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 – October 1, 2020
9:00 a.m.

Via ZOOM videoconference pursuant to instructions set forth on the Agenda for this meeting

Present: Absent:
Nancy Lynn Roberts, Chairwoman  
Steve Mitchell, Vice Chairman  
Carl Bracy, Commissioner 
Thomas Boxley, Commissioner 
Ashley Philippsen, Commissioner

Jot Hartley, General Counsel 
Casey Stowe, Development & Project Manager

Also, Present:  Also, Present:
Franchell Abdalla  
Kevin Anderson  
Annette Bess  
Cheryl Black  
Linn Cain  
Jim Coles  
Michael Dickerson  
Walker Hanson  
Brian Kurkzt
Rhett Morgan  
Burlinda Radney  
Dawn Warrick

TDA Staff Present:
Demiauri Myers  
Nicole Travis

The Regular Meeting was called to order at 9:00 a.m. by Chairwoman Roberts. Decisions will be made, votes and action taken. Reports and supporting documentation were distributed for this meeting and made available on the TDA website. They will be incorporated by reference into the minutes and filed with the meeting packet.
Roll Call: Nicole Travis called roll: Chairwoman Roberts, Vice Chairman Mitchell, Commissioner Bracy, Commissioner Boxley and Commissioner Philippson were present. A quorum was present.

1. Review of Consent Agenda and request to remove item(s) from the Consent Agenda for separate discussion, consideration and vote:

2. Request to remove item(s) from the consent agenda.

3. Consideration of Consent, Routine, Repetitive Items for discussion, consideration, and vote:
   a. 3.a.- Minutes of August 6, 2020 Regular Meeting.
   b. 3.b.- Minutes of August 6, 2020 Executive Session Meeting.
   c. 3.c.- Minutes of August 20, 2020 Special Meeting.
   d. 3.d.- Minutes of August 20, 2020 Executive Session Special Meeting.
   e. 3.e.- Resolution No. 6735 approving payment of Advance No. 5 in the amount of $130,288.14 to Vast Bank (Valley National Bank), pursuant to a Loan Agreement for utility relocation representing 100% total completion.

After discussion, Vice Chairman Mitchell moved to approve Agenda Items 3.a., 3.b., 3.c., 3.d., and 3.e. Commissioner Boxley seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Mitchell, Bracy, Boxley and Philippson
Nays: None

The motion passed unanimously.

4. Consideration of Item(s) Removed from Consent Agenda (Separate discussion, consideration, and vote on each item)

None.

5. Discussion, consideration and vote to accept Chairwoman and Project Monthly Reports:

   a. Chairwoman's Corner Report, Nancy Lynn Roberts
Chairwoman Roberts provided an update on Casey Stowe's progress with Tulsa Development Authority (TDA) who recently assumed a significant portion of the day to day operational matters, as well as being brought up to speed on existing development projects. Roberts stated Stowe's development expertise has been extremely beneficial to TDA since he can nearly serve as a consultant for the developers to help facilitate and evaluate their projects. Roberts further stated TDA has witnessed the benefit and is thrilled to have that type of talent on board.

Meridia Extension: Roberts explained the Meridia project, as well as their recent request for an extension or deferral of payment in light of economic circumstances. Roberts indicated that the request is being processed first through the City's incentive review policy program. However, it will later come to TDA once recommendations are received from the City on what their incentive review policy states.

Policy and Procedure Review Underway: Roberts provided an update regarding the TDA Policies and Procedures and is hopeful that a revised and updated Policy and Procedure for TDA will be presented to the board at the next meeting in December. Roberts mentioned General Counsel Hartley will work on redlines for the next few months.

Website Release: Chairwoman Roberts announced TDA’s new and improved website. The website has increased content, as well as an Education Page which includes programs that were provided to the GUHCAT that are now accessible to the public. A News Section was also added to correspond with the Newsletter along with a PDF search feature to access all past and current board documents. Roberts stated it is TDA’s desire that the new website will become more of a resource for individuals who choose to engage with TDA. Presently, TDA has shifted its' focus on social media, as well as creating a plan for communicating through various platforms. The public was encouraged to visit the website and subscribe to the newsletter.

