

At the outset, I want to make very clear what I am trying to do today. I am trying to work with you, my colleagues, to begin handling something the right way after it has been handled - in my opinion - the wrong way for the last two years.

To explain that, it is important to review how we got here. Development at this site has been contemplated repeatedly through our planning processes. It is included in the Arkansas River Corridor Master Plan. It is included in PlaniTulsa, the City's comprehensive plan. It is provided for in the underlying zoning. It is provided for in the River Development Overlay unanimously approved by the Council last year. The vast majority of our river frontage is and will continue to be preserved in its natural state, but there are a few targeted places along the corridor that are considered reasonable pockets of development and this has long been considered one of those.

The previous administration issued an RFP to develop part of this park and received no responses. They then worked on a deal to sell a segment of the park to a developer. They didn't do anything to engage the public in the discussion, and when questioned about their plan they presented Helmerich Park as a dump and said we should be grateful to develop it. A lawsuit was filed, which brought the sale process to a halt.

One of the byproducts of that lousy public outreach process was the misconception - which continues to this day - that all of Helmerich Park is at risk of sale. That has never been proposed by anyone. What is in question is the northernmost approximately 8 acres of a roughly 65-acre park.

Attorneys on both sides of the lawsuit agreed to delay further action until I was sworn in as Mayor because our administration would most likely have to implement whatever outcome was determined.

Shortly after taking office I participated in an all-day mediation session between the developer and the plaintiffs that didn't yield a resolution but did provide me with valuable insight into the positions of both sides.

First thing to recognize is that there aren't villains here. Some members of the two opposing sides have been arguing for so long that they've made each other out that way but I don't see it.

Some have made those opposing this sale out to be tree huggers who hate development. In reality, I found them to be reasonable Tulsans who don't actually oppose development but who are passionate about protecting our natural resources for future generations. Many of them are my friends, and I am thankful for their devotion to our community.

On the other side, some have made those supporting this sale out to be greedy out-of-state developers looking to take advantage of Tulsa. In reality, I found them to be businessmen with a broad range of development experience who are excited by the positive momentum we have in Tulsa and want to invest here because of it.

But from a third party standpoint what each side was presenting didn't seem like a great option.

The developers originally presented a plan that looked - candidly - more suitable at 41st & Yale. It was a nice development in a vacuum but it backed up to the river rather than interfacing with it, and didn't seem to fit in next to this unique natural asset we've spent years working to enhance.

The plaintiffs in the lawsuit surprised me by pointing out that they actually support a development in Helmerich Park, just not the one proposed by the developers. They presented as an alternative plan the site concept that is in the Arkansas River Corridor Master Plan. That design calls for a retail center in the middle of the park, effectively chopping the park in two and leaving the Northern half abutting a busy retail corridor at 71st Street.

When mediation failed, I thought about the path forward. If this goes to court, there seem to be two scenarios that could play out:

1. Plaintiffs win, developer goes away, Helmerich Park remains as it is - largely scrub brush with two recreational features at either end - and Tulsa emerges with yet another mark against our community as a place where it is difficult to do business.

Or

2. Developers win and their proposal moves ahead without public input and we've lost the opportunity for development at that location that interfaces with the river.

Neither of those seemed like ideal outcomes to me. I think we as leaders have a responsibility to try to find common ground when good people in our community are divided. So my team has been working to develop a plan that could serve both interests: Tulsa's economic interests and Tulsa's recreational interests. But rather than present it to the folks in the lawsuit for yet another round of legal wrangling, I wanted to present it to you, the representatives of the citizens we are here to serve.

Now that I've explained how we got here, I want to take a moment to explain my process in asking for this meeting. I have said all along that Tulsa is better served if the citizens have a say in this. I don't want this resolved behind closed doors - in a courtroom or anywhere else. I think the City Council is the mechanism we have in place for the will of the people to be channeled, so I wanted to bring this up in this forum. I also didn't want you reading about our proposal in the newspaper before I had a chance to discuss it with you directly, which is why we've kept a lid on its details. I recognize the time of this meeting today is not ideal, but it was the earliest time we could find when all 9 of you would be here for the presentation.

