

**RESOLUTION NO. 5940**

**A RESOLUTION APPROVING AN AMENDMENT TO TDA  
RESOLUTION NO. 5686 AND RESOLUTION NO. 5704 TO  
AUTHORIZE ADDITIONAL FUNDING FROM THE BLUE  
DOME TIF OF CERTAIN CONSTRUCTION IMPROVEMENTS  
FOR THE SOUTH ELGIN STREETScape PROJECT**

**WHEREAS**, On October 13, 2011 TDA approved Resolution No. 5686 approving a request from the Blue Dome Merchants' and Owners' Association that TDA allocate a Not-to-Exceed amount of \$414,102.12 from the Blue Dome TIF District No. 5 for the South Elgin Avenue Streetscape Improvement Project to provide streetscape improvements for a portion of S. Elgin Avenue between the south B.N.& S.F. Railroad right-of-way line and East First Street South located in the Blue Dome District in downtown Tulsa; and

**WHEREAS**, On December 8, 2011 TDA approved Resolution No. 5704 approving a request from the Blue Dome Merchants' and Owners' Association for and amendment of TDA Resolution No. 5686 to permit and authorize immediate funding of eligible and recommended South Elgin Avenue Streetscape Improvements Project expenses from the Blue Dome TIF, approved by TDA and in an amount not to exceed that previously authorized, in order to implement and facilitate construction of said improvements; and

**WHEREAS**, Indian Nations Council of Governments (INCOG) in collaboration with the Tulsa Industrial Authority (TIA) has submitted and been awarded a grant request by the U.S. Economic Development Administration in the amount of \$200,000.00 to provide a portion of the project funds. The grant funds, upon receipt, will be provided on a reimbursement basis; and

**WHEREAS**, TDA has received updated expense estimates for the South Elgin Streetscape Improvement Project which reflect that the total cost of said Project has risen from an amount not to exceed \$414,102.12 to an amount not to exceed \$522,000.00; and

**WHEREAS**, the Blue Dome Merchants' and Owners' Association has requested that TDA allocate a Not-to-Exceed amount of \$522,000.00, (less amounts received from the U.S. Economic Development Administration grant) from the Blue Dome TIF District No. 5 for the South Elgin Avenue Streetscape Improvement Project to be made available for reimbursement of eligible and recommended South Elgin Avenue Streetscape Improvements Project expenses after final approval by the TDA; and

**WHEREAS**, the Board of Commissioners of the Tulsa Development Authority, based upon the request and approval of Blue Dome Merchants' and Owners' Association the recommendations of its Executive Director, General Counsel and support staff and the additional information presented to the Commissioners, believes that it would be in the best interest of the TDA, the City of Tulsa and the general public to amend TDA Resolution No. 5704 and TDA Resolution No. 5686 to permit and authorize immediate funding of eligible and recommended South Elgin Avenue Streetscape Improvements Project expenses from the Blue Dome TIF,

approved by TDA in an amount not to exceed \$522,000.00 (less any amounts received from the U.S. Economic Development Administration grant), in order to implement and facilitate construction of said improvements;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TULSA DEVELOPMENT AUTHORITY, to-wit:**

**Section 1.** That the Board of Commissioners of the Tulsa Development Authority does hereby approve and consent to the amendment of TDA Resolution No. 5704 and TDA Resolution No. 5686 to permit and authorize, after final approval by the TDA, the immediate funding for reimbursement of eligible and recommended expenses for the South Elgin Avenue Streetscape Improvements Project from the Blue Dome TIF, District No. 5, in an amount not to exceed **\$522,000.00** (less any amounts received from the U.S. Economic Development Administration grant) in order to implement and facilitate construction of said improvements.

**Section 2.** The Board of Commissioners of the Tulsa Development Authority does hereby approve and consent to the further amendment of TDA Resolution No. 5704 and TDA Resolution No. 5686 and does hereby direct and advise the TDA Executive Director or his designee and the Finance Department of the City of Tulsa to proceed with establishing an account for the South Elgin Avenue Streetscape Improvements Project for encumbrance of available funds from the Blue Dome TIF, District No. 5, in an amount not to exceed Five Hundred Twenty Two Thousand Dollars (**\$522,000.00**) reduced by any amounts received from the U.S. Economic Development Administration grant for said Project.

**Section 3.** The terms and provisions of this Resolution shall supersede any provisions of TDA Resolution No. 5704 and/or TDA Resolution No. 5686 in conflict therewith.

**Section 4.** This Resolution shall take effect immediately.

**PASSED and ADOPTED** this 13th day of March, 2014.

**TULSA DEVELOPMENT AUTHORITY**

By: \_\_\_\_\_

  
Julius Pegues, Chairman

**Approved as to legal form and adequacy:**

  
Jot Hartley, General Counsel  
The Hartley Law Firm, PLLC