Commissioner Bracy inquired if the next regular meeting will be held by videoconference or in person?

General Counsel Hartley responded and stated the meeting will be in person. Counsel added the legislature will need to pass legislation in order to extend the temporary authority to meet by zoom or videoconference. The projected end date of all meetings being held by videoconference is November 15, 2020. Unless the Governor extends the COVID-19 pandemic moratoriums.
b. Project Monthly Report, Demauri Myers

Demauri Myers, Project Analyst provided an update on the current projects, as well as highlighted new activity from the monthly project report which is attached by reference to the minutes and can be found on the TDA website.

After discussion, Commissioner Philippson moved to accept TDA Chairwoman and Monthly Project Report for October 2020. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Mitchell, Bracy, Boxley and Philippson
Nays: None

The motion passed unanimously.

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

a. Monthly Update regarding Community and Economic Development Strategic Planning

Chairwoman Roberts provided an update regarding Community and Economic Development Strategic Planning on behalf of Kian Kamas. Roberts stated HR&A is currently working on a mission for all authorities to align with the economic development focus of racial equity and shared prosperity. The City have received a great deal of recommendations from HR&A as it relates to organizational structure and how we can bring the authorities together and share resources which means lower cost of expenses, administrative cost and more funds available to invest in the community.

Roberts mentioned there have been discussions regarding additional staffing that might be needed for the shared group of authorities and what the organizational structure will look like. Roberts affirmed that TDA will maintain its own separate board and independent decision making authority, but the overall goal is to share a variety of resources including Executive, Staff and Legal resources to operate more efficiently and effectively as a whole between all of the authorities. The timeline to bring it into fruition is July 1, 2021. HR&A along with the City will collaborate on bringing things together operationally and will make the necessary moves to bring the organizational structure to life.

7. General Counsel presented the litigation and non-litigation reports:

Pending Litigation Report was included in the Commissioner’s packet:
General Counsel Hartley provided the monthly pending litigation report and Counsel Hartley reported that any changes or new items are indicated in “BOLD” print.
General Counsel presented the non-litigation report that outlines other matters regarding TDA. Chairwoman Roberts noted the purpose of this report in part was to make the public and the Board aware of the activity and advances made on non-litigation matters currently pending within TDA and being worked by the General counsel.

Both reports are incorporated by reference into these minutes and are posted on the TDA website for easy public access following the meeting and in accordance with the standard posting processes and practices of the TDA.

General Counsel Hartley introduced his son Travis Hartley who is currently assisting him with the revisions of the TDA Policies and Procedures.

Chairwoman Roberts provided an update regarding the Greenwood Unity Heritage Citizens Advisory Team (GUHCAT) and where they stand regarding the recommendation. Roberts stated the GUHCAT detoured from the initial directive which was to assist in evaluating the proposed amendment that would allow TDA to operate and exercise its full authority as an Urban Renewal Authority in the sector plan, which means bringing on board TDA’s powers of eminent domain, and by bringing on those powers is based fully on the findings of blight. Roberts further stated that TDA is doing their best to redirect and explain how a sector plan is a broad plan that never fully pictures the end result of development, but hopeful the GUHCAT will find redirection on what the focus and purpose is of the team.

Roberts added that TDA received a letter from Old Mother Tucker Project. Presently, no actions have been taken, but questions have been raised regarding the project. Roberts specified that Casey Stowe and Demauri Myers will pursue and sort out the details this month. If there is any update that requires action or recommendation it will be provided at the December meeting.

Roberts thanked Travis Hartley for attending the meeting, as well as acknowledged his great work with TDA behind the scenes.