I asked for you to have the option of voting today, should you want to do so. But I also respect your need to deliberate and for the citizens to have time to consider the proposal in an informed way. If you would feel more comfortable holding off for a week or so, I would certainly support that. I am trying to balance the need to give proper time for public consideration of this with the need to bring resolution to the issue.

The proposal before you today has significant differences from the one supported by my predecessor.

The development plan itself is different. Instead of a bank at the corner, it would be a coffee shop. The parking would now be shielded from view along 71st and along Riverside by grassy berms. Windows would be installed on the side of the sporting goods store facing the river, providing greater transparency. Parking would be divided up into smaller clusters with landscaping separating the areas. The main buildings would be reoriented so their service areas would be shielded from view by vegetation. Over 150 trees would be added to the site.

The end result of these changes compares favorably not just to what was previously under consideration, but also to the plan contemplated in the Arkansas River Corridor Master Plan embraced by the plaintiffs in the lawsuit. Just to compare to that latter plan: this plan would have less parking spaces, less building space, and more trees than the plan supported by the plaintiffs.

The value of the sale to the park is also different. In his donation for the park, Mr. Helmerich wrote a note saying that if any of the park were ever sold the proceeds would be used for the balance of the park. We would honor that by dedicating all of the proceeds from the sale - just shy of \$1.5M - to enhance recreational uses at Helmerich Park. I would ask that the Council lead a public process to determine how the citizens prefer to use those funds, and I would also ask for our philanthropic community's support in matching those funds. The first \$100K toward that match will be made by the developer as part of this proposal.

Another issue of debate has been the site placement within the park. As you will recall, the plaintiffs proposed using the concept plan in the Arkansas River Corridor Master Plan that had the development in the middle of the park. Why place it along 71st Street rather than Riverside? 71st Street is one of the main retail corridors in our city - from Woodland Hills in the East to Tulsa Hills in the West. Riverside Drive is not a retail corridor, nor is it planned as one. The Council reflected this in unanimously adopting a different overlay standard at the intersection of 71st and Riverside versus the rest of the park.

Another other question that comes up is: what about the rest of the park? Will more development follow this? Again, I would point to our planning. The Council passed a zoning change to make the rest of Helmerich Park agricultural zoning, and we approved a more stringent overlay restriction on the rest of the park with that in mind. The Council has repeatedly taken action to protect the balance of the park. I participated in those actions as a Councilor and continue to support them as Mayor. If there are other actions we should take, I am happy to work with you on those.

Another issue that is frequently raised is the sales price itself. In case you couldn't tell already, I am not here to defend the negotiating style of the previous administration. These are the cards I was dealt and this is another area where smart people I respect disagree. What I do know from my days in the auction business is that the true market value of land is the highest price someone will pay for it, and after an RFP and other sales efforts this is what the market delivered. I am also cognizant of the damage that would be done to our reputation as a community if we become known as a place that enters into agreements and then violates them. And I think the damage

from that would be far greater than anything we might hope to gain from the sale price in this instance.

I bring this proposal to you today because I believe it is in the best interest of Tulsa. By allowing for the establishment of a unique commercial enterprise in 1/8 of the current park, the other 7/8 of the park will benefit from an infusion of funds that provide for significant enhancements. Park users benefit from more recreational options. The citizens benefit from increased employment opportunities. Our schools benefit from an increase of approximately \$15M in taxable property value, and the City benefits from an increase of approximately \$20M in retail sales.

I am asking Council consideration of two things:

1. Vacating the 8.8 acres out of 65-acre Helmerich Park outlined in the resolution. I don't pretend to know if this should have legally been done before or not. I'm not a lawyer and there are smart lawyers I respect who disagree on the issue. But doing the right thing is a higher standard than doing the legal thing, and the right thing to do would have been to bring this before the Council a couple of years ago and allow the citizens to weigh in then. I can't hop in the DeLorean and go back in time to do that, but as Mayor today I can present it to you now. So it is here for your consideration.
2. Authorizing the use of City economic development infrastructure funds to establish utilities and other necessary public infrastructure at the site. This is funded through Improve Our Tulsa and will allow us to dedicate the full sale proceeds to recreational enhancements.

Again, we as leaders have a responsibility not to take sides in a fight, but to seek out what is best for Tulsa. After months of evaluation, your team here at the City believes this is the best path forward. We appreciate your consideration.