



# City of Broken Arrow

## Legislation Details (With Text)

<b>File #:</b>	19-1113	<b>Name:</b>	
<b>Type:</b>	General Business	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/27/2019	<b>In control:</b>	Broken Arrow City Council
<b>On agenda:</b>	9/3/2019	<b>Final action:</b>	
<b>Title:</b>	Consideration, discussion and possible approval of Resolution No. 1263, a Resolution of the City of Broken Arrow authorizing the Broken Arrow Economic Development Authority to assist the City in carrying out and administering the Creek 51 Business Park Economic Development Project Plan adopted by the City; approving and authorizing the execution of an Economic Development Agreement by and among the authority, the City, and Creek 51 Business Park, LLC; approving and authorizing the execution of a Security Agreement by and between the Authority and the City pertaining to the Tax Increment Revenues; approving the use of assistance in development financing; and containing other provisions relating thereto		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 11 Creek 51 Economic Development Agreement (draft of 08-16-2019), 2. Res. No. 1263 City 9-3-2019, 3. Security Agreement 9-3-2019		

Date	Ver.	Action By	Action	Result
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### Broken Arrow City Council

Meeting of: 09-03-2019

#### Title:

Consideration, discussion and possible approval of Resolution No. 1263, a Resolution of the City of Broken Arrow authorizing the Broken Arrow Economic Development Authority to assist the City in carrying out and administering the Creek 51 Business Park Economic Development Project Plan adopted by the City; approving and authorizing the execution of an Economic Development Agreement by and among the authority, the City, and Creek 51 Business Park, LLC; approving and authorizing the execution of a Security Agreement by and between the Authority and the City pertaining to the Tax Increment Revenues; approving the use of assistance in development financing; and containing other provisions relating thereto

#### Background:

The City has adopted and approved the Creek 51 Business Park Economic Development Project Plan dated June 26, 2019 (the "Project Plan") by Ordinance No. 3597 dated August 6, 2019 (the "Local Act"), pursuant to the Oklahoma Local Development Act, Title 62, Oklahoma Statutes, Section 850, et seq. as amended (the "Local Development Act"). The City, by virtue of the Local Act, has created Increment District No. 2, City of Broken Arrow (as more specifically described herein, the "Increment District"), pursuant to the Local Development Act. The Authority, the City, and Creek 51 Business Park, LLC desire to enter into an economic development agreement (the "Development Agreement") for the purpose of providing a framework for the implementation of the Project Plan, including specifically the apportionment of certain Tax Increment Revenue

for the payment of the costs of Traffic Improvements, Organizational Costs, and Investment Incentives each as described in the Project Plan and the Development Agreement. The Authority and the City have agreed to provide assistance in development financing (as authorized by Section 853(14)(o) of the Local Development Act), including specifically the payment of the Inventory Incentives, all as more fully set forth in the Development Agreement.

Resolution No. 1263 authorizes the Authority to assist the City in carrying out and administering the provisions of the Project Plan and to exercise all powers necessary thereto except those powers reserved to the City by the TIF Ordinance and the Local Development Act and approves the Economic Development Agreement by and among the Authority, the City, and the Company (the “Development Agreement”). The Resolution further authorizes approval of the Security Agreement by and between the Authority and the City (the “Security Agreement”) pertaining to the transfer of the TIF Revenues (as defined in the TIF Ordinance) to the Authority in furtherance of the implementation of the Project Plan.

**Cost:** No Cost

**Funding Source:** No Source

**Requested By:** Trevor Dennis, City Attorney

**Approved By:** City Manager’s Office

**Attachments:** Resolution No. 1263  
Economic Development Agreement  
Security Agreement

**Recommendation:**  
Approve Resolution No. 1263 and authorize its execution.