



City of Broken Arrow
Meeting Agenda
Broken Arrow Economic Development
Authority

Chairperson Debra Wimpee
Vice Chairman Johnnie Parks
Trustee Lisa Ford
Trustee Justin Green
Trustee David Pickel

Tuesday, February 25, 2025

Council Chambers
220 S. 1st Street
Broken Arrow, OK

NOTICE AND AGENDA OF SPECIAL MEETING

TIME: Follows City Council meeting which begins at 6:30 p.m. and the Broken Arrow Municipal Authority meeting which follows City Council.

- 1. Call to Order**
- 2. Roll Call**
- 3. Consideration of Consent Agenda**
 - A. [25-54](#) Approval of the Broken Arrow Economic Development Authority Meeting Minutes of February 4, 2025
 - B. [25-186](#) Approval of and authorization to execute a Second Amendment of an Economic Development Agreement by and among the Broken Arrow Economic Development Authority, the City of Broken Arrow, and PDG-Broken Arrow, LLC
 - C. [25-223](#) Ratification of the Claims List Check Register Dated February 10, 2025
- 4. Consideration of Items Removed from Consent Agenda**
- 5. Public Hearings, Appeals, Presentations, Recognitions, Awards - NONE**
- 6. General Authority Business - NONE**
- 7. Remarks and Inquiries by Governing Body Members**
- 8. Remarks and Updates by City Manager and Staff**
- 9. Executive Session - NONE**
- 10. Adjournment**

NOTICE:

Please note that all items on this agenda may be approved, denied, amended, postponed, acknowledged, affirmed or tabled.

If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.

All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.

Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

21 O.S. Section 280 provides the following:

A. It is unlawful for any person, alone or in concert with others and without authorization, to willfully disturb, interfere or disrupt state business or the business of any political subdivision, which includes publicly posted meetings, or any agency operations or any employee, agent, official or representative of the state or political subdivision.

B. It is unlawful for any person who is without authority or who is causing any disturbance, interference or disruption to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by state officials or any political subdivision or its employees, agents or representatives or used in any manner to conduct state business or any political subdivision's business or operations after proper notice by a peace officer, sergeant-at-arms, or other security personnel.

C. Any violation of the provisions of this section shall be a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

D. For purposes of this section, "disturb, interfere or disrupt" means any conduct that is violent, threatening, abusive, obscene, or that jeopardizes the safety of self or others.

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk



City of Broken Arrow

Request for Action

File #: 25-54, Version: 1

**Broken Arrow Economic Development Authority
Meeting of: 02-18-2025**

Title:

Approval of the Broken Arrow Economic Development Authority Meeting Minutes of February 4, 2025

Background:

Minutes recorded for the Broken Arrow Economic Development Authority Meeting.

Cost: None

Funding Source: None

Requested By: City Clerk's Office

Approved By: City Manager's Office

Attachments: February 4 , 2025 Broken Arrow Economic Development Authority Minutes

Recommendation:

Approve the minutes of the February 4, 2025 Broken Arrow Economic Development Authority Meeting.



City of Broken Arrow

Minutes

Broken Arrow Economic Development Authority

Chairperson Debra Wimpee

Trustee Johnnie Parks

Trustee Lisa Ford

Trustee Justin Green

Trustee David Pickel

City Hall
220 S 1st Street
Broken Arrow OK
74012

Tuesday, February 4, 2025

Council Chambers

1. Call to Order

Vice Chairman Johnnie Parks called the meeting to order at approximately 8:04 p.m.

2. Roll Call

Present: 4- David Pickel, Justin Green, Lisa Ford, Johnnie Parks

Absent: 1 - Debra Wimpee

3. Consideration of Consent Agenda

- A. 25-53 **Approval of the Broken Arrow Economic Development Authority Meeting Minutes of January 21, 2025**
- B. 25-89 **Acknowledgement of submittal of the December 2024 Broken Arrow Economic Development Corporation's Monthly Report**
- C. 25-130 **Approval of and authorization to execute a First Amended Economic Development Agreement between the Broken Arrow Economic Development Authority and Solar Turbines Incorporated**
- D. 25-165 **Ratification of the Claims List Check Register Dated January 27, 2025**

