

JOINT RESOLUTION

RESOLUTION OF THE OKLAHOMA CITY ECONOMIC DEVELOPMENT TRUST AND THE MAYOR AND COUNCIL OF THE CITY OF OKLAHOMA CITY APPROVING AN ALLOCATION IN AN AMOUNT NOT TO EXCEED \$1,500,000 FROM INCREMENT DISTRICT NO. 2, CITY OF OKLAHOMA CITY, RESIDENTIAL DEVELOPMENT BUDGET CATEGORY OF THE AMENDED AND RESTATED DOWNTOWN/MAPS ECONOMIC DEVELOPMENT PROJECT PLAN TO BE USED FOR ASSISTANCE IN DEVELOPMENT FINANCING IN SUPPORT OF PROJECT COSTS ASSOCIATED WITH CERTAIN ENVIRONMENTAL REMEDIATIONS THAT MUST BE DONE ON THE PROPERTY FOR THE BOULEVARD PLACE APARTMENT PROJECT, AND APPROVING AN ALLOCATION IN AN AMOUNT NOT TO EXCEED \$5,743,571 FROM INCREMENT REVENUES RECEIVED FROM INCREMENT DISTRICT NO. 13, CITY OF OKLAHOMA CITY, ASSISTANCE IN DEVELOPMENT FINANCING BUDGET CATEGORY OF THE CORE TO SHORE REINVESTMENT AREA PROJECT PLAN TO BE USED FOR ASSISTANCE IN DEVELOPMENT FINANCING IN SUPPORT OF PROJECT COSTS ASSOCIATED WITH THE ACQUISITION OF LAND AND CONSTRUCTION OF THE BOULEVARD PLACE APARTMENT PROJECT WHICH CONSISTS OF THE CONSTRUCTION AND DEVELOPMENT OF A 265 UNIT APARTMENT COMPLEX AND CERTAIN GROUND FLOOR RETAIL SPACE ADJACENT TO THE NORTH SIDE OF CENTRAL OKLAHOMA TRANSPORTATION AND PARKING AUTHORITY'S ("COTPA") PARKING GARAGE AND LOCATED ON PROPERTY AT THE SOUTHEAST CORNER OF OKLAHOMA CITY BOULEVARD AND BROADWAY AVENUE, GENERALLY BOUNDED BY THE OKLAHOMA CITY BOULEVARD, S.W. 4TH STREET, SOUTH BROADWAY AVENUE, AND SHIELDS BOULEVARD; AND AUTHORIZING AND DIRECTING THE GENERAL MANAGER AND/OR DESIGNEE TO NEGOTIATE AN ECONOMIC DEVELOPMENT AGREEMENT WITH ROSE ROCK DEVELOPMENT PARTNERS, LLC FOR SUBSEQUENT TRUST CONSIDERATION AND APPROVAL.

WHEREAS, on March 7, 2000, The City of Oklahoma City ("City") adopted Ordinance No. 21,431, approving the initial Downtown/MAPS Economic Development Project and Project Plan ("Project" and "Downtown/Maps Project Plan", respectively) and establishing, among other provisions, the creation of Increment Districts to serve the Project, including Increment District Number Two, City of Oklahoma City ("Increment District No. 2") and its associated Project Area, and

WHEREAS, on February 23, 2016, The City of Oklahoma City ("City") adopted Ordinance No. 25,326, approving and adopting the Core to Shore Reinvestment Project Plan ("Core to Shore Project Plan") and establishing, among other provisions, the creation of Increment

Districts to serve the Project, including Increment District Number Thirteen, City of Oklahoma City (“Increment District No. 13”) and its associated Project Area; and

WHEREAS, the Project Area is the specific area where the increment generated in the Increment District can be utilized to support project costs such as assistance in development financing needed to develop the projects anticipated by the Project Plan; and

WHEREAS, the proposed Boulevard Place Project, consisting of the development and construction of approximately 265 apartment units and other ground floor commercial space, is to be constructed in the Project Area of Increment District No. 2 and Increment District No. 13; and

WHEREAS, the Downtown/MAPS Project Plan has been Amended and Restated on numerous occasions (“Amended Downtown/MAPS Project Plan”) and requires that the Downtown/MAPS Tax Increment Review Committee (“Review Committee No. 1”) review any proposed development and/or budgetary allocation in light of the project objectives, feasibility, priorities, and funding availability and submit its recommendation to the City Council of The City of Oklahoma City (“City Council”) prior to implementation of the development project; and

WHEREAS, similarly, the Core to Shore Project Plan also requires that the Core to Shore Reinvestment Area Review Committee (“Review Committee No. 2”) review any proposed development and/or budgetary allocation in light of the project objectives, feasibility, priorities, and funding availability and submit its recommendation to the City Council of The City of Oklahoma City (“City Council”) prior to implementation of the development project; and

WHEREAS, The City of Oklahoma City (“City”) and the Oklahoma City Economic Development Trust (OCEDT) desires to promote and assist economic development and community development projects, which involve substantial investments and which support expansion of development opportunities throughout the City; and

WHEREAS, on December 7, 2007, the citizens of Oklahoma City approved an excise tax in the amount of one percent levied upon the gross proceeds or gross receipts derived from all sales taxable under the sales tax laws of this State for the purpose of developing City capital improvements, commonly known as MAPS 3 projects, which improvements were conceived to enhance and support the quality of life of the citizens and visitors to Oklahoma City; and

WHEREAS, two of the MAPS 3 projects were the construction of a new Convention Center and the new Scissortail Downtown Park, which upon completion were expected to significantly promote increased residential demand and opportunities in the downtown area, thereby enhancing the tax base and spurring additional economic development; and

