NOTICE
AMENDED
INCREMENT DISTRICT NUMBER TWO,
CITY OF GLENPOOL, OKLAHOMA
(BROOKOVER CORNER INCREMENT DISTRICT)

REVIEW COMMITTEE (62 O.S. § 855)
SPECIAL MEETING

As required by the Local Development Act, at Title 62, Section 855, of the Oklahoma Statutes, a Special Session of the INCREMENT DISTRICT NUMBER TWO, CITY OF GLENPOOL, OKLAHOMA (BROOKOVER CORNER INCREMENT DISTRICT) REVIEW COMMITTEE will be held at 6:00 p.m. on Monday, February 26, 2018, at Glenpool City Hall, 12205 S. Yukon Avenue, 3rd Floor Conference Room, Glenpool, Oklahoma.

AGENDA

Page

A) **Call to Order - Jacqueline Lund, Chairman**

B) **Roll Call, Declaration of Quorum – Susan White, City Clerk, City of Glenpool**

C) **Declaration of Quorum – Jacqueline Lund, Glenpool City Council, Chair**

D) **Scheduled Business**

1) Recognition of Membership of the Review Committee, including community representatives, and brief discussion of its purposes and procedures.

2) Discussion and possible action to consider and make findings and recommendations to the Glenpool City Council with respect to:
- Conditions establishing the eligibility of the proposed TIF Increment District No. 2 for designation as a Reinvestment Area, as defined in 62 O.S. § 853(17), and as required by Okla. Const. Art. X, § 6C(B), for the development of an area determined by the City of Glenpool to be unproductive and undeveloped in its present condition;
- Conditions establishing that such development will be difficult or impossible to implement unless eligible costs for such development are funded by the apportionment of increased revenues derived from ad valorem and sales taxes, as provided by the Local Development Act;
- A Project Plan, as defined in 62 O.S. § 853(15) and including all requirements provided by 62 O.S. §§ 855 and 856;
- An Impact Analysis to be prepared for the purposes of evaluating the positive and/or negative impact of tax increment apportionments pursuant to the Project Plan on the other taxing jurisdictions represented on the Review Committee; and considering the impact of the development authorized by the Project Plan on the surrounding community outside the tax increment district (such as enhanced property values; spinoff development of residential/hotel/commercial/office uses); and
- Such other matters pertaining to the making of its findings and recommendations to the Glenpool City Council regarding the Project Plan as are appropriate or required by the Local Development Act.

(Eric Waller, Managing Partner, MOAB Development 1, LLC, and Members of the City of Glenpool Staff)

3) Discussion and possible action by the Review Committee to adopt Review Committee Resolution No. 18-02-01, A RESOLUTION ADOPTING RECOMMENDATIONS AND FINDINGS IN REGARD TO THE FORMATION AND CREATION OF INCREMENT DISTRICT NUMBER TWO, CITY OF GLENPOOL, OKLAHOMA 3 - 10

(BROOKOVER CORNER INCREMENT DISTRICT) AND ITS PROJECT PLAN; AND CONTAINING OTHER PROVISIONS RELATING THERETO, including findings and recommendations required by 62 O.S. § 855(B), for submission to the City of Glenpool City Council and conclude its proceedings, or continue its proceedings to a date, time and location to be publicly announced during the course of this Special Session.

REVIEW COMMITTEE -Proposed Approving Resolution (003)

E) **Adjournment**

This AMENDED notice and agenda was posted at Glenpool City Hall, 12205 S. Yukon Ave., Glenpool, Oklahoma, on February 26, 2018 at 11:50 am.

Signed: Susan White
City Clerk

INCREMENT DISTRICT NUMBER TWO, CITY OF GLENPOOL, OKLAHOMA (BROOKOVER CORNER INCREMENT DISTRICT) REVIEW COMMITTEE

REVIEW COMMITTEE RESOLUTION NO. 18-02-01

A RESOLUTION ADOPTING RECOMMENDATIONS AND FINDINGS IN REGARD TO THE FORMATION AND CREATION OF INCREMENT DISTRICT NUMBER TWO, CITY OF GLENPOOL, OKLAHOMA (BROOKOVER CORNER INCREMENT DISTRICT) AND ITS PROJECT PLAN; AND CONTAINING OTHER PROVISIONS RELATING THERETO

