funds in support of the redevelopment of property located at 301 East 1st Street, Tulsa, Oklahoma. [25 O.S. §307(b) (4) and §307(c) (11).]
After discussion, Commissioner Bracy, moved to approve Resolution No. 6610, denying a request for an Amendment to the Redevelopment Agreement between the Tulsa Development Authority and the First Street Lofts, LLC. Commissioner Peters seconded the motion. The vote was recorded as follows:

Ayes: Mitchell, Peters, Bracy and Boxley
Nays: None

The motion passed unanimously.

14. New Business: Commissioner Bracy acknowledged that this will be Commissioner Peters last meeting with Tulsa Development Authority and how he was a great support to TDA as well as the City. Vice Chairman Mitchell added that Commissioner Peters brought honor and integrity in the decision-making process. Commissioner Bracy's sentiments were echoed by Commissioners Boxley and Mitchell, and by Executive Director Walker.

15. Adjournment: Vice Chairman Mitchell adjourned the meeting at 11:45 a.m.

Approved as to legal form and adequacy: Tulsa Development Authority:

[Signature]
Jot Hartley, Esq., General Counsel

By: [Signature]
Steve Mitchell, Vice Chairman

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