



**MINUTES
LAWTON YOUTH SPORTS TRUST AUTHORITY
REGULAR MEETING**

LAWTON CITY HALL- 212 SW 9TH STREET, LAWTON, OKLAHOMA

3rd FLOOR CONFERENCE ROOM

THURSDAY, MARCH 9, 2023 2:00 P.M.

Chairman Henry called the meeting to order at 2:00 p.m. in the Third Floor Conference Room of City Hall. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

I. ROLL CALL

PRESENT: Brian Henry, Steve Coleman, Sean Fortenbaugh, Hossein Moini, Carey Monroe, Albert Johnson, Jr., Krista Ratliff

ABSENT: Clint Powell, Randy Warren

ALSO PRESENT: Christine James, COL Parks & Rec Director; Jlyn Jorgenson, COL Assistant City Attorney; Tammy Branstetter, COL Deputy City Clerk; Matt Elliott, Eastern Sports Management; Kim McConnell, Lawton Constitution; Eric Swanson, Southwest Ledger

II. REPORTS:

A. Programs Committee – Receive a report from Moini regarding the activities of the Program Committee.

Moini said he has no updates at this time.

B. Facilities Committee – Receive a report from Chairman Henry regarding activities of the Facilities Committee.

Chairman Henry said Powell has been making contact with various landscapers. Approximately one year ago, there were four companies that expressed interest in maintaining the fields at Ahlschlager Park in exchange for advertisement of their business (e.g., a sign display). However, Chairman Henry said many of these landscapers have not been returning Powell's phone calls recently. Chairman Henry advised Powell to attempt to schedule a face-to-face meeting with some of these companies if he's able to get ahold of them.

Ratliff asked if Powell has tried reaching out to any of the companies that currently hold a contract with the City of Lawton or other organizations such as the Lawton Economic Development Authority.

Chairman Henry said the Authority can try making contact with those companies, but Powell initially reached out to the companies that previously expressed interest in working with LYSA.

C. Parks & Recreation – Receive a report from the City of Lawton Parks & Rec Division.

James said last year the Parks and Recreation Division entered into concession lease agreements with LaSill Optimist Club for the four ballfields. She said these were one-year leases with no extensions. James said staff did this intentionally, as they were anticipating these leases being taken over by LYSA or Eastern Sports Management in the near future. James said the current agreements will expire in April of this year.

Moini asked what the Authority's intentions are when it comes to these lease agreements.

Chairman Henry said the intention is to ask Eastern Sports Management if they would like to take over the concession area. He said the Authority will need to research how this can be done legally. Chairman Henry said the ballfield itself is leased to the Authority, but whether the lease includes the concession area has yet to be determined. However, he said the lease for the eastside ballfield(s) specifically states that the Authority will have to honor any concession stand contracts currently in place for the duration of the lease. Chairman Henry said there are three contracts currently in place – one expires in April, and the other two expire in May.

D. Eastern Sports Management – Receive a report from Eastern Sports Management.

Elliott said winter youth basketball will be wrapping up tonight, the footsal adult and youth seasons finished last Saturday, the adult volleyball season ended last Sunday, and the youth volleyball season finished last Tuesday. Elliott said it has been a great winter season, and ESM has received positive feedback regarding the new sports that have been added (e.g., footsal and adult volleyball). Elliott said he believes these programs will continue to grow.

Elliot said ESM has launched their spring registration. He said 15 adult softball teams have been created. There are approximately 36 total youth teams that have been created – four of these teams are for flag football, and the other 32 teams are split between softball and baseball. Elliot said they expect to see enrollment numbers rise once the winter season has finished.

Chairman Henry asked if baseball and softball seasons would be considered spring sports and not summer sports.

Elliott said they are considered spring sports. He said these sports started May 9th last year, but this year they're pushing up the start dates knowing there are plans to incorporate a summer season. Elliott said flag football will begin April 15th. Adult softball will start April 16th, and youth softball and baseball will begin April 17th.

Monroe asked what sports will be offered in the summer season.

Elliott said they are considering bringing back some of the indoor sports such as futsal and adult volleyball. Elliott said they'd also like to carry the youth spring sports (e.g., softball and baseball) into the summer season if there's enough interest to do so.

Moini said many parents are already making plans for the summer. He suggested that ESM finalize the summer season soon so that parents can get their kids enrolled in summer sports.

Chairman Henry asked Elliott if he's had discussions with LPS about using their gyms during the summer.

Elliott said initial contact has been made with LPS, but nothing has been set in stone.

Chairman Henry said through past experience he's known of LPS to close their gyms in the summer for maintenance.

Monroe asked how things are looking financially.

Elliott said he believes we are in good standing. He noted that ESM raised early registration fees for any youth sport from \$28.75 to \$32.00. Elliott said he doesn't anticipate raising the registration fees again until the fall season. Elliott said while we're moving in the right direction, we will need to see increases in revenue to get us where we need to be.

Chairman Henry said the treasurer's office has not made him aware of any alarming issues with the budget thus far, though there is always room for improvement.