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S. 2011, Sections 850 *et seq.* (the "Local Development Act"), as amended, the City Council for the City of Glenpool, Oklahoma, (the "Governing Body"), by its Resolution No. 17014, has appointed the Local Development Act Review Committee (the "Review Committee") to review and make recommendations concerning any proposed tax incentive or tax increment district, plan or project; and

WHEREAS, the membership of this Review Committee is comprised of the following individuals: one representative of the Governing Body acting as chair, one representative of the City of Glenpool Planning Commission, representatives of each taxing jurisdiction within the proposed District whose taxes might be impacted according to the project plan presented to the Review Committee, and three representatives of the public at large, all as required pursuant to Section 855(A) of the Local Development Act; and

WHEREAS, on November 30, 2017, MOAB Development 1, LLC (the "Developer") requested that the Governing Body approve its project proposal, including development plans, and to approve the terms and conditions of the development financing assistance being proposed under the Project Plan; and

WHEREAS, on December 12, 2017, by adoption of its Resolution No. 17014, the Governing Body referred the Developer's proposal to the Review Committee to make those recommendations and findings to the Governing Body of the City that are required with respect to the conditions establishing and creating Increment District Number Two, City of Glenpool, Oklahoma (also known as the "Brookover Corner Increment District") and eligibility for approval of the Project Plan, as well as to report its findings and recommendations to the Governing Body in regard to the financial impact on the taxing jurisdictions within the Brookover Corner Increment District; and

WHEREAS, the Review Committee has been presented with that certain "Project Plan Relating to Increment District Number Two, City of Glenpool, Oklahoma (Brookover Corner Increment District)", dated February 26, 2018 (the "Project Plan"); and

WHEREAS, the Brookover Corner Increment District has been determined to be eligible for designation as an increment district due to being located within a Reinvestment Area, as defined and set forth in 62 O.S. 2011 § 853(17); and

WHEREAS, the Project Plan contemplates the funding of essential public improvements and development financing assistance (qualified project costs); and

WHEREAS, it is more likely than not that the private investment described in the Project Plan would not occur within the proposed Increment District without the public improvements and development financing assistance specified in such Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE REVIEW COMMITTEE THAT THE FOLLOWING RECOMMENDATIONS AND FINDINGS BE MADE TO THE CITY COUNCIL OF THE CITY OF GLENPOOL, OKLAHOMA, IN REGARD TO APPROVING THE CREATION OF INCREMENT DISTRICT NUMBER TWO, CITY OF GLENPOOL, OKLAHOMA, AND IMPLEMENTATION OF THE PROJECT PLAN:

SECTION 1. Eligibility and Creation of "Increment District Number Two, City of Glenpool, Oklahoma (Brookover Corner Increment District)." The Review Committee hereby finds that the boundaries of the proposed increment district, as set forth in Exhibit "A" attached hereto, qualifies as a "Reinvestment Area" as defined in Section 853(17) of the Local Development Act, and as required by Section 856.B.4.a.(1) of the Local Development Act, due to the fact that this area is an area requiring public improvements to serve as a catalyst for retaining or expanding employment, to attract major investment in the area, and to preserve or enhance the tax base. Therefore, the Brookover Corner Increment District, as described in the Project Plan, is found eligible for designation as a tax increment district.

SECTION 2. Approval and Recommendations in Regard to the Project Plan.

(a) The Review Committee has considered the Project Plan, and hereby finds that the provisions of the Project Plan meet the following legislative guidelines set forth in Section 852 of the Local Development Act:

(i) That investment, development and economic growth are difficult within the boundaries of the proposed Brookover Corner Increment District, but possible if the tax increment financing provisions of the Local Development Act are available.

(ii) That the District does not encompass an area where investment, development and economic growth would occur without the assistance of public funds.

(iii) That the undertaking of the project described in the Project Plan will not supplant or replace normal public functions and services.

(iv) That the purpose set forth in the Project Plan for the Increment District works in conjunction with the Governing Body's existing Comprehensive Plan of the City of Glenpool.

(v) That the Increment District does not have boundaries that dissect a similar area and does not create an unfair competitive advantage with respect to other business enterprise in the City of Glenpool.

(vi) That the Project contemplates the need for commercial/industrial development.

(vii) That the maximum effort has been made to allow full public knowledge and participation in the use of the Local Development Act in connection with the preparation and adoption of the Project Plan.

