

TULSA PUBLIC FACILITIES AUTHORITY

Regular Meeting: October 22, 2015

MINUTES

Trustees of the Tulsa Public Facilities Authority met for a Regular Meeting on Thursday October 22, 2015 at 4:30 PM in RM 10-205 at City Hall at One Technology Center. Due notice was posted at 2:28 PM on October 21, 2015 with the City Clerk's Office, Suite 260, City Hall at One Technology Center, Tulsa, Oklahoma.

1. Call to Order.

Upon obtaining a quorum, Mr. Cremin, Chairman, called the meeting to order at approximately 4:37 PM.

TRUSTEES PRESENT

J. Patrick Cremin, Chairman
Chuck Blue, Secretary
Marcia MacLeod, Vice Chairman
Jim Twombly, Mayoral Designee Present, Not Voting
Dewey F. Bartlett, Mayor

TRUSTEES ABSENT

George Sartain

OFFICERS PRESENT:

Melissa Stice, Assistant Secretary
Michael Kier, City Finance

OTHERS PRESENT:

Tom Simpson, SMG; Christy Basgall, City Finance; Jean Lu, City Finance; Shirley Twilley, City Finance; Ellen Hinchee, City Legal; Janine VanValkenburg, City Legal

2. Approval of Minutes from the September 24, 2015 Regular Meeting

No changes to the minutes were requested.

Motion: MacLeod moved approval of the minutes of the September 24, 2015 Regular Meeting

Second: Blue

Vote: The motion carried with the following votes:

Aye: MacLeod, Blue, Bartlett, Cremin

Nay: None

3. Approval of Minutes from the October 12, 2015 Special Meeting

No changes to the minutes were requested.

Motion: MacLeod moved approval of the minutes of the October 12, 2015 Special Meeting

Second: Blue

Vote: The motion carried with the following votes:
Aye: MacLeod, Blue, Bartlett, Cremin
Nay: None

4. Review and approve 2016 Annual Meeting Schedule

Mrs. MacLeod pointed out that the November meeting should reflect 2016 as the year.

Motion: Blue moved approval of the approval of the 2016 Annual Meeting Schedule as edited

Second: MacLeod

Vote: The motion carried with the following votes:
Aye: MacLeod, Blue, Bartlett, Cremin
Nay: None

5. Approval of a first amendment to the Management Agreement with SMG (Mike Kier, City of Tulsa)

Mr. Kier noted that this item is still being reviewed by the Legal department. The 1st amendment will provide for an extraordinary events provision in the current Management Agreement with SMG

6. BOK Arena & Tulsa Convention Center Financial Reports and Incentive Fee Reports. (Tom Simpson, SMG)

Mr. Simpson presented this item. He noted that they received a clean unqualified audit on both facilities from Grant Thornton. Grant Thornton also issued their incentive fee reports, agreeing with SMG's calculation to receive 100% of all three incentive fees on both buildings. Discussion with the Trustees ensued.

7. Discussion of City Council Resolution for approval of project creation of a Tax Increment District (the East Side Sales Tax TIF); and directing that a review committee be appointed to make all necessary findings regarding the plan and project, and make a recommendation with respect to the project (Mike Kier, City of Tulsa)

Mr. Kier presented this item. He noted that the City is looking at an East Side Tax Increment Financing (TIF) District. This TIF is envisioned to work solely off of City sales tax. TPFA is being looked at as a potential authority for administering the TIF. A project plan will be brought back in the future for consideration by the Trustees

8. Consider a motion and vote to enter Executive Session pursuant to Title 25 O.S. Section 307(B)(4) to discuss pending and potential litigation regarding the Purchase and Sale Contract for land owned by Tulsa Public Facilities Authority at 71st and Riverside, for the purpose of allowing confidential communications between a public body and its attorney concerning a pending

claim, investigation, or litigation. (Ellen Hinchee and Janine Van Valkenburg, City of Tulsa)

Motion: Blue motioned to enter Executive Session pursuant to Title 25 O.S. Section 307(B)(4) to discuss pending and potential litigation regarding the Purchase and Sale Contract for land owned by Tulsa Public Facilities Authority at 71st and Riverside, for the purpose of allowing confidential communications between a public body and its attorney concerning a pending claim, investigation, or litigation.

