



CITY OF NORMAN, OK DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT 2 MEETING

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

Tuesday, March 18, 2025 at 1:30 PM

MINUTES

The Development Oversight Committee for TIF District No. 2 of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Executive Conference Room at the Municipal Building, on Tuesday, March 18, 2025 at 1:30 PM and notice of the agenda of the meeting was posted at the Norman Municipal Building at 201 West Gray, and on the City website at least 24 hours prior to the beginning of the meeting.

ROLL CALL

PRESENT

Committee Member Greg Burge
Committee Member Kaimee Kellis
Committee Member Paul Wilson
Committee Member Steven McDaniel

ABSENT

Committee Member Kurt Lee
Committee Member William Wilson
Committee Member Nick Migliorino
Committee Member Rob Norman
Alternate Committee Member Tyler Jones

OTHERS

Clint Mercer, Chief Accountant
Dannielle Risenhoover, Admin. Tech IV
Rick Knighton, City Attorney
Scott Sturtz, Director of Public Works
Jason Olsen, Director of Parks and Recreation

It was declared that there was not a quorum for this meeting.

MINUTES

1. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF MINUTES FROM JANUARY 21, 2025

A vote to approve, reject, amend or postpone the minutes from the January 21, 2025 meeting was not taken as there was not a quorum for this meeting.

Items submitted for the record:

Development Oversight Committee for TIF District 2 Minutes from January 21, 2025

REPORTS

2. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF MONTHLY FINANCIAL REPORT.

Clint Mercer gave the report. He drew attention to the escrow balances on the Financial Report. In a recent court case, the developer of the Town Center was awarded incentive funds and attorney fees in the amount of \$5,075,000. A payment in the amount of \$200,000 was also issued to the Town Center developer. These payments drew down the Town Center balance. "The Town Center category is significantly reduced because of the two payments that we made," Mercer said.

Items submitted for the record:

Financial Report

DISCUSSION & ACTION ITEMS

3. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, POSTPONEMENT AND/OR DISCUSSION OF COURT CASE UTC LLC VS. NTIFA AND PAYOUT OF LIFESTYLE CENTER INCENTIVE MONEY.

City Attorney Rick Knighton led the discussion. "You guys (Development Oversight Committee for TIF District 2) recommended payment (for Lifestyle Center incentive funds to be awarded to the developer), but I could never get a consensus from City Council or the City Manager for payment, so we did get sued by the developer," Knighton said. "The hiccup we were having about the request was the contract required that the developer establish sales of \$400 per square foot based on a similar business, in a similar city, with similar demographics." Knighton said the developer didn't provide this information so the City's Finance Director researched the information. It was determined that part of the development met the contract criteria so a partial payment was considered; however, that didn't satisfy the developer and there was also an issue as to whether Main Event qualified for incentive funds as a "new to Norman" business. "Main Event has maybe four more activities than HeyDay; that's just an issue of, 'Hey Judge, tell us what you think,'" Knighton said. "Is it similar enough or is it not similar enough? We'll live with whatever your determination is." The Judge did rule that Main Event was a new to Norman entertainment option, thus ruling in the developer's favor. "The hiccup in that case was that they wanted all of the interest," Knighton said. "The contract says \$5 million and doesn't say anything about the interest. They (the developer and developer's legal counsel) relied upon a statute that says, 'In litigation, if you're able to establish your right to a particular award, you might be entitled to it. They argued, 'We were entitled to interest the minute we submitted our letter to the City Manager.' Our argument was, 'No you weren't.'" Through negotiations, the parties agreed on a payment of \$200,000 in interest. Meanwhile, the judge ordered the City to pay \$75,000 of the developer's attorney fees, plus \$5 million in incentive funds.

Member McDaniel asked, "Should we anticipate any additional (incentive fund) requests?" Knighton replied, "I think the answer to that would be 'no'."

McDaniel added, “I just want to be clear, the decision made by this Committee was upheld by the Judge and he said that there is a difference between those two (HeyDay and Main Event), enough of a difference to trigger that amount (\$5 million). Knighton confirmed that this was correct.

- UNP TIF CUSTODIAL ACCOUNT BALANCES POST COURT ORDERED LIFESTYLE CENTER PAYMENT.

Clint Mercer reviewed the balances in the University North Park Tax Increment Finance Fund.

Items submitted for the record:
Court Order re: Case No. CJ-2024-1405 JV
Payment Confirmation Letter

- RECOMMENDATION REGARDING TRANSFERRING REMAINING LIFESTYLE CENTER FUNDS TO THE RECREATIONAL FACILITY ACCOUNT.

Director of Parks and Recreation, Jason Olsen led the discussion. Olsen stated that during construction of the Young Family Athletic Center (YFAC), \$350,000 designated for Norman Public Schools (NPS) Lifestyle Center lease payments was used for construction of the YFAC. Olsen would like to have these funds transferred to the Recreational Facility Account so they can go back to being used for the NPS lease payments.

No recommendation was made due to there not being quorum.

Items submitted for the record:
Financial Report

4. CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, POSTPONEMENT AND/OR DISCUSSION OF ONGOING PROJECTS.

Jason Olsen led the discussion. A map was presented to the Committee Members illustrating proposed vendors in the Rock Creek Entertainment District as well as permitted vendors in the University North Park Tax Increment Finance District. “When you look at the Young Family Athletic Center, what makes it attractive, even though we’re a little smaller than some of these other multi-use gymnasium places, is placement. You can’t find centers like this for multi-use gym or sports facilities in commercial areas with hotels that close,” Olsen said.

Director of Public Works, Scott Sturtz clarified to the Committee that the planned road behind Hobby Lobby and Mardel will essentially be a “driveway” for delivery trucks and sanitation trucks. “Anybody can drive back there, but it’s not a public roadway,” Sturtz said.

Items submitted for the record:
Site Map and Building Permit Report

MISCELLANEOUS COMMENTS

5. STATUS OF THE ROCK CREEK ENTERTAINMENT TIF DISTRICT AGREEMENT.

Chair Burge announced that Member Rob Norman apologized for his absence at today’s meeting and explained that Member Norman had an unforeseen scheduling conflict as he

needed to be at the Oklahoma Supreme Court presenting the referendum petition appeal regarding the proposed Entertainment District Arena. “He did say that he would have enjoyed being here to make some comments and add to our meeting and offer his update,” Burge said.

ADJOURNMENT

Chair Burge adjourned the meeting at 2:25 PM.