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ORDINANCE NO. 25372

AN ORDINANCE NAMING INCREMENT DISTRICT “C” IN THE PEORIA MOHAWK PROJECT PLAN AS INCREMENT DISTRICT NUMBER TWENTY-THREE, CITY OF TULSA, AND ESTABLISHING THE DATE FOR THE CREATION THEREOF; RATIFYING AND CONFIRMING THE ACTIONS, RECOMMENDATIONS AND FINDINGS OF THE REVIEW COMMITTEE AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION WITH REGARD TO INCREMENT DISTRICT “C”; RATIFYING AND CONFIRMING THE ACTION OF THE CITY OF TULSA IN ENACTING ORDINANCE NO. 24482 THAT APPROVED AND ADOPTED THE PEORIA MOHAWK PROJECT PLAN, ESTABLISHED THE PROJECT AREA, AND ESTABLISHED INCREMENT DISTRICT “C”; RATIFYING AND CONFIRMING THE CITY OF TULSA AND THE TULSA AUTHORITY FOR ECONOMIC OPPORTUNITY AS THE ENTITIES AUTHORIZED TO CARRY OUT AND ADMINISTER THE PEORIA MOHAWK PROJECT PLAN, INCLUDING ADMINISTRATION OF THE TAX APPORTIONMENT FUND AND THE USE OF INCREMENT REVENUES FOR THE PAYMENT OF CERTAIN PROJECT COSTS; DIRECTING CONTINUING APPORTIONMENT; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Tulsa, Oklahoma (“City”) prepared the Peoria Mohawk Project Plan (“Project Plan”), in accordance with the Oklahoma Local Development Act, 62 O.S. § 850, *et seq.* (“Act”); and

WHEREAS, the purpose of the Project Plan is to provide an economic structure and funding mechanism for the substantial portion of the local public investment required to increase the availability and improve the quality of housing, including affordable and workforce housing, in and around the Peoria-Mohawk Business Park (“Project”); and

WHEREAS, the Project Plan supports both the City’s efforts to achieve its development objectives, improve the quality of life for its citizens, stimulate private investment, and enhance the tax base, thereby making possible investment that would be difficult without the adoption of the Project Plan and the apportionment of incremental tax revenues; and

WHEREAS, the Project Plan identified four ad valorem increment districts located within the Project Area, identified within the Project Plan as Increment Districts “A,” “B,” “C,” and “D,” City of Tulsa (collectively, “Increment Districts”); and

WHEREAS, the Peoria-Mohawk Project Plan Review Committee (“Review Committee”), comprised of a representative of the City, a representative of Tulsa County, a representative of the Tulsa Metropolitan Area Planning Commission (“Planning Commission”), representatives of

each of the affected taxing jurisdictions (including Tulsa Public Schools, Tulsa City-County Library, Tulsa Health Department, Tulsa Community College, and Tulsa Technology Center) and three members of the public at large, one of whom represents the business community, reviewed the Project Plan, the Project Area and the Increment Districts in accordance with the criteria specified in the Act and determined that the Increment Districts were eligible for designation as increment districts and for development under the Act and that the financial impacts on the affected taxing jurisdictions and business activities from implementation of the Project Plan are positive; and

WHEREAS, the Review Committee adopted its findings and recommended to the City Council the approval of the Project Plan, including the Increment Districts; and

WHEREAS, the Planning Commission determined that the Project Plan conformed to the Tulsa Comprehensive Plan and is desirable; and adopted a resolution recommending to the City Council the approval of the Project Plan, including the Increment Districts; and

WHEREAS, all required notices were given and all required hearings were held in connection with the Project Plan, as prescribed by the Act, the Oklahoma Open Meetings Act, 25 O.S. § 301, *et seq.*, and other applicable law; and

WHEREAS, deeming it appropriate and desirable and in the best interest of the City and its citizens, the City adopted and approved the Project Plan, including the establishment of the Increment Districts, by enacting Ordinance No. 24482 on November 18, 2020.

