

MINUTES
SPECIAL CALLED MEETING
LAWTON WATER AUTHORITY
JULY 14, 1998 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

The meeting was called to order at 6:25 p.m. by Chairman Cecil E. Powell, Chairman. Notice of meeting and agenda were posted on the City Hall Notice Board as required by State law.

ROLL CALL

PRESENT: G. Wayne Smith, Richard Williams, Jeff Sadler, John Purcell, Robert Shanklin, Charles Beller, Randy Warren.

ABSENT: None.

ALSO PRESENT: Gil Schumpert, City Manager; Felix Cruz, City Attorney; Brenda Smith, City Clerk

CONSIDER APPROVAL OF MINUTES OF LAWTON WATER AUTHORITY MEETINGS OF JUNE 16 AND 23, 1998.

MOVED by Williams, SECOND by Warren, for approval of the Minutes. AYE: Williams, Sadler, Purcell, Shanklin, Beller, Warren, Smith. NAY: None. MOTION CARRIED.

BUSINESS ITEM:

1. Consider authorizing the advertising for bid to lease the mineral interests for a 40 acre tract of land, a six acre tract of land, and a 324 acre tract of land located in the vicinity of Lake Ellsworth in both Caddo and Comanche Counties to the highest and best bidder. Exhibits: Map; Letter.

Cruz said Marathon Oil is interested in leasing the tracts and this item authorizes advertisement requesting sealed bids. Marathon Oil will advertise and bear the expense of advertising but all bids will be received as sealed bids and awarded to the highest and best bidder. Powell asked where the sealed bids would be delivered and Cruz said to the City Clerk's Office, sealed, in accordance with the bidding procedures.

MOVED by Purcell, SECOND by Warren, to approve the advertising for bid to lease the mineral interests for a 40 acre tract of land, a six acre tract of land, and a 324 acre tract of land located in the vicinity of Lake Ellsworth in both Caddo and Comanche Counties to the highest and best bidder. AYE: Sadler, Purcell, Shanklin, Beller, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

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2. Consider awarding contract for Lake Lawtonka Recreation Sailboat Landing Operations. Exhibits: Vendor's mailing list; bid tabulation; recommendation.

Schumpert said the area in question is familiar to most as the Sunken Bridge Yacht Club, and the recommendation is to award the contract to the Sunken Bridge Yacht Club and authorize execution.

MOVED by Williams, SECOND by Smith, to award the contract for Lake Lawtonka Recreation Sailboat Landing Operations to the Sunken Bridge Yacht Club of Lawton, Oklahoma, and authorize the chairman and secretary to execute the contract. AYE: Purcell, Shanklin, Beller, Warren, Smith, Williams, Sadler. NAY: None. MOTION CARRIED.

3. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the lawsuits styled White, et al. v. City of Lawton, et al., Cotton County District Court, Case Nos. CJ-93-19 and CJ-94-45, and, in open session, take appropriate action on said lawsuits. Exhibits: None.

MOVED by Purcell, SECOND by Warren, to convene in executive session as shown on the agenda. AYE: Shanklin, Beller, Warren, Smith, Williams, Sadler, Purcell. NAY: None. MOTION CARRIED.

The Authority convened in executive session at approximately 6:30 p.m. and reconvened in special, open session at 6:40 p.m. with roll call reflecting all members present.

Cruz reported the Water Authority met in executive session to discuss the lawsuits of the Whites v. City of Lawton, et al, Cotton County District Court, Case Nos. CJ-93-19 and CJ-94-45. He suggested the Authority consider adopting a motion which has the following elements: acknowledge receipt of the demand letter for payment on the White money judgments; second, make a determination that the money judgments in the White cases are void and direct your staff not to make payments on the void money judgments; third, authorize your legal counsel and Mr. Robert Anderson to appeal the injunction order which was issued by the court recently.

MOVED by Smith, SECOND by Purcell, to acknowledge receipt of the demand letter for payment on the White money judgments; make a determination that the money judgments in the White cases are void and direct staff not to make payments on the void money judgments; and authorize the Authority=s legal counsel and Mr. Robert Anderson to appeal the injunction order which was issued by the court recently. AYE: Warren, Smith, Williams, Sadler, Purcell, Shanklin, Beller. NAY: None. MOTION CARRIED.

There was no further business to consider and the meeting adjourned at 6:42 p.m. upon motion, second and roll call vote.

CECIL E. POWELL, CHAIRMAN

ATTEST:

BRENDA SMITH, SECRETARY