(b) The Review Committee further finds that contemplated private and public projects described in the Project Plan will enhance the value of other real property located within the District as well as effectuating the increase of employment opportunities within said District.

(c) The Review Committee further finds that the aggregate net assessed value of all taxable property in all increment districts within the City of Glenpool, as determined pursuant to Section 862 of the Local Development Act and in accordance with Section 856.B.4.d. of the Local Development Act, shall not exceed thirty-five percent (35%) of the total net assessed value of taxable property within the City of Glenpool, being a city having a population of less than fifty thousand (50,000).

(d) The Review Committee further finds that the aggregate net assessed value of all taxable property in all increment districts within the City of Glenpool, as determined pursuant to Section 862 of the Local Development Act and in accordance with Section 856.B.4.f. of the Local Development Act, shall not exceed 25% of the total net assessed value of any affected school districts located within the City of Glenpool, being solely Glenpool Independent Public School District # 13.

(e) The Review Committee further finds that the land area of this District and all other increment districts within the City of Glenpool, in accordance with Section 856.B.4.g. of the Local Development Act, shall not exceed 25% of the total land area of the City of Glenpool.

(f) Based on the foregoing, the Review Committee finds that the Project Plan and the projects identified therein are appropriate under the provisions of the Local Development Act, and approval of the Project Plan by the Governing Body is hereby recommended.

SECTION 3. Report of Financial Impact.

(a) The Review Committee finds that the current ad valorem property tax revenues collected within the Brookover Corner Increment District will continue to be apportioned to the taxing entities. The Committee also finds that dedicating ad valorem taxes to the Brookover Corner Increment District "apportionment fund" for a maximum of ten (10) years is desirable to serve as a catalyst for retaining or expanding employment, to attract major investment in the area, and to preserve or enhance the tax base. These investments will thereby eventually result in substantial increased ad valorem revenues to the taxing jurisdictions at the completion of the Project Plan.

(b) The Review Committee hereby finds the financial impact on each of the taxing jurisdictions within the existing Brookover Corner Increment District to be as follows:

(i) TULSA COUNTY, OKLAHOMA: Tulsa County, Oklahoma (the "County") currently levies ad valorem taxes equal to 10.32 mills to support general county government (within this section, the "General Fund Revenues").

General Fund Revenues. As all General Fund Revenues that are currently being generated within the District will continue to accrue to the County, no diminishment of the County's General Fund Revenues will result from the establishment of the Brookover Corner Increment District. With regard to future General Fund Revenues, the maximum annual and total incremental revenues generated from the County's 10.33 mill levy and used to pay "project costs" are estimated to be $28,600.00 and $286,000.00, respectively. However, because substantially all the incremental General Fund Revenues generated from this new private investment would not accrue without the construction of the projects listed in the Project Plan, no significant adverse financial impact on the County General Fund Revenue is expected from the approval and implementation of the Project Plan and the creation of the Brookover Corner Increment District.

(ii) TULSA TECHNOLOGY CENTER DISTRICT NO. 13. The Tulsa Technology Center District No. 13 ("TTC") currently levies ad valorem taxes equal to 13.33 mills to support: (a) the educational activities of the Tulsa Technology Center (the "General Fund Revenues"), and (b) to finance a portion of the capital needs of Tulsa Technology Center (the "Building Fund Revenues").

General Fund Revenues and Building Fund Revenues: As all General Fund Revenues and Building Fund Revenues that are currently being generated within the Brookover Corner Increment District will continue to accrue to TTC, no diminishment of the TTC's General Fund Revenues or Building Fund Revenues will likely result from the establishment of the Brookover Corner Increment District. With regard to future General Fund Revenues and Building Fund Revenues, the maximum annual and total incremental revenues generated from TTC's 13.33 mill levy and used to pay "project costs" are estimated to be $37,050.00 and $370,500.00, respectively. However, because substantially all incremental General Fund Revenues and Building Fund Revenues generated from this new private investment would not accrue without the construction of the projects listed in the Project Plan, no significant adverse financial impact on TTC's General Fund or Building Fund is expected from the approval and implementation of the Project Plan and the creation of the Brookover Corner Increment District.

(iii) TULSA COMMUNITY COLLEGE ("TCC") currently levies ad valorem taxes equal to 7.21 mills to support: (a) the educational activities of the Community College (the "General Fund Revenues"), and (b) to finance a portion of the capital needs of Tulsa Community College (the "Building Fund Revenues").