8. Discussion, consideration and vote to accept Financial Reports

a. August 2020 - Income and Expenditure Report - Cheryl Black, Assistant Controller, provided an updated report and an overview of the Income and Expenditure Report to the Commissioners and answered questions.

b. Comparative Financial Report – Cheryl Black, Assistant Controller, provided an updated report and an overview of the Comparative Financial Statement to the Commissioners and answered questions.

c. TIF Reports – Cheryl Black, Assistant Controller, provided an updated report and an overview of the TIF Reports to the Commissioners and answered questions.
d. **Draft TDA Audit** – Cheryl Black, Assistant Controller, provided an updated report and an overview of the Draft Audit to the Commissioners and answered questions.

e. **Invoice from the City of Tulsa, Finance Department** - Cheryl Black, Assistant Controller, provided an updated invoice from the City of Tulsa for April 1, 2020 through June 30, 2020 and answered questions.

Commissioner Bracy inquired of the overall financial condition of TDA?

Cheryl Black responded and stated under the guidance and direction of Chairwoman Roberts the finances have improved.

Chairwoman Roberts added TDA has improved operationally, as well as reporting to make it more transparent and visible to the public.

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


**Resolution No. 6737** approving the TIF Reports.

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

Ayes: Roberts, Mitchell, Bracy, Boxley and Philippsen
Nays: None

The motion passed unanimously.

After discussion, Vice Chairman Mitchell moved to accept the City of Tulsa Invoice and approve the following Resolution:

**Resolution No. 6738** approving the City of Tulsa Invoice for April 1, 2020 thru June 30, 2020.

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

Ayes: Roberts, Mitchell, Bracy, Boxley and Philippsen
Nays: None

The motions passed unanimously.
9. Receive, Discuss and Vote:

a. Discussion, consideration, and vote to approve a Resolution authorizing the first and final draw payment of a Brady Arts District Owners Association request from the Brady District TIF Grant Application(s) #11 & #12 Streetscaping funds for the following:

   i. Archer Building Streetscaping GKFF
      1. 215 East Archer Street
      Project Cost $555,750.00
      Amount Requested $147,500.00

After discussion, Commissioner Boxley, moved to accept Resolution No. 6739 authorizing expenditure of funds from Tax Increment District Number One (Brady Village TIF) for grant application No. 11 – Archer Building Streetscaping GKFF. Vice Chairman Mitchell seconded the motion. The vote was recorded as follows:

   Ayes: Roberts, Mitchell, Bracy, Boxley and Philippsen
   Nays: None

   The motion passed unanimously.

   ii. The Flats on Archer Streetscaping
       1. 110 North Boston Avenue
       Project Cost $225,000.00
       Amount Requested $75,000.00

After discussion, Commissioner Boxley, moved to accept Resolution No. 6740 authorizing expenditure of funds from Tax Increment District Number One (Brady Village TIF) for grant application No. 12 – The Flats on Archers Streetscaping. Commissioner Bracy seconded the motion. The vote was recorded as follows:

   Ayes: Roberts, Mitchell, Bracy, Boxley and Philippsen
   Nays: None

   The motion passed unanimously.

b. Discussion, consideration, and vote to approve a Resolution authorizing the appropriation of Technology TIF No. 3 unobligated funds in the amount of $191,750.00 to be awarded to the Downtown Coordinating Council to support eligible capital improvements and repairs to the Center of the Universe and Boston Avenue Pedestrian Bridge in the heart of Downtown Tulsa.
Brian Kurtz, Downtown Coordinating Council provided a detailed presentation regarding the Center of the Universe project and how it could transform Downtown Tulsa.

Commissioner Bracy inquired who is legally obligated for the repairs?

Brian Kurtz responded and stated the Boston Avenue Bridge is a City of Tulsa asset and the Downtown Coordinating Council are working to determine which department within the City itself has the full obligations of it.

Commissioner Bracy inquired if the funds can be used for this type of design?