WHEREAS, the Developer, has approached City staff with a request to assist the Developer in closing a gap in financing available to construct the Boulevard Place Project; and

WHEREAS, if the required gap in financing costs for the Boulevard Place Apartment Project can be closed, the Developer, Rose Rock Development Partners, will construct the proposed Project which will bring additional needed residential opportunities to the central

business district and promote additional economic development in the area; and

WHEREAS, Review Committee No. 1 and Review Committee No. 2 have received information regarding the proposed development of the Boulevard Place Project, and the need to close the gap in financing, to include the use of the funds to remediate certain known environmental issues on the property; and

WHEREAS, the two Review Committees also received information from the requesting Developer (Rose Rock Development Partners, LLC), regarding its plans to construct the Boulevard Place Apartment Project on a tract of land situated generally on property located on the southeast corner of Oklahoma City Boulevard and Broadway Avenue, generally bounded by the Oklahoma City Boulevard, S.W. 4th Street, South Broadway Avenue, and Shields Boulevard; and

WHEREAS, the primary purposes of the Downtown/MAPS Amended Project Plan and the Core to Shore Project Plan are to support public and private redevelopment of the downtown business area of Oklahoma City, to include commercial and service-oriented retail development to support and stimulate the redevelopment of vacant, abandoned, dilapidated, underutilized, and blighted properties in the project area of the referenced Project Plans; and

WHEREAS, the two Review Committees are comprised of representatives of each of the taxing jurisdictions located in the ad valorem increment districts reflected in the Project Plans, as well as representatives of the public at large, and they have been informed of the proposed Boulevard Place Apartment Project; and

WHEREAS, on July 14, 2021, the Downtown/MAPS Review Committee convened separately and independently and found that recommending approval of the proposed budgetary allocation of an amount not to exceed \$1,500,000, as recommended by City staff from the Residential Development Budget Category of Increment District No. 2, for “assistance in development financing” to help offset the cost of required environmental remediation is deemed necessary and appropriate for the Boulevard Place Apartment Project; and

WHEREAS, on June 29, 2021, the Core to Shore Review Committee convened separately and independently and found that recommending approval of the proposed budgetary allocation of an amount not to exceed \$5,743,571, as recommended by City staff, from the Assistance in Development Budget Category of Increment District No. 13 for “assistance in development financing” to help offset the cost of land acquisition and construction is deemed necessary and appropriate for the Boulevard Place Apartment Project; and

WHEREAS, the Review Committees further found that the proposed Boulevard Place Apartment Project has the potential to serve as a catalyst for future economic development in the Project Area, and will have an important impact on the success of the New Convention Center, the Scissortail Park, as well as the Omni Hotel; and

WHEREAS, the Mayor and Council of The City of Oklahoma City and the Chairman and Trustees of the Oklahoma City Economic Development Trust find that approving the requested budgetary allocations, the first in an amount not to exceed \$1,500,000, from the Increment District

No. 2, Residential Development Budget Category for “assistance in development financing” to defray the costs of certain required environmental remediation is deemed necessary and appropriate for the Boulevard Place Apartment Project and that an allocation in an amount not to exceed \$5,743,571 from the Assistance in Development Budget Category of Increment District No. 13 is consistent with the projects anticipated under the Amended and Restated Core to Shore Project Plan, provided the amount will be paid to the Developer over a ten year period in an amount that will not exceed \$575,000 annually and represents a rebate of 69% of the taxes expected to be paid on the property; and

WHEREAS, it is further the recommendation of City staff to the Trust and City Council that the General Manager be authorized and directed to negotiate an Economic Development Agreement between the Trust and the Developer (Rose Rock Development Partners, LLC) for subsequent consideration by the Trust and concurrence by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the Chairman and Trustees of the Oklahoma City Economic Development Trust and by the Mayor and City Council of The City of Oklahoma City that a budgetary allocation in an amount not to exceed \$1,500,000 from the Increment District No. 2, Residential Development Budget Category and a budgetary allocation in an amount not to exceed \$5,743,571, from the Assistance in Development Financing Budget Category of Increment District No. 13 for assistance in development financing in support of the Boulevard Place Apartment Project is hereby approved.

BE IT FURTHER RESOLVED by the Chairman and Trustees of the Oklahoma City Economic Development Trust and by the Mayor and City Council of The City of Oklahoma City that the allocation of \$5,743,571 from the Increment District No. 2, Residential Development Budget Category will be paid to the Developer over a ten year period in an amount that will not exceed \$575,000 annually.

BE IT FURTHER RESOLVED by the Chairman and Trustees of the Oklahoma City Economic Development Trust and by the Mayor and City Council of The City of Oklahoma City that the General Manager be authorized and directed to negotiate an Economic Development Agreement between the Trust and the Developer (Rose Rock Development Partners, LLC) for subsequent consideration by the Trust and concurrence by the City Council.

ADOPTED by the Trustees and **SIGNED** by the Chairman of the Oklahoma City Economic Development Trust this 20th day of July, 2021.

ATTEST:



SECRETARY



**OKLAHOMA CITY ECONOMIC
DEVELOPMENT TRUST**



CHAIRMAN

ADOPTED by the City Council and SIGNED by the Mayor of The City of Oklahoma City
this 17th day of August, 2021.

ATTEST:

THE CITY OF OKLAHOMA
CITY

Amy K. Simpson
CITY CLERK



David Holt
MAYOR

REVIEWED for form and legality.

Wiley L. Williams
DEPUTY MUNICIPAL COUNSELOR