MOTION: A motion was made by Justin Green, seconded by Lisa Ford
Move to approve the Consent Agenda

The motion carried by the following vote:

Aye: 4 - David Pickel, Justin Green, Lisa Ford, Johnnie Parks

4. Consideration of Items Removed from Consent Agenda - NONE

5. Public Hearings, Appeals, Presentations, Recognitions, Awards - NONE

6. General Authority Business - NONE

7. Remarks and Inquiries by Governing Body Members - NONE

8. Remarks and Updates by City Manager and Staff - NONE

9. Executive Session - NONE

10. Adjournment

The meeting was adjourned at approximately 8:05 p.m.

MOTION: A motion was made by Lisa Ford, seconded by Justin Green

Move to adjourn

The motion carried by the following vote:

Aye: 4 -

David Pickel, Justin Green, Lisa Ford, Johnnie Parks

Chairperson

Secretary



City of Broken Arrow

Request for Action

File #: 25-186, Version: 1

**Broken Arrow Economic Development Authority
Meeting of: 02-18-2025**

Title:

Approval of and authorization to execute a Second Amendment of an Economic Development Agreement by and among the Broken Arrow Economic Development Authority, the City of Broken Arrow, and PDG-Broken Arrow, LLC

Background:

Adam's Creek Town Center is a proposed development located approximately one-quarter mile north of East Kenosha Street (East 71st Street South), and west of County Line Road (North 23rd Street). The development has an expected capital investment of \$37.1 million and is comprised of stores new to Broken Arrow (retail and restaurant).

On June 19, 2023 Broken Arrow City Council and the Broken Arrow Economic Development Authority approved an Economic Development Agreement between the City of Broken Arrow, Broken Arrow Economic Development Authority and PDG-Broken Arrow LLC to incentivize the development of 22+ acres by providing a performance-based annual rebate of 2% sales tax. The maximum incentive is capped at \$16 million, payable based on actual new sales tax collections.

PDG-Broken Arrow has requested Second Amendment to the Economic Development Agreement adjusting the new date of completion by December 31, 2026 and Opening for May 31, 2027.

Cost: \$0

Funding Source: None

Requested By: Jennifer Rush, Economic Development Manager

Approved By: City Manager Office

Attachments: Second Amendment Economic Development Agreement

Recommendation:

Approve and authorize execution of a Second Amendment of an Economic Development Agreement by and among the Authority, the City, and PDG-Broken Arrow, LLC

SECOND AMENDMENT TO THE ECONOMIC DEVELOPMENT AGREEMENT

This Second Amendment to the Agreement is made and entered into this 18th day of February, 2025, by and between PDG-BROKEN ARROW, LLC, a Delaware Limited Liability Company (the “Developer”), BROKEN ARROW ECONOMIC DEVELOPMENT AUTHORITY, a municipal public trust (the “Authority”) and the CITY OF BROKEN ARROW, OKLAHOMA, a municipal corporation (hereinafter called “City”), as beneficiary of the Authority.

WHEREAS, the Developer, Authority and City entered into an Economic Development Agreement (hereinafter “Agreement”) dated July 6, 2023;

WHEREAS, Section 6.13 Modifications of the Agreement provides for the Agreement to be modified if it is in writing and signed by the party or parties against whom enforcement of any waiver, change, modification or discharge is sought;

NOW, THEREFORE, in consideration of the covenants and mutual obligations set out herein and, in the Agreement, as amended, and other consideration, the sufficiency of which the parties hereby acknowledge, the parties hereto covenant and agree to the following Amendments:

I. AMENDMENT TO ARTICLE I-DEFINITIONS

The following definition is hereby amended as follows:

“Commencement date” shall mean the date of completion of the Project. For purpose of this Agreement, the phrase “complete the Project” shall be defined as the Developer constructing or causing to be constructed a minimum of approximately one hundred sixty thousand (160,000) square feet of leasable retail and commercial space by a date not later than December 31, 2026, with an opening by May 31, 2027.