General Counsel stated there is no prohibition in the plan for using the money for any project cost which are not defined in the plan. It is fully up to the board to define and determine what is a project cost and what are the components which could include design. General Counsel also stated in his opinion the board could commit the use of those funds toward the project, but the individual items such as the contract for design services should return back to the board for review and approval as the administrator of the TIF.

After discussion, Commissioner Bracy, moved to accept Resolution No. 6741 authorizing request from Downtown Coordinating Council for Expenditure of Funds from Tax Increment District Number Three (Technology TIF) for Capital Improvements and Repairs to the Center of the Universe and Boston Avenue Pedestrian Bridge. Vice Chairman Mitchell seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Mitchell, Bracy, Boxley and Philippsen
Nays: None

The motion passed unanimously.

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

Ayes: Roberts, Mitchell, Bracy, Boxley and Philippsen
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)(1) for discussion of the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee; 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

8
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 General Counsel regarding a pending investigation, claim or action and matters pertaining thereto – request for approval to negotiate an agreement with Oklahoma State University – Tulsa Campus for the preservation and curation of TDA historic records. [(Title 25 O.S. Section §307 (B)(4).]

b. Confidential communication with TDA General Counsel regarding a pending investigation, claim or action and matters pertaining thereto – discussion and update on Pine Place Development and redevelopment of the Morton site. [(Title 25 O.S. Section §307(B) (4).]

c. Confidential communications with TDA General Counsel regarding a requested Fourth Amendment to the terms and conditions of a Redevelopment Agreement with Mayfield, LLC, to provide that the initial design and planning phase of the Amended Project shall be completed on or before December 31, 2021 and that construction of the Amended Project shall be commenced by December 31, 2023 for real property described as: The North 75' of Lot Two (2), All of Lots 1, 5 and 6, and the North 175' of the 20' vacated alley, in Block Thirty-nine (39), ORIGINAL TOWN, NOW CITY OF TULSA, Tulsa County, State of Oklahoma, according to the Official Plat thereof. [(Title 25 O.S. Section §307(B)(4).]

[Casey Stowe, TDA Development and Project Manager, to exit Virtual Executive Session during the discussion of the item pertaining to Mayfield, LLC.]

11. Vote to Return to Open Session: Commissioner Bracy moved to return to Open Session at 11:27 a.m., seconded by Commissioner Boxley. The vote was recorded as follows:

Ayes: Roberts, Mitchell, Bracy, Boxley and Philippsen
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.

a. OSU – Preservation and curation of TDA historic records – No action taken at this time.

b. Morton Site – For information only.

c. Confidential communications with TDA General Counsel regarding a requested Fourth Amendment to the terms and conditions of a Redevelopment Agreement with Mayfield, LLC, to provide that the initial design and planning phase of the Amended Project shall be completed on or before December 31, 2021 and that construction of the Amended Project shall be commenced by December 31, 2023 for real property described as: The North 75’ of Lot Two (2), All of Lots 1, 5 and 6, and the North 175’ of the 20’ vacated alley, in Block Thirty-nine (39), ORIGINAL TOWN, NOW CITY OF TULSA, Tulsa County, State of Oklahoma, according to the Official Plat thereof. [(Title 25 O.S. Section §307(B) (4).]

After discussion, Commissioner Philippsen moved to accept Resolution No. 6742 approving Fourth Amendment to Redevelopment Agreement between Mayfield, LLC and Tulsa Development Authority for the Redevelopment of a Portion of Block 39, City of Tulsa, Oklahoma. Commissioner Bracy seconded the motion. The vote was recorded as follows:

Ayes: Roberts, Mitchell, Bracy, Boxley and Philippsen
Nays: None

The motion passed unanimously.

14. New Business: TDA has moved to a by-monthly schedule, not less than six meetings per year. Next Meeting will be held on December 3, 2020.

15. Adjournment: Chairwoman Roberts adjourned the meeting at 11:45 a.m.

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

Jot Hartley, Esq., General Counsel

By: Steve Mitchell, Vice Chairman

[(10-7-2020 – Regular Meeting Minutes – nt)]