

FISTA Development Trust Authority Board Meeting Minutes

Lawton City Hall Banquet Hall
212 SW 9th Street, Lawton, Oklahoma 73501
August 3, 2021 @ 3:15 p.m.

Trustees Present: Dani Blackburn, Mark Brace, Jay Burk, Scott Chance, Barry Ezerski, Albert Johnson, Jr., Phil Kennedy, and David Madigan. Also, in attendance were Teira Cole and James Taylor.

Trustee Absent: Clarence Fortney, Ron Nance, Bridget Randle and Albert Rivas

Guests: Nena Hardy, Kim McConnell, Isaac Hines, Josh Jacox, Michael Cleghorn, 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 July 6, 2021**

ACTION: Mr. Burk moved to approve the minutes of the Trust Meeting on July 6, 2021; Mr. Ezerski seconded the motion. The motion passed unanimously; a copy of the minutes attached.
 - B. Consider approval of minutes of the Trust Special Called Meeting on July 16, 2021**

ACTION: Mr. Ezerski moved to approve the minutes of the Trust Special Called Meeting on July 16, 2021; Mr. Burk seconded the motion. The motion passed with the votes casted as follows; Mark Brace-yes, Jay Burk-yes, Barry Ezerski-yes, Phil Kennedy-yes, Albert Johnson, Jr.-abstain (due to his absence at the July 16th meeting), and David Madigan-yes; a copy of the minutes attached.
 - C. Consider approval of June 2021 financials**

ACTION: Ms. Blackburn presented the financials; Mr. Burk moved to approve the financials as presented; Mr. Kennedy seconded the motion. The motion passed unanimously; copy of the financials attached.
 - D. Consider selection of a Construction Manager at Risk under the provisions of the Public Construction Management Act for Political Subdivisions, Title 61, Oklahoma Statutes, Sections 215 – 217, for renovations of the former Sears and Dillards buildings in Lawton Central Mall and authorize negotiations with the selected Construction Manager at Risk to prepare a proposed agreement to be presented to the Trust for its action at an upcoming open meeting.**

ACTION: Mr. Brace read the passage from the agenda. Isaac Hines discussed the interviews and CMAR score sheets. During discussion, Mr. Madigan asked Mr. Hines how much technical expertise was being considered when scoring the interviews to which Mr. Hines responded it was very much relevant. Mr. Ezerski asked Mr. Hines if he worked with Smith & Pickel before to which Mr. Hines responded he has had great success with the firm and they are his go to firm for

technical projects. Mr. Burk moved to approve selection of Smith & Pickel as Construction Manager at Risk for renovations of the former Sears and Dillards buildings in Lawton Central Mall and authorize negotiations to prepare a proposed agreement for action by the Trust at an upcoming meeting; Mr. Ezerski seconded the motion. During discussion, Mr. Madigan asked Mr. Burk if he would amend his motion to include in the event negotiations cannot be reached with Smith & Pickel then the next highest scoring firm will be contacted for negotiations. Mr. Burk amended his motion to approve selection of Smith & Pickel as Construction Manager at Risk for renovations of the former Sears and Dillards buildings in Lawton Central Mall and authorize negotiations to prepare a proposed agreement for action by the Trust at an upcoming meeting, if negotiations cannot be reached then the next highest scoring firm will be considered for negotiations to prepare a proposed agreement for action by the Trust at an upcoming meeting; Mr. Ezerski seconded the amended motion. The motion passed unanimously; copy of the scoresheets attached. The Request for Qualifications/Proposals and Interview Score Sheets are on file with the Office of the City Clerk.

- E. Consider nominating Nate Slate to the Lawton Science, Technology, Engineering and Math (STEM) Consortium consisting of Cameron University, Great Plains Technology Center and Lawton Public Schools.**
ACTION: Mr. Johnson discussed the Consortium; Mr. Johnson moved to approve nominating Nate Slate to the Lawton STEM Consortium; Mr. Madigan seconded the motion. The motion passed unanimously.

IV. Reports

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

Ms. Hardy reported on the status of the businesses at Central Mall and the marketing campaign.

Mr. Brace thanked the Marketing Committee for their hard work.

Mr. Burk discussed the need for an event planner for the mall. The City of Lawton is considering hiring an Event Coordinator. Maybe there is an opportunity for collaboration between FISTA and City of Lawton.

V. Adjourn

The Chairman adjourned the meeting by motion.