WHEREAS, the Act authorizes the City to defer determination of the designation and date of creation of an increment district under Section 856 and the commencement of its period of apportionment under Section 861, provided that the determination is not more than 10 years after the date of approval of the project plan; and

WHEREAS, the City found that it was in the best interest of the overall success of the Project to defer the date of creation, designation and official naming of three of the four proposed Increment Districts, including Increment District “C”, until later dates, which dates must be determined within ten years of the date of the approval of the Project Plan; and

WHEREAS, the City finds that it is now necessary and appropriate to name Increment District “C” as Increment District Number Twenty-three, City of Tulsa, and establish the date for the creation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA:

SECTION 1. In order to develop the eligible Project Area, the City elects to utilize Article 10, Section 6C of the Constitution of the State of Oklahoma and the Act, which authorize the use of local taxes for specific public investments, assistance in development financing, and as a revenue source for other public entities in the area, and which provide for the direction of apportionment of local taxes to plan, finance, and carry out development of unproductive,

undeveloped, underdeveloped, or blighted areas as determined by the governing body of a city, town or county.

SECTION 2. As used herein “Project Plan” shall mean the document dated November 18, 2020, and comprised of one cover sheet, ten pages of text, and seven exhibits labeled Exhibits A, B, C, D, E, F, and G, and titled “Peoria-Mohawk Project Plan.”

SECTION 3. The membership of the Review Committee and all actions taken and all recommendations and findings made in connection with the Project Plan and with regard to Increment District “C” by the Review Committee and the Planning Commission are hereby ratified and confirmed.

SECTION 4. The action of the City of Tulsa in enacting Ordinance No. 24482 that approved and adopted the Project Plan, established the Project Area, and established Increment District “C” is hereby ratified and confirmed.

SECTION 5. For identification purposes, Increment District “C” is shown on Exhibit C and described on Exhibit D of the Project Plan.

SECTION 6. For identification purposes, the name of Increment District “C”, an ad valorem increment district as set forth in the Project Plan, shall be Increment District Number Twenty-three, City of Tulsa (“Increment District No. 23”).

SECTION 7. Increment District No. 23 is hereby created as of August 14, 2024.

SECTION 8. The date of creation, official designation, and naming of Increment District No. 23, and, accordingly, the commencement of its respective period of apportionment, is within 10 years of November 18, 2020, the effective date of Ordinance No. 24482.

SECTION 9. The boundaries of the Project Area of the Project Plan are shown on Exhibit A of the Project Plan, and described on Exhibit B of the Project Plan; and are described as follows:

Project Area Legal Description

Beginning at a point on the intersection of E 46th St N and N Rockford Ave E, located in Section 7 Township 20 North Range 13 East, and 152.77 feet East and .73 feet South of the Southwest corner of Northridge Addition, plat number 1998. Thence N 87°20 13” E for 298.90 feet, thence N 87°45 44” E for 240.73 feet, thence S 86°57 49” E for 44.36 feet. Thence N 87°18 49” E for 294.48 feet, thence S 89°36 52” E for 329.01 feet, thence N 87°20 04” E for 298.90 feet, thence N 89°19 30” E for 396.75 feet, thence N 87°13 38” E for 584.26 feet, thence N 88°10 43” E for 1,316.82 feet. Thence S 84°37 49” E for 260.69 feet. Thence N 88°31 25” E for 1,393.45 feet, thence S 51°45 45” E for 229.18 feet, thence S 12°39 37” E for 445.71 feet, thence N 78°47 33” E for 209.66 feet. Thence N 23°38 10” E for 280.81 feet, thence N 57°06 48” E for 138.64 feet, thence N 32°49 09” E for 263.55 feet. Thence N 34°07 35” E for 356.99 feet, thence N 06°21 17” W for 657.90 feet, thence N 62°31 54” E for 229.57 feet. Thence N 62°28 39” E for 99.37 feet, thence

