

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, MET IN REGULAR SESSION ON THE 3RD DAY OF OCTOBER, 2023, AT 6:30 O’CLOCK P.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by title by the City Clerk. Councilmember _____ moved passage of the Resolution and Councilmember _____ seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE:

NAY:

The Resolution so approved is as follows:

AMENDED RESOLUTION NO. 1548

A RESOLUTION DECLARING THE INTENT TO CONSIDER APPROVAL OF A PROJECT AND CREATION OF A TAX INCREMENT DISTRICT UNDER THE LOCAL DEVELOPMENT ACT; DIRECTING PREPARATION OF A PROJECT PLAN; APPOINTING A REVIEW COMMITTEE; DIRECTING THE REVIEW COMMITTEE TO MAKE FINDINGS AS TO ELIGIBILITY AND FINANCIAL IMPACT, IF ANY, ON TAXING JURISDICTIONS AND BUSINESS ACTIVITIES WITHIN THE DISTRICT; DIRECTING THE REVIEW COMMITTEE TO MAKE A RECOMMENDATION WITH RESPECT TO THE PROPOSED PROJECT PLAN; DIRECTING THE PLANNING COMMISSION TO MAKE A RECOMMENDATION WITH RESPECT TO THE PROPOSED PROJECT PLAN; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, the City of Broken Arrow, Oklahoma (the “City”) City is working to promote economic development in the area, in order to provide increased opportunity for residents of the area and to improve the overall standard of living; and

WHEREAS, the City aspires to attract and retain business interests with the potential to invest in a large-scale entertainment venue within the City, subject to certain conditions including economic development incentives and financing, and generate a corresponding growth in the local

tax base, subject to certain conditions including economic development incentives and financing; and

WHEREAS, the Local Development Act, Title 62, Oklahoma Statutes Section 850 *et seq.* (the “Local Development Act”), was passed by the Oklahoma Legislature to implement Section 6C of Article X of the Oklahoma Constitution, which empowers the governing bodies of cities, towns, and counties to apportion tax increments to help finance the public costs of economic development; and

WHEREAS, the proposed project depends upon the utilization of tax increment financing to help finance the project costs; and

WHEREAS, it is desirable to direct the City staff to prepare a proposed project plan for consideration; and

WHEREAS, the City Council, as the governing body of the City, is empowered to approve the creation of a tax increment district to further the public purpose of economic development within the City; and

WHEREAS, the Local Development Act provides for the appointment of a Review Committee to review and make recommendations concerning the proposed district, plan, or project, to consider and make findings and recommendations with respect to the conditions establishing the eligibility of the proposed district, and to consider and determine whether the proposed plan and project will have a financial impact on any taxing jurisdiction and business activities within the proposed district and to report its findings and make its recommendations to the governing body; and

WHEREAS, the Local Development Act provides that the membership of the Review Committee shall consist of the following: a representative of the governing body who shall serve as chairperson; a representative of the planning commission having jurisdiction over the proposed district; a representative designated by each taxing jurisdiction within the proposed district whose local taxes might be impacted by the plan; and three members representing the public at-large and selected by the other committee members from a list of seven names submitted by the chairperson of the review committee; and

WHEREAS, it is appropriate and desirable to appoint a Review Committee to consider and make recommendations on a proposed project plan; and

WHEREAS, the City desires to direct the Review Committee and the Planning Commission to consider the creation of a tax increment district; and

WHEREAS, the City previously adopted Resolution No. 1548 on September 19, 2023 (the “Prior Resolution”), however the City desires to restate said Prior Resolution in its entirety to clarify the membership of the Review Committee, and therefor hereby declares that this Resolution shall replace and supersede in all respects the Prior Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:

SECTION 1. INTENT. The City Council intends to consider approval of a project and creation of a tax increment district to facilitate the financing of eligible project costs of a project and hereby directs preparation of a project plan by City staff, to be submitted for consideration in accordance with the Local Development Act. The City Clerk is hereby authorized to cause notice to be given of such public meetings and public hearings as may be required pursuant to the Local Development Act in connection with the consideration of the proposed tax increment district. This Resolution replaces and supersedes in all respects the Prior Resolution.

SECTION 2. ESTABLISHMENT OF REVIEW COMMITTEE. A Review Committee is hereby appointed whose membership shall consist of the following: one representative of the City Council, who shall be chairperson; one representative of the City of Broken Arrow Planning Commission; one representative designated by Wagoner County; and three representatives of the public at large, who shall be selected from a list of seven names submitted by the representative of the City Council, as chairperson of the Review Committee, by the other Review Committee members. The City Council hereby designates Vice Mayor Christi Gillespie to serve as Chairperson and representative of the City Council. The City Council hereby designates Jaylee Klempa (as Chair of the Broken Arrow Planning Commission) or their designee to serve as representative of the City of Broken Arrow Planning Commission.

SECTION 3. REVIEW COMMITTEE FINDING AND RECOMMENDATION. The Review Committee shall consider and determine whether the proposed plan and project will have a financial impact on any taxing jurisdiction and business activities within the proposed district and shall report its findings to the City Council. Furthermore, the Review Committee shall consider and make its findings and recommendations to the City Council with respect to the conditions establishing the eligibility of the proposed district and the appropriateness of approval of the proposed plan and project.

SECTION 4. PLANNING COMMISSION RECOMMENDATION. The City of Broken Arrow Planning Commission shall review the proposed project plan and shall make a recommendation on the plan to the City Council.

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PASSED AND APPROVED THIS 3RD DAY OF OCTOBER, 2023.

CITY OF BROKEN ARROW, OKLAHOMA

(SEAL)
ATTEST:

By: _____
Mayor

By: _____
City Clerk

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Broken Arrow, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the City Council of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the “Open Meeting Law” was complied with for such meeting.

GIVEN UNDER MY HAND THIS 3RD DAY OF OCTOBER, 2023.

(SEAL)

City Clerk