

**BROKEN ARROW ECONOMIC DEVELOPMENT AUTHORITY  
MINUTES  
COUNCIL CHAMBERS  
220 SOUTH FIRST STREET  
BROKEN ARROW, OKLAHOMA 74012  
March 3, 2015**

**1. Call to Order**

**Section Minutes:** Chairman Craig Thurmond called the meeting to order at approximately 6:56 p.m.

**2. Roll Call**

<b>Present:</b>	Johnnie Parks, Jill Norman, Mike Lester, Richard Carter and Craig Thurmond
<b>Absent:</b>	None

**3. Consideration of Consent Agenda**

- A. Approval of meeting minutes of February 17, 2015
- B. Approval of Special meeting minutes of February 25, 2015
- C. Approval of the Claims List

**4. Consideration of Items Removed from Consent Agenda**

**5. General Authority Business**

- A. Consideration, discussion, possible approval and authorization to execute Resolution No. 871, a Resolution of the Broken Arrow Economic Development Authority, an Oklahoma Public Trust of which the City of Broken Arrow is the sole beneficiary (the "Authority") repealing Resolution No. 864 (a Resolution of the Broken Arrow Economic Development Authority, an Oklahoma Public Trust of which the City of Broken Arrow is the sole beneficiary (the "Authority") approving and authorizing execution of a certain Option to Purchase Agreement by and among the Broken Arrow Economic Development Authority, an Oklahoma Public Trust of which the City of Broken Arrow is the sole beneficiary (the "Authority") and Tiger Hill, LLC, designating representatives of the Broken Arrow Economic Development Authority for purposes of granting certain approvals and executing certain instruments as required under and in connection with said agreement; containing other provisions relating thereto); and containing other provisions relating thereto

**Item Minutes:** Councilor Mike Lester recused himself from item 5A and left the room.

City Attorney, Ms. Beth Anne Wilkening, said the Legal Department had elected to handle this issue by Resolution because it would streamline the process. She said on December 2, 2014, the Broken Arrow Economic Development Authority (BAEDA) approved Resolution 864 which approved and authorized the execution of an Option to Purchase Agreement between BAEDA and Tiger Hill, LLC. Ms. Wilkening said that the Option provided for a comprehensive survey. Following execution of the Option to Purchase Agreement, it was discovered that the size of the developable property was far less than originally contemplated. When representatives of Tiger Hill, LLC, were advised of the reduction in size of the developable property, they indicated that the original offer of \$3,000,000.00 for the property was no longer acceptable. Ms. Wilkening explained that the Resolution 871 would then repeal Resolution 864 making it null. She said, in an effort to move forward, the property had been reappraised and new marketing efforts as designed by the Director of Economic Development and the Acting City Manager were in motion.

<b>Motion:</b>	<b>Move to approve Resolution No. 871 and authorize its execution</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Jill Norman
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Richard Carter, Craig Thurmond
<b>Recused:</b>	Mike Lester

Councilor Jill Norman stated the need for a correction on action taken for item 5A which had been removed from the Consent Agenda during the Broken Arrow Municipal Authority meeting. She said that the incorrect minutes were a part of the meeting minutes from the Broken Arrow Economic Development Authority meeting of February 17, 2015.

Ms. Wilkening said that corrected minutes for the Broken Arrow Economic Development Authority would be returned to the Broken Arrow Economic Development Authority agenda for the next meeting and the minutes tabled during Broken Arrow Municipal Authority meeting would be available for approval at the next Municipal Authority meeting.

Councilor Lester returned to the room.

Chairman Thurmond asked for a brief recess to clear the room prior to entering into the Executive Session.

<b>Motion:</b>	<b>Move to take a recess prior to entering Executive Session</b>
<b>Motion by:</b>	Jill Norman
<b>Second by:</b>	Mike Lester
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Mike Lester, Richard Carter and Craig Thurmond
<b>Nays:</b>	None

Chairman Thurmond reconvened at 7:05 p.m. and asked for a motion to enter into Executive Session.

<b>Motion:</b>	<b>Move to enter Executive Session</b>
<b>Motion by:</b>	Mike Lester
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Mike Lester, Richard Carter and Craig Thurmond
<b>Nays:</b>	None

## 6. Executive Session

- A. Executive Session for the purpose of confidential communications between the Broken Arrow Economic Development Authority, the Acting City Manager, and the City Attorney regarding pending litigation, settlement discussions and offers of settlement and taking appropriate action in open session, including authority to settle this case, in Two T's Broken Arrow, LLC, an Oklahoma Limited Liability Company v. Broken Arrow Economic Development Authority, an Oklahoma Public Trust, Tulsa County District Court Case Number CJ-2014-2296, under 25 O.S. §307(B)(4). In the opinion of the City Attorney, the Broken Arrow Economic Development Authority is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Broken Arrow Economic Development Authority will reconvene in open meeting, and the final decision, if any, will be put to a vote.

**Item Minutes:** At approximately 7:24 p.m., Chairman Thurmond reconvened the regular session of the Broken Arrow Economic Development Authority meeting and the room was opened to the public. The Chairman asked if there were any motions.

<b>Motion:</b>	<b>Move to authorize the City Attorney to prepare settlement paperwork for the Two-T's litigation for the consideration at the next Authority meeting</b>
<b>Motion by:</b>	Richard Carter
<b>Second by:</b>	Mike Lester
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Mike Lester, Richard Carter and Craig Thurmond
<b>Nays:</b>	None

7. Adjournment

Section Minutes: The meeting adjourned at approximately 7:24 p.m.

<b>Motion:</b>	<b>Move to approve</b>
<b>Motion by:</b>	Johnnie Parks
<b>Second by:</b>	Richard Carter
<b>Ayes:</b>	Johnnie Parks, Jill Norman, Mike Lester, Richard Carter and Craig Thurmond
<b>Nays:</b>	None

  
Chairman

Attest:

  
Secretary