S 63°20'07" E for 233.57 feet. Thence N 41°35'18" E for 347.29 feet, thence N 31°44'21" E for 433.81 feet, thence N 81°49'54" E for 207.40 feet. Thence S 02°14'28" E for 887.28 feet, thence S 09°14'20" E for 724.60 feet, thence S 08°34'06" E for 723.46 feet, thence S 03°47'31" E for 655.55 feet. Thence S 02°30'09" W for 532.60 feet, thence S 09°14'28" E for 721.84 feet, thence S 09°39'21" W for 226.85 feet. Thence S 11°52'28" W for 932.85 feet, thence S 07°53'34" W for 296.41 feet, thence S 10°44'40" W for 749.04 feet. Thence S 09°21'48" W for 141.46 feet, thence S 13°10'06" W for 383.69 feet to a point on the intersection of E 36th St N and Southbound Highway 75 Expressway. Thence N 89°58'35" E for 105.34 feet, thence N 88°54'32" E for 172.59 feet. Thence S 89°12'32" E for 114.53 feet, thence S 89°57'17" E for 165.84 feet. Thence S 79°47'39" E for 101.13 feet, thence S 87°19'22" E for 156.70 feet. Thence S 87°17'31" E for 809.82 feet, thence S 89°33'16" E for 339.12 feet. Thence N 88°12'23" E for 867.41 feet, thence N 89°25'11" E for 458.20 feet. Thence N 88°13'57" E for 646.13 feet, thence N 88°12'51" E for 700.71 feet. Thence N 89°49'58" E for 1,166.72 feet, thence N 87°39'18" E for 520.81 feet. Thence N 88°5'35" E for 213.90 feet, thence N 89°57'36" E for 105.64 feet. Thence N 89°40'34" E for 578.31 feet, thence S 6°29'24" E for 189.73 feet. Thence S 1°20'30" E for 146.34 feet, thence S 1°16'43" E for 320.71 feet. Thence S 1°48'27" E for 727.00 feet, thence S 1°48'13" E for 292.69 feet. Thence S 0°58'14" E for 198.39 feet, thence S 0°49'16" E for 542.78 feet. Thence S 1°13'34" E for 362.93 feet, thence S 8°48'39" E for 51.41 feet. Thence S 9°31'49" E for 47.42 feet, thence S 0°37'16" E for 363.32 feet. Thence S 0°40'19" E for 335.65 feet, thence S 1°22'48" E for 1,538.76 feet. Thence S 1°19'31" E for 170.36 feet, thence S 88°43'23" W for 809.10 feet. Thence N 89°59'17" W for 641.35 feet, thence S 88°5'41" W for 427.89 feet. Thence S 89°43'29" W for 528.85 feet, thence S 89°39'49" W for 212.18 feet. Thence S 84°55'20" W for 200.22 feet, thence S 88°55'4" W for 454.12 feet. Thence S 86°24'43" W for 149.73 feet, thence S 88°28'50" W for 554.75 feet, thence S 89°47'29" W for 641.01 feet. Thence S 87°49'28" W for 652.21 feet, thence S 88°59'46" W for 890.25 feet. Thence S 88°2'11" W for 222.50 feet, thence S 88°47'13" W for 175.57 feet. Thence S 88°49'4" W for 696.68 feet, thence S 89°1'9" W for 452.65 feet. Thence N 89°43'36" W for 548.44 feet, thence S 87°28'43" W for 238.48 feet. Thence S 85°15'39" W for 29.56 feet, thence S 84°56'30" W for 32.53 feet. Thence N 89°57'35" W for 367.46 feet, thence S 88°2'6" W for 303.07 feet. Thence S 86°46'25" W for 93.00 feet, thence N 89°59'0" W for 204.53 feet. Thence S 86°56'1" W for 100.97 feet, thence S 85°2'27" W for 116.80 feet. Thence N 81°21'44" W for 136.26 feet, thence S 87°40'26" W for 186.23 feet. Thence S 88°29'21" W for 478.32 feet, thence S 87°53'36" W for 993.65 feet. Thence S 89°52'23" W for 329.66 feet, thence S 83°13'29" W for 157.43 feet. Thence S 89°45'53" W for 323.74 feet, thence S 86°47'14" W for 165.93 feet. Thence S 88°34'46" W for 663.04 feet, thence S 88°22'45" W for 198.00 feet. Thence S 86°28'37" W for 89.778 feet, thence S 88°6'22" W for 540.03 feet. Thence S 88°40'37" W for 332.85 feet, thence S 88°10'23" W for 331.09 feet. Thence S 86°46'59" W for 330.39 feet, thence S 88°6'36" W for 330.51 feet. Thence S 86°41'56" W for 455.61 feet, thence S 84°55'25" W for 209.69 feet. Thence S 89°38'16" W for 326.09 feet, thence S 88°35'48" W for 495.73 feet. Thence S 89°31'9" W for 175.88 feet, thence N 89°8'38" W for 162.98 feet. Thence S 88°5'46" W for 263.52 feet, thence N 86°19'4" W for 209.97 feet. Thence S 89