General Fund Revenues and Building Fund Revenues: As all General Fund Revenues and Building Fund Revenues that are currently being generated within the Brookover Corner Increment District will continue to accrue to TCC, no diminishment of the TCC's General Fund Revenues and Building Fund Revenues will likely result from the establishment of the Brookover Corner Increment District. With regard to future General Fund Revenues and

Building Fund Revenues, the maximum annual and total incremental revenues generated from TCC's 7.21 mill levy and used to pay "project costs" are estimated to be $19,825.00 and $198,250.00, respectively. However, because substantially all incremental General Fund Revenues and Building Fund Revenues generated from this new private investment would not accrue without the construction of the projects listed in the Project Plan, no significant adverse financial impact on TCC's General Fund or Building fund is expected from the approval and implementation of the Project Plan and the creation of the Brookover Corner Increment District.

(iv) TULSA COUNTY HEALTH DEPARTMENT. Tulsa County Health Department ("TCHD") currently levies ad valorem taxes equal to 2.58 mills to support the operational activities of the Health Department (the "General Fund Revenues").

General Fund Revenues: As all General Fund Revenues that are currently being generated within the Brookover Corner Increment District will continue to accrue to TCHD, no diminishment of TCHD's General Fund Revenues will likely occur. With regard to future General Fund Revenues, the maximum annual and total incremental revenues generated from TCHD's 2.58 mill levy and used to pay "project costs" are estimated to be $7,150.00 and $71,500.00, respectively. However, because substantially all incremental General Fund Revenues are generated from new private investment would not accrue without the construction of the projects listed in the Project Plan, no significant adverse financial impact on TCHD's General Fund is expected from the approval and implementation of the Project Plan and the creation of the Brookover Corner Increment District.

(v) GLENPOOL PUBLIC SCHOOLS. Independent Public School District No. 13, Tulsa County ("GPSD") currently levies: (a) ad valorem taxes equal to 29.16 mills to support the local activities of the GPSD (the "Locally Voted Revenues); (b) ad valorem taxes equal to 36.05 mills to support the operational activities of the GPSD (the "General Fund Revenues"); and (c) ad valorem taxes equal to 5.15 mills to finance a portion of the capital needs of the School District (the "Building Fund Revenues"). Also, additional ad valorem taxes equal to 4.00 mills are levied county-wide to support the operational activities of all public schools in Tulsa County, a significant portion of which are allocated to GPSD (such revenues being referred to herein as the "County Levy Revenues"). The GPSD also derive significant revenues from the State of Oklahoma's "State Aid Fund", as provided in Title 70, Sections 118-101 et seq. of the Oklahoma Statutes (such revenues being referred to herein as the "State Aid Revenue").

Locally Voted Revenues: As all Locally Voted Revenues that are currently being generated within the Brookover Corner Increment District will continue to accrue to GPSD, no diminishment of the GPSD's Locally Voted Revenues will likely result from the establishment of the Brookover Corner Increment District. With regard to future Locally Voted Revenues, the maximum annual and total incremental revenues generated from GPSD's 29.16 mill levy and used to pay "project costs" are estimated to be $81,250.00 and $812,500.00, respectively. However, because substantially all incremental Locally Voted Revenues generated from this private investment would not accrue without the construction of the projects listed in the Project Plan, no significant adverse financial impact on GPSD's

Locally Voted Fund is expected from the approval and implementation of the Project Plan and the creating of the Brookover Corner Increment District.

Building Fund Revenues. As all Building Fund Revenues that are currently being generated within the Brookover Corner Increment District will continue to accrue to TPSD, no diminishment of the TPSD's Building Fund Revenues will likely result from the establishment of the Brookover Corner Increment District. With regard to future Building Fund Revenues, the maximum annual and total incremental revenues generated from GPSD's 5.15 mill levy and used to pay "project costs" are estimated to be $16,575.00 and $165,750.00, respectively. However, because substantially all incremental Building Fund Revenues generated from this private investment would not accrue without the construction of the projects listed in the Project Plan, no significant adverse financial impact on GPSD's Building Fund is expected from the approval and implementation of the Project Plan and the creating of the Brookover Corner Increment District.

