**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES**

**PONCA CITY DEVELOPMENT AUTHORITY**

**PONCA CITY, OKLAHOMA**

**June 8, 2023**

Pursuant to notice as required by law, the Ponca City Development Authority Board of Trustees met in regular meeting session at 7:30 am in Suite 101, The James McNeese Gallery, City Central Building, 400 East Central, Ponca City with Chair Nancy Laffey presiding.

1. Called the meeting to order at 7:30 a.m.
2. ATTENDANCE ROLL CALL: Trustees: Nancy Laffey, Mark Detten, Erika Fetters, Garrett Bowers, and Erik Peitz. Mark Southard entered the meeting at 7:32. Absent: Kirk Brown. Staff members present: David Myers, Lori Henderson, Aubrey Adams, Laurence Beliel, Liz Leaming, Katherine Long and legal counsel Derrin Hiatt. Guests: Mayor Nicholson; Calley Lamar, Ponca City News, Craig Stephenson, City Manager, Molly Kyler, Pioneer Technology Center, Janet Schwabe and Dawn Brakey, Pioneer Technology Center.
3. PUBLIC COMMENT: David Myers informed the meeting that Bison and Redbud, the two small breakout rooms on the Lower Level of City Central, are being combined into one large room. This larger room will comfortably hold up to 40 people at tables and will be a permanent space where the PCDA Board of Trustee meeting will be held when completed.
4. CONSENT CALENDAR. CONSIDER AND VOTE UPON THE MINUTES FROM THE REGULAR MEETING ON MAY 11, 2023; CONSIDER AND VOTE UPON THE FINANCIAL REPORTS FOR MAY, 2023; CONSIDER AND VOTE UPON THE PAYMENT CLAIMS FOR MAY, 2023.

A motion was made by Trustee Detten with a second by Trustee Peitz to approve the consent calendar for May, 2023.

Roll: Yeas: Laffey, Detten, Fetters, Peitz, and Bowers

Nays: None.

Abstain: None

Motion Carried.

1. CONSIDERATION AND POSSIBLE ACTION ON APPROVING CHANGE ORDER NUMBER 6 TO THE CONSTRUCTION MANAGEMENT CONTRACT WITH H&H FOR THE “DUKE” SPEC BUILDING IN THE AMOUNT OF $18,505.45.

David stated that the spec building “Duke” is coming along well and asked Laurence Beliel to give an update and explain the change order. Laurence stated the project is getting into the smaller details needed to complete the project. Plumbing is installed as is HVAC. Electrical should be finished soon. The ramp into the building is completed and is ready for concrete to be poured. The change orders today are for two things: the first is for moving a downspout on the outside of the building for better water drainage. The larger expense is for the need to move previously installed restroom plumbing to line up with the shop restrooms, and then be reinstalled. This was due to an engineering/architecture misunderstanding. Half of this cost will be paid by the architect. A third change is to move the natural gas meter. Oklahoma Natural Gas is requiring that the meter be moved away from the building, after they informed the contractor that the gas line had a higher pressure than originally believed. Questions were asked and answered. Staff recommends approval.

A motion was made by Trustee Detten with a second by Trustee Fetters to approve an expense.

Roll: Yeas: Laffey, Detten, Fetters, Southard, Peitz, and Bowers

Nays: None.

Abstain: None

Motion Carried.

1. UPDATE, DISCUSSION AND DIRECTION ON THE EAST SIDE AIRPORT INDUSTRIAL PARK DRAINAGE PROJECT;

David stated that this is the east side of the airport. Where this came from is before the airport project began, PCDA met with the City to see what was feasible for water detention on the east side of the airport. Several businesses adjacent to this side of the airport are landlocked and might have a future opportunity to expand if there was a larger water detention built to benefit all of them, instead of individual detention projects. Since the airport project would be moving a lot of dirt, the concept was to incorporate a drainage facility with the planned movement of the dirt from the runway project. With this in mind, in 2019 PCDA entered into an MOU with the City to allow Precision Metal Fab to expand, based upon the a future regional detention basin serving the area. Ultimately, however, subsequent to 2019 the runway project was unable to incorporate a regional drainage facility into the runway project. Fortunately, Precision bought another building and did not need to expand on site so there was no need for them to either utilize the MOU or construct on site detention. As a result, the MOU has never been used by Precision, the City or PCDA.

Earlier this spring, PCDA had an opportunity to apply for additional funding for a potential regional water detention basin in this area. At the May meeting, the PCDA board approved a contract with Holzen Engineering Group out of Enid to perform a study on the feasibility of this project. Holzen subsequently informed PCDA that the estimated cost of the project would be $3.1 million. Staff further projected that the project would “free up” or add less than 10 acres in extra usable land in that area. In the opinion of staff, the cost would greatly exceed the benefit. Moreover, there is no pending or contemplated project of which staff is aware that would need this additional land.