°53 49" W for 364.48 feet, thence S 89°30 30" W for 149.32 feet. Thence S 87°22 34" W for 159.98 feet, thence S 88°15 10" W for 224.27 feet. Thence S 89°59 44" W for 440.35 feet, thence S 88°22 25" W for 380.36 feet. Thence N 88°47 23" W for 113.11 feet, thence S 83°57 27" W for 189.23 feet. Thence S 89°2 55" W for 1,336.72 feet, thence S 87°57 18" W for 314.88 feet. Thence N 78°23 25" W for 356.75 feet, thence N 89°16 47" W for 405.66 feet. Thence S 88°49 6" W for 251.40 feet, thence S 88°49 4" W for 21.24 feet. Thence S 88°21 27" W for 180.88 feet, thence S 89°33 25" W for 707.36 feet. Thence N 2°5 25" W for 742.15 feet, thence N 2°4 1" W for 743.07 feet. Thence N 2°8 41" W for 140.17 feet, thence N 2°8 31" W for 140.53 feet. Thence N 1°58 25" W for 42.59 feet, thence N 1°55 42" W for 22.57 feet. Thence N 2°24 35" W for 54.98 feet, thence N 2°5 45" W for 55.33 feet. Thence N 2°32 44" W for 24.76 feet, thence N 1°51 9" W for 25.12 feet. Thence N 2°8 38" W for 1,560.45 feet, thence N 2°0 5" W for 41.14 feet. Thence N 2°9 19" W for 1,299.41 feet, thence N 2°12 40" W for 49.15 feet. Thence N 0°24 22" W for 21.84 feet, thence N 0°42 2" W for 35.31 feet. Thence N 0°45 49" W for 121.95 feet, thence N 0°29 31" W for 49.14 feet. Thence N 0°33 48" W for 1,234.5 feet, thence N 0°33 47" W for 656.07 feet. Thence N 0°33 48" W for 576.06 feet, thence N 0°33 34" W for 69.217 feet. Thence N 0°35 4" W for 28.39 feet, thence N 2°32 21" W for 87.02 feet. Thence N 2°32 0" W for 87.39 feet, thence N 2°50 14" W for 40.78 feet. Thence N 3°13 59" W for 41.16 feet, thence N 2°40 28" W for 2,001.39 feet. Thence N 2°59 45" E for 40.51 feet, thence N 0°22 8" E for 447.55 feet. Thence N 1°53 0" E for 38.64 feet, thence S 29°59 0" E for 23.26 feet. Thence S 40°11 54" E for 8.43 feet, thence S 42°53 23" E for 4.87 feet. Thence S 86°6 0" E for 176.79 feet, thence S 89°58 36" E for 519.85 feet. Thence N 82°40 2" E for 67.94 feet, thence S 89°56 39" E for 219.21 feet. Thence N 88°18 51" E for 289.67 feet, thence N 86°11 31" E for 87.40 feet. Thence S 89°51 13" E for 156.97 feet, thence S 87°41 49" E for 137.71 feet. Thence N 88°17 19" E for 197.34 feet, thence N 88°31 10" E for 210.61 feet. Thence S 89°25 43" E for 261.46 feet, thence N 86°47 58" E for 351.82 feet. Thence N 88°22 20" E for 188.49 feet, thence N 88°48 53" E for 140.40 feet. Thence N 84°22 51" E for 56.50 feet, thence S 88°1 45" E for 244.60 feet. Thence N 89°41 11" E for 47.79 feet, thence N 88°57 17" E for 295.26 feet. Thence N 87°32 41" E for 328.97 feet, thence N 89°58 38" E for 340.17 feet. Thence N 89°3 10" E for 345.70 feet, thence N 88°23 40" E for 300.58 feet. Thence N 89°14 39" E for 336.57 feet, thence N 88°48 35" E for 109.72 feet. Thence N 89°5 4" E for 227.42 feet, thence N 89°28 35" E for 343.66 feet. Thence S 85°23 43" E for 136.97 feet, thence N 86°16 35" E for 288.46 feet. Thence N 88°16 18" E for 389.37 feet, thence N 87°21 26" E for 820.57 feet. Thence N 88°20 5" E for 1,288.76 feet to the point of beginning.

SECTION 10. The boundaries of Increment District No. 23 are shown on Exhibit C and described on Exhibit D of the Project Plan under the heading "TIF 'C'," and are hereby designated and adopted as follows:

Increment District Number 23 Legal Description:

A part of Government Lot One (1), Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