II. NO OTHER AMENDMENTS

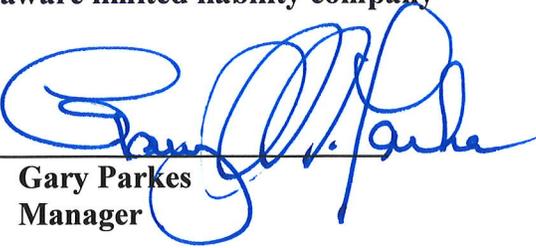
All other provisions of the Agreement, except as amended herein (1st and 2nd Amendments) shall remain in full force and effect and are hereby ratified in all respects. In the event of an inconsistency between the terms and conditions of the First and Second Amendments and the terms and conditions of the Original Agreement, the terms and conditions of the respective Amendments shall control.

III. BINDING EFFECT

This Second Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the Developer has caused this Second Amendment to be duly executed and delivered as of the date first above written.

PDG-BROKEN ARROW, LLC
A Delaware limited liability company

By: 
Gary Parkes
Manager

IN WITNESS THEREOF, the Authority has caused this Second Amendment to be duly executed and delivered as of the date first above written

BROKEN ARROW ECONOMIC DEVELOPMENT AUTHORITY
An Oklahoma public trust

By: _____
Debra Wimpee
Chairwoman

(SEAL)

ATTEST:

By: _____
Curtis Green
Secretary

APPROVED AS TO FORM:

By: _____
Danny Littlefield, Jr.
Deputy Authority Attorney



City of Broken Arrow

Request for Action

File #: 25-223, Version: 1

**Broken Arrow Economic Development Authority
Meeting of: 02/18/2025**

Title:

Ratification of the Claims List Check Register Dated February 10, 2025

Background:

Council on September 3, 2019 approved Ordinance No. 3601 allowing ratification of the claims list. For the period from January 27, 2025 through February 10, 2025 checks, V-Cards (single use electronic credit cards) or ACH (direct payments to the vendors bank by the federal reserve automated clearing house) were processed for a total of \$3,101,093.41 for the various funds.

Governmental Funds	\$1,771,499.01
BAMA	\$1,294,177.74
BAEDA	<u>\$ 35,416.66</u>
Total	\$3,101,093.41

A summary by funds and detail are attached.

Cost: \$35,416.66

Funding Source: BAEDA Operational and Capital accounts

Requested By: Cynthia S. Arnold, Finance Director

Approved By: City Manager's Office

Attachments: Check Register dated February 10, 2025

Recommendation: **..recommend**
Ratify Claims List Check Register dated 02/10/2025

City of Broken Arrow
Check Register by Fund



FUND	DESCRIPTION	AMOUNT	INVOICE COUNT
110	GENERAL	208,502.99	496
220	BA MUNICIPAL AUTHORITY	1,294,177.74	904
227	CVB-HOTEL MOTEL	1,464.13	11
330	SALES TAX CAPITAL IMPROVEMENT	309,290.03	10
332	PARK & REC CAP IMPROV	320.00	2
342	STREET LIGHT FUND	46,716.31	12
343	STREET SALES TAX FUND	35,247.76	2
344	PS SALES TAX POLICE	73,452.17	269
345	PS SALES TAX FIRE	110,376.32	197
348	ARPA FUND	431,585.00	1
593	2018 BOND ISSUE	422,964.84	14
660	WORKERS COMPENSATIONS	63,245.29	8
661	GROUP HEALTH AND LIFE	58,780.25	4
882	AGENCY FUND DEPOSITS	9,553.92	9
887	ECONOMIC DEVELOP AUTHORITY	35,416.66	1
Total		3,101,093.41	1,940

**City of Broken Arrow
Check Register by Fund**



Fund 887

CHECK DATE	CHECK #	VENDOR	NAME	INVOICE	DESCRIPTION	G/L NUMBER	PROJECT	YEAR/PERIOD	AMOUNT
02/06/2025	326072	1115	BROKEN ARROW ECONOMIC DEVELOPMENT CORP.	DEC 2024	DEC 2024 ECONOMIC DEVELOPMENT SERVICES	8871700 550700		2025/8	35,416.66
Total For Check # 326072									35,416.66
Total For Fund 887									35,416.66
Number of Invoices For Fund 887									1
Total For ALL Checks									3,101,093.41
Total Number of Invoices									1,940