Second: Bartlett

Vote: The motion carried with the following votes:
Aye: Cremin, MacLeod, Bartlett, Blue
Nay: None

The members entered Executive Session at 5:02 PM. Mr. Kier, Mrs. Hinchee, Ms. VanValkenburg, and Ms. Stice were also present. Mrs. Hinchee presented the item.

9. Leave Executive Session on discussion of pending and potential litigation regarding the Purchase and Sale Contract for land owned by Tulsa Public Facilities Authority at 71st and Riverside for the purpose of taking any appropriate related actions.

Upon conclusion of the discussion, the meeting was opened to the public.

Motion: Macleod moved that the members of TPFA affirm that the information presented did support the need for an executive session, that nothing other than pending and potential litigation regarding the Purchase and Sale Contract for land owned by Tulsa Public Facilities Authority at 71st and Riverside was discussed, and that the members leave executive session.

Second: Bartlett

Vote: The motion carried with the following votes:
Aye: Cremin, MacLeod, Bartlett, Blue
Nay: None

Motion: MacLeod motioned to seek a narrow declaratory judgement to clarify TPFA's responsibilities regarding the sale of property that TPFA holds at 71st and Riverside with regard to abandoning the public use.

Second: Blue

Vote: The motion carried with the following votes:
Aye: Cremin, MacLeod, Bartlett, Blue
Nay: None

Motion: MacLeod motioned to seek to dismiss the Immel lawsuit

Second: Bartlett

Vote: The motion carried with the following votes:
Aye: Cremin, MacLeod, Bartlett, Blue

Nay: None

10. Consider a motion and vote to enter Executive Session pursuant to Title 25 O.S. Section 307(B)(4) to discuss the Master Lease Agreement for One Technology Center, for the purpose of allowing confidential communications between a public body and its attorney concerning a pending claim, investigation, or litigation. (Mike Kier and Ellen Hinchee, City of Tulsa).

Motion: Blue moved to enter executive session pursuant to Title 25 O.S. Section 307(B)(4) to discuss the Master Lease Agreement for One Technology Center, for the purpose of allowing confidential communications between a public body and its attorney concerning a pending claim, investigation, or litigation.

Second: Bartlett

Vote: The motion carried with the following votes:

Aye: Cremin, MacLeod, Bartlett, Blue

Nay: None

The members entered Executive Session at 5:40 PM. Mr. Kier, Mrs. Hinchee, Ms. VanValkenburg and Ms. Stice were also present. Mr. Kier presented the item.

11. Leave Executive Session on discussion of One Technology Center for the purpose of taking any appropriate related actions.

Upon conclusion of the discussion, the meeting was opened to the public.

Motion: Bartlett moved that the members of TPFA affirm that the information presented did support the need for an executive session, that nothing other than the Master Lease Agreement for One Technology Center was discussed, and that the members leave executive session.

Second: Blue

Vote: The motion carried with the following votes:

Aye: Cremin, MacLeod, Bartlett, Blue

Nay: None

12. New Business

No new business

13. Discussion of potential upcoming agenda items.

14. Next Regular Meeting: November 19, 2015.

15. Adjournment

16. New Business

Motion: MacLeod moved to adjourn

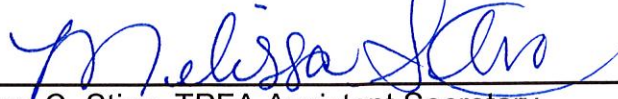
Second: Bartlett

Vote: The motion carried with the following votes:

Aye: MacLeod, Cremin, Blue, Bartlett

Nay: None

Without objection, the meeting adjourned at approximately 5:49 PM.



Melissa C. Stice, TPFA Assistant Secretary

11/19/15

Date Approved by Authority