COMMENCING at the Northwest Corner of the Northwest Quarter, Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East; thence North 88°09'14" East and along the North line of said NW/4, for a distance of 80.00 feet to the POINT OF BEGINNING; thence North 88°09'14" East and continuing along said North line, for a distance of 1083.90 feet to the Northeast Corner of said Government Lot 1; thence South 01°13'28" East and along the East line of said Lot 1, for a distance of 659.86 feet to the Northwest Corner of Lot 1, Block 1, NP36; thence South 01°13'28" East and along the Westerly line of said Lot 1, for a distance of 136.22 feet; thence South 32°38'59" West and continuing along said Westerly line, for a distance of 139.23 feet; thence South 13°13'30" West and continuing along said Westerly line, for a distance of 255.85 feet; thence South 52°07'56" West and continuing along said Westerly line, for a distance of 275.09 feet to a point on the South line of said Government Lot 1; thence South 88°09'14" West and along said South line, for a distance of 753.17 feet; thence North 01°09'41" West and parallel with the West line of said NW/4, for a distance of 1280.71 feet; thence North 88°09'14" East and parallel with the North line of said NW/4, for a distance of 30.00 feet; thence North 01°09'41" West and parallel with said West line, for a distance of 39.00 feet to the POINT OF BEGINNING.

SECTION 11. The City hereby finds, determines and reaffirms:

- (a) that the Project Area, including Increment District No. 23 is an enterprise area as defined by the Act;
- (b) that the financial impacts of the Project Plan and Project on the affected taxing jurisdictions and business activities within the Increment District No. 23 are positive and that the economic benefits for the community as a whole offset any adverse impacts;
- (c) that the improvement of the Project Area is likely to enhance the value of other real property in the area and to promote the general public interest;
- (d) that the Project Plan complies with the guidelines of Section 852 of the Act, including specifically paragraphs 1 and 2;
- (e) that the aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to the Act, does not exceed 25% of the total net assessed value of the taxable property within the City;
- (f) that the aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to the Act, does not exceed 25% of the total net assessed value of any affected school districts located within the City;
- (g) that the land within all increment districts within the City does not exceed 25% of the total land area of the City; and
- (h) that the Project Plan are feasible and conform to the Tulsa Comprehensive Plan.

SECTION 12. The following Project and Increment District authorizations are hereby ratified:

(a) The City of Tulsa shall be the principal entity responsible for implementation and is authorized to carry out and administer the provisions of the Project Plan and to exercise all powers necessary or appropriate thereto pursuant to Section 854 of the Act, including the power to make minor amendments to the Project Plan in accordance with Section 858(D) of the Act.

(b) The Tulsa Authority for Economic Opportunity, a public trust formerly known as the Tulsa Industrial Authority, shall have the authority to carry out certain provisions of the Project Plan including the authority to: (i) to assist in carrying out the Project Plan, and to exercise all powers necessary or appropriate thereto, other than those specifically reserved to the City by the Act; (ii) issue tax apportionment bonds or notes, or both; (iii) pledge revenues from current and future fiscal years to repayment; (iv) incur project costs pursuant to Section VIII of the Project Plan; and (v) incur the cost of issuance of bonds for payment of such costs and to accumulate appropriate reserves, if any, in connection with them.

(c) As the successor designee to the Chief of Economic Development, the Executive Director of the Tulsa Authority for Economic Opportunity or another designee of the Mayor of Tulsa shall be the person in charge of implementation of the Project Plan, in accordance with the provisions, authorizations, and respective delegations of responsibilities contained in the Project Plan.

SECTION 13. The increment of ad valorem taxes from Increment District No. 23 in excess of ad valorem taxes generated by the base assessed value of that respective Increment District shall be apportioned and paid into an apportionment fund and may be pledged in accordance with Article X, § 6C(B) of the Oklahoma Constitution, for a period not to exceed twenty-five (25) fiscal years from the date of creation of Increment District No. 23, as provided by law, or the period required for payment of the project costs authorized by Section VIII of the Project Plan, whichever is less.

SECTION 14. During each respective period of apportionment, the tax apportionment fund (a) shall be available to pay project costs under Section VIII of the Project Plan, (b) shall constitute special funds of the Tulsa Authority for Economic Opportunity, and (c) shall not be subject to annual appropriation as a part of the general fund of the City of Tulsa.

SECTION 15. Pursuant to Section 6C of Article X of the Constitution of the State of Oklahoma and the Act, the direction of apportionment shall continue beyond the current fiscal year for the duration of Increment District No. 23 or the period required for the payment of project costs authorized by the Project Plan, whichever is less.

SECTION 16. SEVERABILITY. *If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall not affect the validity of the remaining portions of this Ordinance.*

ADOPTED by the Tulsa City Council, this 24th Day of July 2024

Jeannie Cue, Chair of the City Council

APPROVED by the Mayor of the City of Tulsa, Oklahoma, this 31st Day of July 2024

G. T. Bynum, Mayor

ATTEST: Christina Chappell, City Clerk

APPROVED: Jack Blair, City Attorney