General Fund Revenues and County Levy Revenues: As all General Fund Revenues and County Levy Revenues that are currently being generated within the District (and allocated to GPSD) will continue to accrue to GPSD, no significant diminishment of GPSD's General Fund Revenues or County Levy Revenues will likely occur. With regard to future General Fund Revenues, the maximum annual and total incremental revenues generated from GPSD's 36.05 mill levy and used to pay "project costs" are estimated to be $100,100.00 and $1,001,000.00, respectively. With regard to future County Levy Revenues, the maximum annual and total incremental revenues generated from TCHD's 4.00 mill levy and used to pay "project costs" are estimated to be $11,050.00 and $110,500.00, respectively. These revenues are predominantly impacted by changes in funding from the State of Oklahoma's "State Aid Fund", as provided in Title 70, Sections 118-101 et seq. of the Oklahoma Statutes (such revenues being referred to herein as the "State Aid Revenues"). Under these provisions, increases in the net assessed valuation of a school district are almost entirely offset by reductions in the amount of State Aid Revenue contributed by the State of Oklahoma. Therefore, the inclusion or omission of the net assessed valuation of the new private investment generated within the Brookover Corner Increment District would not substantially increase or decrease the net amount of General Fund Revenues available to GPSD.

Moreover, under current provisions of Oklahoma law, if new students are attracted to GPSD due to the construction of the projects described in the Project Plan, then GPSD will likely receive additional State Aid Revenues and County Levy Revenues by virtue of those students. However, cost increases to service these new students are expected to be commensurate with any new funding. Therefore, the net impact of these factors results in no adverse or beneficial financial impact on the General Fund Revenues or the County Levy Revenues.

(vi) GLENPOOL AREA EMERGENCY MEDICAL SERVICES DISTRICT. Glenpool Area Emergency Medical Services District ("GEMS") currently levies ad valorem taxes equal to 3.09 mill to support the operational activities of the GEMS District (the "General Fund Revenues").

General Fund Revenues: As all General Fund Revenues that are currently being generated within the Brookover Corner Increment District will continue to accrue to GEMS, no diminishment of GEMS's General Fund Revenues will likely occur. With regard to future General Fund Revenues, the maximum annual and total incremental revenues generated from GEMS's 3.09 mill levy and used to pay "project costs" are estimated to be $8,450.00 and $84,500.00, respectively. However, because substantially all incremental General Fund Revenues are generated from new private investment would not accrue without the construction of the projects listed in the Project Plan, no significant adverse financial impact on GEMS's General Fund is expected from the approval and implementation of the Project Plan and the creation of the Brookover Corner Increment District.

(vii) TULSA CITY/COUNTY LIBRARY ("TCCL") currently levies ad valorem taxes equal to 5.32 mills to support: (a) the educational activities of the Library (the "General Fund Revenues"), and (b) to finance a portion of the capital needs of Library (the "Building Fund Revenues").

General Fund Revenues and Building Fund Revenues: As all General Fund Revenues and Building Fund Revenues that are currently being generated within the Brookover Corner Increment District will continue to accrue to TCCL, no diminishment of the TCCL's General Fund Revenues will likely result from the establishment of the Brookover Corner Increment District. With regard to future General Fund Revenues and Building Fund Revenues, the maximum annual and total incremental revenues generated from TCCL's 5.32 mill levy and used to pay "project costs" are estimated to be $14,625.00 and $146,250.00, respectively. However, because substantially all incremental General Fund Revenues and Building Fund Revenues generated from this new private investment would not accrue without the construction of the projects listed in the Project Plan, no significant adverse financial impact on TCCL's General Fund is expected from the approval and implementation of the Project Plan and the creation of the Brookover Corner Increment District.

(v) CITY OF GLENPOOL. ("Glenpool") currently levies no ad valorem taxes and collects no Sinking Fund Revenues.

Sinking Fund Revenues: With regard to potential future Sinking Fund Revenues, the maximum annual and total incremental revenues generated from the imposition by Glenpool of an ad valorem levy and its use to pay "project costs" cannot be estimated at this time.

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ADOPTED this __ day of ____________ , 201__.

CITY OF GLENPOOL, LOCAL DEVELOPMENT ACT REVIEW COMMITTEE

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Jacqueline Lund, Chairman

ATTEST [SEAL]

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Susan White, City Clerk

APPROVED AS TO FORM

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Lowell Peterson, City Attorney/Local Counsel