Staff plans to exercise the option to terminate the MOU, included in Section Two of that document, and express the thanks of PCDA to the City for providing that option in 2019. Craig Stephenson, City Manager, commented that there may be funding available in the future. Staff said that they will continue to look for such funding and, should the funding become available, consider including this in future PCDA workplans. Questions were asked and answered. At the conclusion of the discussion, Trustees did not object to staff terminating the MOU since the original document was a staff generated agreement that did not require or receive board approval.

1. CONSIDERATION AND POSSIBLE ACTION ON APPROVING A POTENTIAL EXPENSE WITH BC COATING OF $13,175 TO PAINT THE EXTERNAL EAST-FACING HANGAR DOORS AT PCDA OWNDER HANGAR, 2501 WAVERLY

David showed a current picture of the PCDA Hangar doors. PCDA entered a lease with NextGen in April and, as a part of that agreement, verbally agreed to have the areas of those doors where paint was damaged repainted. The reason these doors look this way is that there was a possibility of these doors being changed in some way, but that did not pan out. Laurence gave an overview of the quotes from BC Coatings received to paint the areas of the doors where the paint was peeling. This would be using a local company and no sandblasting. Questions were asked and answered and Staff recommends approval.

A motion was made by Trustee Detten with a second by Trustee Fetters to approve an expense of $13,175

Roll: Yeas: Laffey, Detten, Fetters, Southard, Peitz, Brown, and Bowers

Nays: None.

Abstain: None

Motion Carried.

1. CONSIDERATION AND POSSIBLE ACTION ON APPROVING THE DRAFT 2023-2024 PCDA BUDGET.

Lori stated the Board of Trustees have had the draft PCDA budget since April. If there are any questions, staff is available. The budget is a framework and staff will always come back to the board for final approval for anything over $10,000 on the budget.

Staff recommends approval.

A motion was made by Trustee Detten with a second by Trustee Bowers to approve the draft 2023-2024

Roll: Yeas: Laffey, Detten, Fetters, Southard, Peitz, Brown, and Bowers

Nays: None.

Abstain: None

Motion Carried.

1. CONSIDERATION AND POSSIBLE ACTION ON ELECTING PCDA BOARD OF OFFICERS FOR THE 2023-2024 FISCAL YEAR.

David Myers stated that officers are elected once a year. The Executive committee of Nancy Laffey, Chair; Mark Detten, Vice Chair and Erica Fetters, Secretary got together a couple of weeks ago and recommended the following: Mark Detten become Chair, Erica Fetters become Vice Chair, March Southard be the next Secretary. They further recommended that David Myers be elected as Treasurer until such time as PCDA has identified a new CPA. Chuck Van Cleave, CPA, has been the PCDA Treasurer for many years and he is retiring.

This is not a staff recommendation, as staff does not choose officers. If there are any questions, Executive Committee members are present and available for questions. New officers will take effect at the end of June, 2023.

A motion was made by Trustee Peitz with a second by Trustee Laffey to approve PCDA Board of Officers for 2023-2024 Fiscal year as Chair, Mark Detten; Vice Chair, Erica Fetters; Mark Southard, Secretary and Treasurer, David Myers.

Roll: Yeas: Laffey, Detten, Fetters, Southard, Peitz, and Bowers

Nays: None.

Abstain: None

Motion Carried.

1. STAFF REPORTS.

David Myers reported that the Mayor and City Commission have re-appointed Mark Detten and Erica Fetters for three more years as PCDA Trustees. Myers then gave an overview of May staff contacts including outreach to 32 new companies, 147 existing companies, 8 consultants, 97 regional partners, 15 with government, 17 with small business and 124 at City Central. Current PCDA Projects are five with one new lead with a potential job count of 208.

Lori Henderson gave an update on the Clean Breeze project at City Central. The Project should be completed by the end of June. The workers are finishing up testing and making sure everything is working correctly. Staff are moving ahead with the 5th floor project with expressed thanks to the City and Rhonda Skrapke for their assistance in accessing the state funds to finish the Clean Breeze project throughout the building. This will go through the City Commission meeting next Monday and once approved, parts and supplies can be ordered. Select Oklahoma is having a conference on August 28 & 29 which is open to anyone who is interested in attending. Just let David or Lori know if you would like to attend.

Liz Leaming gave an overview of how PCDA is telling its story using social media including Facebook and targeted advertising on Hulu. She showed a short video presenting the Entrepreneurial roadmap and support available here in Ponca City which ran in April and May. June and July will showcase the Summit with a short video on these same platforms. Katherine reported that she received extra calls as a result of the entrepreneurial video. The annual Girl Power Camp is coming up at the end of July. More girls have applied that can attend, so the screening process is in place. Jordan Jackson Gross will be assisting with camp this year.

