FISTA Development Trust Authority
Board Meeting Minutes

Lawton City Hall Auditorium/City Council Chambers
212 SW 9th Street, Lawton, Oklahoma 73501
April 6, 2021 @ 3:15 p.m.

Trustees Present: Mark Brace, Barry Ezerski, Clarence Fortney, Phil Kennedy, Albert Johnson, Jr., David Madigan, Jay Burk, Ron Nance, and Bridget Randle. Also, in attendance were Teira Cole and James Taylor.

Trustees Absent: none

Guests: Albert Rivas, Kim McConnell, Michael Cleghorn, Scott Hatch, Crystal Hall, Dani Blackburn, Tiffani Vrska, and Rich Rogalski

I. **Call to Order/Roll Call**

II. **Introduction of Guests**

III. **Business**

A. **Consider approval of minutes of the Trust Meeting on March 2, 2021**
ACTION: Mr. Burk moved to approve the minutes of the Trust Meeting on March 2, 2021; Mr. Nance seconded the motion. The motion passed unanimously; copy of the minutes attached.

B. **Consider approval of February 2021 financials**
ACTION: Mr. Hatch presented the financials; Mr. Madigan moved to approve the financials as presented; Mr. Brace seconded the motion. The motion passed unanimously; copy of the financials attached.

C. **Consider approval of the Freestyle Creative estimate.**
ACTION: Mr. Burk presented the estimate. Mr. Burk moved to approve agreement in the amount of $92,800.00 and noted the marketing materials would become property of the FISTA; Ms. Randle seconded the motion. The motion passed unanimously; copy of the estimate attached. Estimate on file in the Office of the City Clerk.

D. **Consider approval of FISTA Development Trust Authority Ex-Officio members Albert Rivas (Young Professionals of Lawton appointee), Dani Blackburn (Lawton Business Women appointee) and Scott Chance (FISTA Chair appointee/congressional representative).**
ACTION: Mr. Brace moved to approve the slate of Ex-Officio members; Ms. Randle seconded the motion. The motion passed unanimously.

E. **Chair to appoint FY22 Budget Committee**
ACTION: Mr. Fortney appointed a FY22Budget Committee; the committee members are Mr. Brace, Ms. Randle, Mr. Ezerski, Ms. Blackburn and Mr. Fortney.

F. **Consider establishing a new bank account at Liberty National Bank for sales tax funds.**

ACTION: Mr. Burk moved to approve establishing a new bank account for sales tax funds at Liberty National Bank; Mr. Ezerski seconded the motion. The motion passed unanimously.

G. **Consider approval of establishing a new bank account at Liberty National Bank for mall tenants' security deposits.**
ACTION: Mr. Burk moved to approve establishing a new bank trust account at Liberty National Bank for mall tenants' security deposits; Mr. Ezerski seconded the motion. The motion passed unanimously.

H. **Consider awarding to the lowest responsible bidder a public construction contract for the (a) interior demolition of the former Sears building, (b) interior demolition of the former Dillards building (not including the Dillards HVAC system) and/or (c) the demolition of the HVAC system in the former Sears building all in Central Mall, Lawton, OK.**
ACTION: Mr. Taylor presented the bids. Mr. Nance moved to approve awarding the public construction contract to the lowest responsible bidder, Midwest Wrecking in the amount of $713,610.00; Mr. Kennedy seconded the motion; The motion passed unanimously; copy of the bid sheet attached. Opened bids are on file in the Office of the City Clerk.
NOTE: As required by Title 61, Oklahoma Statutes, § 117, if an award is made to other than the lowest bidder, the awarding public agency shall accompany its action with a publicized statement setting forth the reason for its action. Such statement shall be placed on file, open to public inspection and be a matter of public record.

I. **Consider approval of the form of the Contract including General Conditions, Performance Bond, Statutory Bond, and Maintenance Bond for the (a) interior demolition of the former Sears building, (b) interior demolition of the former Dillard's building (not including the Dillard's HVAC system) and/or (c) demolition of the HVAC system in the former Sears building all in Central Mall, Lawton, OK, and authorizing the Chair and Secretary to execute the Contract documents upon their execution by the successful bidder.**
ACTION: Mr. Madigan moved to approve the contract documents as presented, including General Conditions and Bonds, and authorize the Chair and Secretary to execute the documents upon their execution by the successful bidder, Midwest Wrecking; Ms. Randle seconded the motion. The motion passed unanimously; copy of the documents attached. Executed documents are on file in the Office of the City Clerk.

J. **Consider approval of projects proposed by Knightsbridge Partners to seek funding on behalf of the Trust and upon approval, authorize the projects approved to be added to Exhibit A of the previously approved Knightsbridge Services Agreement and the Chair to execute Exhibit A.**
ACTION: Mr. Burk moved to approve all and individual proposed projects, and authorize the projects approved to be added to Exhibit A and the Chair to execute Exhibit A; Mr. Johnson seconded the motion. The motion passed unanimously; copy of Exhibit A attached. Exhibit A, with list of proposed projects and explanatory notes on each proposed project, are on file in the Office of the City Clerk.

IV. Reports

Mr. Taylor reported on the progress of the prospects, BIC remodel and FISTA demolition.

Ms. Hall reported on the status of the businesses at Central Mall and the marketing efforts being considered.
Mr. Cleghorn indicated the City of Lawton is planning public events for 2021, including Freedom Festival.
Mr. Johnson reported the Freedom Elementary has been designated as a Purple Star Facility.
Mr. Nance said LEDC has a Project announcement coming on Friday.
Mr. Fortney indicated Cameron University and Great Plains Technology Center will be holding summer camps at the mall.

V. Executive Session:

Pursuant to Section 307C.11, Title 25, Oklahoma Statutes, authorizing executive sessions relating to economic development, consider convening in executive session for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within the City of Lawton **if** public disclosure of the matter would interfere with the development of products or services **or if** public disclosure would violate the confidentiality of the business, and if necessary, take appropriate action in open session.
ACTION: Mr. Brace made a motion to approve convening in executive session for the purpose of conferring on specific matters pertaining to economic development as authorized by Section 307C.11 of the Open Meeting Act, and if necessary, take appropriate action in open session; Mr. Burk seconded the motion. The motion passed unanimously.
Mr. Ezerski moved to come out of executive session; Ms. Randle seconded the motion. The motion passed unanimously. No action was taken in executive session.

Mr. Burk moved to return to open session; Mr. Brace seconded the motion. The motion passed unanimously.

VI. Adjourn

The Chairman adjourned the meeting.