



## CITY OF NORMAN, OK CITY COUNCIL SPECIAL MEETING

Municipal Building, Executive Conference Room, 201 West Gray, Norman,  
OK 73069

Tuesday, November 14, 2023 at 5:00 PM

### MINUTES

*It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, relation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5446, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.*

### CALL TO ORDER

Mayor Heikkila called the Meeting to Order at 5:00 p.m.

### PRESENT

Mayor Larry Heikkila  
Councilmember Ward 1 Austin Ball  
Councilmember Ward 2 Lauren Schueler  
Councilmember Ward 3 Bree Montoya  
Councilmember Ward 4 Helen Grant  
Councilmember Ward 5 Michael Nash  
Councilmember Ward 6 Elizabeth Foreman  
Councilmember Ward 7 Stephen Holman  
Councilmember Ward 8 Matthew Peacock

### ABSENT

None

### AGENDA ITEMS

1. DISCUSSION REGARDING TAX INCREMENT FINANCING UNDER THE LOCAL DEVELOPMENT ACT.

Ms. Kathryn Walker, City Attorney, said Article X, Section 6C of the Oklahoma Constitution authorizes the Legislature to adopt laws allowing municipalities, and counties the ability to provide incentives, exemptions, and other relief from taxation for certain designated areas, including enterprise and investment areas.

Item 1, continued:

Ms. Walker said the Local Development Act was adopted in 1992 allowing municipalities and counties to implement a tax increment finance district (TIF) in an area that is unproductive, undeveloped, underdeveloped, or blighted.

Tax Increment Financing is a tool to be used in areas where investment, development, and economic growth are difficult, but possible with TIF assistance. A TIF can be used to generate new employment opportunities through the creation of new enterprise, new economic activity, and new investment; attract investment in areas of need throughout the City (reinvestment areas, historic preservation areas, enterprise areas); and generate new residential and commercial investment that enhances quality of life, education, and economic stability.

A TIF allows a city, town, or county to direct the apportionment of an increment of certain local taxes and fees to finance public project costs in order to stimulate development in the area. The increment is the portion of the ad valorem taxes produced by the increased value of the property in the TIF District and/or the portion of sales taxes collected each year that are generated by the project. Ms. Walker said TIFs do not impose new taxes, they just take advantage of the growth of new taxes from the new development.

Ms. Walker said TIFs can be used in Enterprise Areas – any area within a designated state or federal enterprise zone; Historic Preservation Area – an area or structure listed in or nominated by the State Historic Office to the National Register of Historic Places, and subject to historic preservation zoning; and Reinvestment Areas – an area requiring public improvements in order to reverse economic stagnation or decline, to serve as a catalyst for retaining or expanding employment or to attract major investment to the area.

### Project Plan

In designating a TIF District, there needs to be a Project Plan; Review Committee; approval of Planning Commission; Two Public Hearings; and Council adoption. The Project Plan requirements include boundaries of increment district and project area, including illustrative sketch; general description of public improvements, private investment, and estimated public revenues to accrue; list of project costs; general description of method of financing, sources, timeframe; maps showing existing uses and conditions; proposed improvements; proposed changes in zoning, if required; proposed changes in master plan and city ordinance, if required; name of person in charge of implementation; and authorization of any public entity to carry out any part of the project plan.

Item 1, continued:

### Review Committee

A Review Committee must be appointed prior to public hearings and adoption or approval of a project plan. Membership is set by statute and requires representative of governing body (Chairperson), representative designated by Planning Commission, and representatives designated by impacted taxing jurisdictions that can include Cleveland County, Cleveland County Health Department, Pioneer Library System, Norman Public Schools, and Moore-Norman Technology Center. The Committee selects three members from a list of seven representatives provided by the Chairperson.

The role of the Review Committee is to make findings and recommendations to Council on conditions establishing the eligibility of the proposed district, whether the proposed plan and project will have a financial impact on any taxing jurisdiction and business activities within the proposed district, that must include analysis used to project revenues over the life of the project plan, the effect on the taxing entities, and appropriateness of the approval of the proposed plan and project. The Review Committee may recommend the project plan be approved, denied, or approved subject to conditions set forth by the Committee. If Council changes the area to be included in the proposed district or there are any substantial changes in the proposed plan and project, the Review Committee must review it again and may modify its findings and recommendations.

### Planning Commission

The Planning Commission must review the proposed plan and make a recommendation on the plan to the governing body and the project plan must include any proposed changes to the master plan and zoning.

### Public Hearings

Ms. Walker said there are very specific notice requirements for public hearings. The purpose of the first public hearing is to provide information and answer questions and must include an analysis of potential positive or negative impacts, which may result from the adoption of the project plan. The second public hearing is held to allow any interested person(s) the opportunity to express their views on the proposed plan.

### Council Consideration

After all the steps are followed, Council will review an ordinance adopting the project plan on its agenda for a First and Second Reading. Council will be provided all minutes and reports of the Planning Commission and Review Committee as well as economic analysis used to evaluate the proposal. The TIF Oversight Committee for University North Park (UNP) TIF Two has asked for an opportunity to review the proposal and that review will be scheduled when the project plan is completed.

Councilmembers thanked Staff for the presentation.

Item 1, continued:

Items submitted for the record

1. PowerPoint entitled, "Tax Increment Finance Districts," dated November 14, 2023

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2. CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(4) TO DISCUSS PENDING LITIGATION IN THE CASE OF FLORES V. CITY OF NORMAN, CASE NO. CJ-2021-1051.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 8 Peacock.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 4 Grant, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock.

The City Council adjourned into Executive Session at 5:17 p.m. Ms. Kathryn Walker, City Attorney, was in attendance at the Executive Session.

Motion made by Councilmember Ward 6 Foreman, Seconded by Councilmember Ward 2, Schueler.

Voting Yea: Mayor Heikkila, Councilmember Ward 1 Ball, Councilmember Ward 2 Schueler, Councilmember Ward 3 Montoya, Councilmember Ward 5 Nash, Councilmember Ward 7 Holman, Councilmember Ward 8 Peacock.

The Executive Session was adjourned out of and the Special Session was reconvened at 5:43 p.m.

The possible litigation of Flores vs. the City of Norman, Case No. CM-2021-1051, was discussed. No action was taken and no votes were cast.

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## **ADJOURNMENT**

The meeting was adjourned at 5:44 p.m.

ATTEST:

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City Clerk

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Mayor