Katherine Long gave an overview of the Cost of Living Indicator and announced that for the first time Ponca City is in the top 10 of communities with the lowest cost of living in the United States. The cost of living numbers have become more automated and this year 40 of the 62 prices collected are pulled directly from grocery stores and the community. Staff is proud to announce Ponca City cost of living went down from 85.9 to 82.9 percent of the national average of 100, which is what put us in the top 10 for the nation. This is a great marketing tool for those moving to or living in Ponca City as the cost of living in transportation, groceries, health, housing and miscellaneous is very affordable compared with other similar communities across the United States. Aubrey and Katherine also recently attended the OKIES safety event at Phillips 66, and were able to connect with P66 employees and contractors. It was a great opportunity and Katherine thanked Erin Liberton for inviting us to participate.

David gave an overview of what is happening at the Oklahoma Department of Commerce (ODOC) as today is the last day in office for Brett Kisling, the outgoing Executive Director. Staff is not sure what the direction for ODOC will be going forward and will keep the board updated with this subject. David also passed out articles about lack of workforce and rural clean energy projects which are very interesting. He requested that the next two PCDA Board meetings be moved back a week from July 13 to July 20th and August 10th to August 17th to accommodate a personal matter for him (July) and to facilitate a subject discussion in August. The Board of Trustees did not object to this request and staff will make the appropriate date changes as required by the Oklahoma Open Meeting Act. Questions were asked and answered.

1. ENTERTAIN A MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO TITLE 25, SECTION 307 OKLAHOMA STATUTES TO DISCUSS PROJECTS 21-08, 23-03, 23-07, ALBATROSS, ALPHA III, FEEDER, KAZA, THUNDERBIRD, VALET AND VOICEMAIL, AS WELL AS POTENTIAL REAL ESTATE TRANSACTIONS INVOLVING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF SYKES AND HALL BOUEVARD AND THE PCDA-OWNED BUILDING AT 2402 SYKES BOULEVARD.

A motion was made by Trustee Detten with a second by Trustee Fetters to enter into executive session.

Roll: Yeas: Laffey, Detten, Fetters, Southard, Peitz, Brown, and Bowers

Nays: None.

Abstain: None

Motion Carried.

The board returned to open session at 8:41 a.m.

1. CONSIDERATION AND POSSIBLE ACTION ON APPROVING AN AMENDMENT TO THE LEASE BETWEEN LOG10, LLC AND PCDA TO LEASE WITH AN OPTION TO PURCHASE THE PCDA-OWNED BUILDING AT 2502 SYKES BOULEVARD
2. NEW BUSINESS;
3. ENTERTAIN A MOTION TO ADJOURN. Motion was made by Trustee Detten with a second by Trustee Peitz, followed by unanimous vote to adjourn at 8:45 a.m.

**MINUTES OF THE EXECUTIVE SESSION OF THE BOARD OF TRUSTEES OF**

**THE PONCA CITY DEVELOPMENT AUTHORITY**

**June 8, 2023**

Pursuant to notice as required by law, the Ponca City Development Authority met in executive session at 8:23 a.m. at City Central in Suite 101, The James McNeese Gallery, 400 East Central, Ponca City, Oklahoma with Chair Nancy Laffey presiding.

Present: NANCY LAFFEY, CHAIR

MARK DETTEN, TRUSTEE

ERICA FETTERS, TRUSTEE

GARRETT BOWERS, TRUSTEE

MARK SOUTHARD, TRUSTEE

ERIK PEITZ, TRUSTEE

DAVID MYERS, PCDA STAFF

LORI HENDERSON, PCDA STAFF

Laurence beliel, pcda staff

Liz leaming, pcda staff

AUBREY ADAMS, PCDA STAFF

KATHERINE LONG, PCDA STAFF

DERRIN HIATT, ATTORNEY

At 8:23 a.m. Trustee Fetters made a motion with a 2nd from Trustee Detten unanimously carried to enter into executive session pursuant to Title 25, Section 307 Oklahoma Statutes to discuss Projects 21-08, 23-03, 23-05, 23-06, Yelp, Feeder, Green Giant, Element, Revival, New Continent, Goldfinger and Infinite Spring, as well as potential real estate transactions involving property located at the northeast corner of Waverly and Sykes.

David Myers, PCDA staff, led the discussion and was provided direction for the continuing negotiations with the above companies and real estate transactions, relative to economic development projects.

At 8:41 a.m. Chair Laffey declared that the Executive Session was complete and returned the meeting to open session.

**Respectfully submitted by:**

**Katherine Long**