DATE: MARCH 25, 2020
TO: TDA BOARD OF COMMISSIONERS
FROM: JOT HARTLEY
RE: PENDING MATTERS REPORT (NON-LITIGATION)

1. Pearl Development, LLC (Darrin Ross):
   - Negotiations pending with Redeveloper regarding termination of Contract for Sale of Land for Private Redevelopment and TDA consent for Redeveloper to sell subject Property to a third party (believed to be VEP II, LLC). Issues include retention of Good Faith Deposit and allocation of proceeds from resale by Redeveloper.
   - VEP II, LLC has indicated an interest in becoming an assignee of Pearl Development LLC for this property. No communication received from Mr. Ross nor his counsel on this matter during last 30 days.

2. VEP II, LLC:
   - Redeveloper received a partial assignment of Contract from Village at Central Park, LLC for 10 lots. TDA Board consented to the partial assignment subject to Redeveloper and TDA entering into a new Contract for Sale of Land for Private Redevelopment for the 10 lots. Proposed Contract has been signed by Redeveloper and requires separate approval by TDA Board. Presently discussing parking plans with Redeveloper and residents of The Village at Central Park. Separate and apart from approval of the Contract, Construction Plans and Specifications are subject to review and approval by TDA Board.

3. Kirkpatrick Heights (TDA Land north of IDL):
   a. Interim use agreement with WPX/Flintco use of vacant lot for parking and laydown area during construction of WPX tower.
   b. Interim use of land for Juneteenth Festival – negotiation of license in process.
   c. Planning for development of the Property is presently being conducted by consultant’s retained by the City of Tulsa.
   d. Title issue for vacated alley next to Vernon AME Church and vacation of plat restrictions for land east of Greenwood Avenue – opinion of TDA General Counsel issued – awaiting response.

4. Morton Building Site:
   a. Continued negotiations with Morton’s Reserve Properties, LLC (Michael Smith) for redevelopment of former Morton Hospital facilities.
b. Prepared Sixth Amendment to grant Redeveloper additional time until April 2020 meeting to demonstrate financial ability to construct project.
c. Request for interim use of site by Bobby Eaton, Jr. for farmer’s market has been considered with recommendation that it be denied.

5. Kendall-Whittier Area:
   - Tulsa Bike Share Bike Racks license agreement for installation of bike racks on TDA owned property on corner of East Admiral Blvd and South Lewis Ave.

6. Block 44 (Vast Bank/Ross Group):
   a. Continue to monitor, review and approve Advance Requests for relocation of overhead utility lines.
   b. Continue efforts to locate Darven Brown commemorative bust or plaque other than VAST Bank lobby and amendment of VAST Bank contract.

7. Stephon and Anita Chappell:
   - Working with TDA staff to complete exchange of residential development lots on North Peoria Ave. (to TDA) for lots on East Queen Street (to Chappell).
   - Exchange agreement approved by TDA Board and parties are in the process of completing the exchange. New Contract for Sale of Land for Private Redevelopment between TDA and Chappells drafted.

8. Laura Dester Site:
   a. Mayor Bynum has signed the Contract for Sale of Land for Private Redevelopment, completing all necessary signatures.
   b. Work with TDA staff and title company to satisfy requirements for closing sale to Amenome, LLC – abstracts ordered.

9. Tulsa Economic Development Corporation (North Peoria TIF):
   a. Awaiting determination as to amounts of TIF funds available from North Peoria TIF.
   b. Preliminary determination of permitted expenditures under terms of North Peoria TID Project Plan for proposed financial assistance to public infrastructure/public owned facility requirements of TEDC Project Oasis grocery store development.
   c. Possible declaratory judgment action for approval of any direct assistance to TEDC for non-infrastructure/public owned facilities needed for project.

10. North Tulsa TIF:
    a. Working on term sheet for separate TIF for Alfresco Development, LLC. Will follow with Financial Assistance Agreement to be executed
upon approval of Alfresco TIF by Tulsa City Council.

b. Following meeting with representatives of Redeveloper and its counsel, the Redeveloper has expressed a desire to revise the description of the minimum project specifications to decrease parking structure scope for first and second phases of project. As a result, the preparation of the Term Sheet and Financial Assistance Agreement for the Alfresco Project are temporarily on haitus.

c. Continue to work with TDA staff and City staff to assimilate information needed for Leslie Batchelor to create Project Plan for remainder of North Tulsa TIF.

11. Employee Issues:
   a. Continue to work with TDA Chairwoman and Special Counsel Robert Sartin regarding suspension of TDA Executive Director and subsequent investigation
   b. Working with Special Counsel on final language for Settlement Agreement with Mr. Walker and consultation with Chairwoman Roberts.
   c. Ongoing review of TDA policies regarding employees.
   d. Continued consultation with TDA Chairwoman re TDA Staff issues.

12. Unity Heritage - Greenwood Neighborhoods Sector Plan:
   a. Continue to prepare for and participate in Citizens Advisory Team (CAT) meetings.
   b. Attended March 12, 2020 CAT meeting at Langston University campus.
   c. Work with TDA and City Staff to obtain approval of Amendment to Unity Heritage - Greenwood Neighborhoods Sector Plan.

13. Crosbie Heights Sector Plan:
   - Providing assistance to TDA staff in efforts to obtain approval. Waiting on indication from property owners’ group and City Council that Plan is ready to proceed to consideration for approval.

14. Downtown Development RFP:
   - Continue to provide review of Advance Request documentation and assist with amendment and revisions of Redevelopment Agreements as necessary to facilitate completion of projects.

15. Downtown Housing RFP 2018:
   - Continue to provide review of Advance Request documentation and assist with amendment and revisions of Redevelopment Agreements as necessary to facilitate completion of projects.
   - Reviewed 403 Cheyenne Project Advance Request

16. One Place SE, LLC:
   - Work with counsel for Redeveloper and proposed partner for Contract
Amendment to facilitate construction of final phase of One Place project at southwest corner of 3rd and Denver
- Prepared Sixth Amendment to Contract for TDA Board approval.

17. TDA Board and Staff Training:
- Working on training materials as directed by TDA Chairwoman including Oklahoma Open Records Act, Oklahoma Open Meeting Act, Eminent Domain Powers of Urban Renewal Authority, Confidentiality and Conflict of Interest, Sector Plan Operations and TIF Administration.

18. Leroy Alfred Lot Purchase – Lot 2, Block 2, Dirty Butter-Heritage Hills Subdivision
- Working on satisfaction of title requirements created by IRS tax lien filed against previous purchaser of property re-conveyed to TDA in cancellation of TDA contract rights.

19. TDA Board Meetings – State of Emergency Amendments to Open Meeting Act – Videoconference meeting permitted.
- Review SB661, confer with Chairwoman Roberts re amendments to Sections 307 and 311 of Open Meeting Act
- Preparation of Memorandum regarding requirements for notices of TDA board meetings and for conduct of TDA Board meeting by videoconference.

This Memorandum is subject to attorney/client privilege and is not to be published to any other person other than the intended recipients named above without the express consent of the Tulsa Development Authority.
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<th>Case Type</th>
<th>Plaintiff/Defendant</th>
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| Lien Foreclosure                              | Alpine Roofing, LLC v MGT Construction Management, East End Village, LLC; Larson Development; TDA and others | CJ-2015-1898   | MGT Construction has filed for bankruptcy protection. Lien claimants have sought to join the parent company of MGT Construction. Case remains pending. Pretrial Conference was set for 3-25-20 at 10:30 a.m. and the Jury trial was set for 4-13-20 at 9:30 a.m.  
- Due to the Supreme Court Order filed on March 16, 2020 all Jury Terms for the next 30 days were canceled and will be reset as soon as possible.  
- Case remains pending                                                                 |
| Breach of Contract and Lien Foreclosure and Counterclaims | East End Village, LLC v MGT Construction Management, Inc. et al                     | CJ-2015-2212   | This case has been consolidated with CJ-2015-1898 case listed above. No new activity |
| Breach of Contract and Lien Foreclosure        | Sunbelt Fire Protection, Inc v. MGT Construction Management, Inc. et al              | CJ-2016-1738   | This case has been consolidated with CJ-2015-1898 case listed above. No new activity |
| Declaratory Judgment                           | Vanessa Hall-Harper et. al v. TDA                                                   | CV-2017-1049   | Filed by Tulsa City Councilor Vanessa Hall-Harper (in her individual capacity) and others alleging violation of the Open Meeting Act  
- Scheduling Conference held on September 5, 2019. Mediation ordered  
- On March 6, 2020 an Order on TDA’s motion to conduct trial as a non-jury trial was entered. Parties have agreed that the matter should be set for non-jury trial. TDA’s Motion to Dismiss on the grounds of mootness was denied.  
- Case remains pending.                                                                 |
| Other                                          | Novus Homes (Wilkins)                                                               | CV-2016-998    | Filed by Wilkins seeking declaratory judgment that TDA violated open meeting act with regard to issuance of Block 44 RFP.  
- Judge Drummond has denied Plaintiff’s (Wilkins) Motion for Partial Summary Judgment  
- On November 22nd, 2019, Judge Drummond granted TDA’s Motion to Dismiss for Mootness.  
- Plaintiffs have filed an appeal, which has been placed on the accelerated appeal docket. Appellant filed certified record on 1-27-2020.  
- TDA counsel filed a supplemental record on appeal on February 12, 2020.  
- Case remains pending.                                                                 |