Chairman Henry said changes have been made to City Code that take the handling of fees away from the Parks and Recreation Division, thus placing this responsibility into the hands of the Authority. He said the Authority will now be able to have more input when it comes to leveling off costs versus delivery of goods.

E. Finance Report – Consider approving the Treasurer Report from Hatch, Croke, and Associates. - STRICKEN

III. BUSINESS ITEMS:

A. Consider approving the minutes of the February 9, 2023 and February 27, 2023 meetings.

Motion by Ratliff, **Second** by Moini, to approve the minutes of the February 9, 2023 and February 27, 2023 meetings. **AYE:** Moini, Monroe, Henry, Coleman, Fortenbaugh, Ratliff, Johnson. **NAY:** None. ***Motion Passed.***

B. Consider approving an application for the purpose of entering into a long-term lease agreement with the Commissioners of the Land Office and authorize the Chairman to execute any necessary documents.

Chairman Henry said the application is listed on the Commissioners of the Land Office website, and he has had conversations with Alva Brockus, the Real Estate Marketing Manager for the Commissioners of the Land Office. Chairman Henry said Alva has asked that the Authority submit their application so that her office may begin reviewing it and determine if there are any concerns with the proposed use of the land. However, no initial concerns have been raised with regards to the land use. Chairman Henry noted that the application would be non-binding.

Motion by Moini, **Second** by Fortenbaugh, to approve an application for the purpose of entering into a long-term lease agreement with the Commissioners of the Land Office and authorize the Chairman to execute any necessary documents. **AYE:** Moini, Monroe, Henry, Coleman, Fortenbaugh, Johnson, Ratliff. **NAY:** None. ***Motion Passed.***

C. Consider approving a Request for Limited Support and Funding, not to exceed \$10,000, with the City of Lawton for expenses related to a potential long-term lease with the Commissioners of the Land Office.

Chairman Henry said once the application has been submitted, the Commissioners of the Land Office will determine whether the proposed use is appropriate. Their office will then enter into either a commercial lease or an agricultural lease – these are the only types of leases issued by their office. Chairman Henry noted that there are no special considerations for municipalities when it comes to the cost of the lease. By state law, the lease must be of fair market value. To determine the fair market value of the land, Chairman Henry said the Commissioners of the Land Office will order an appraisal. The applicant is responsible for the cost of the appraisal. Chairman Henry said the Request for Limited Support and Funding would be to cover the cost of the appraisal.

Motion by Moini, **Second** by Johnson, to approve an application for the purpose of entering into a long-term lease agreement with the Commissioners of the Land Office and authorize the Chairman to execute any necessary documents. **AYE:** Moini, Johnson, Monroe, Ratliff, Henry, Coleman, Fortenbaugh. **NAY:** None. ***Motion Passed.***

D. Consider approving a Letter of Intent between the Lawton Youth Sports Authority and the Kiowa, Comanche & Apache Intertribal Land Use Committee (KCAILUC) and authorize the Chairman to execute said letter.

Chairman Henry said this Letter of Intent (LOI) is regarding entering into a potential lease agreement with the KCAILUC for 320-360 acres of land north of Cache Road, in between Fort Sill Boulevard and I-44. He said a copy of this LOI was sent to Authority members prior to the meeting, and a copy can be obtained from the City Clerk's office upon request.

Chairman Henry noted that this LOI is non-binding. He said the KCAILUC is proposing a 55-year lease for \$1.00 per year, with an option for renewal. Chairman Henry said it's currently unclear if the terms of the renewal would mirror the terms of the initial lease agreement, but he believes the intent would be to renew for an additional 55 years.

Chairman Henry said 80 acres of this property is tribal trust land, which is typically not taxable. However, KCAILUC has proposed allowing for the collection of taxes on this property equivalent to Lawton City sales tax. Chairman Henry said KCAILUC has asked that the revenue generated by the allotted sales tax during the first five years of the lease be used to fund further expansion of the facility and its program(s).

Chairman Henry said the LOI addresses jurisdictional guidelines for the land.

Chairman Henry proposed that the Authority move forward with working towards a lease agreement with both the Commissioners of the Land Office as well as the KCAILUC. He said there are still many unknowns with both entities. As the Authority moves forward, answers to these questions may provide better insight as to which site would be the better option of the two.

Moini asked what the Authority's next step(s) would be.

Chairman Henry said if the LOI is approved by the Authority, he will send an executed copy of the Letter to the KCAILUC and request a face-to-face meeting with them for further discussion. He said there would need to be a meeting with the Bureau of Indian Affairs (BIA) soon because they would have to give their blessing regarding the LOI.

Chairman Henry noted that it's still unclear how much the Commissioner's of the Land Office property will appraise for. It's possible the KCAILUC land will have the upper hand seeing as how their proposed lease agreement would charge only \$1.00 per year.

Coleman asked Chairman Henry if he plans on having Fellers Snider review this LOI before it's executed.

Chairman Henry said he didn't plan on asking them to review the LOI because the Letter is non-binding. However, he said he will have the City Attorney's office review the Letter if Coleman is comfortable with that.

Coleman said that would be fine, so long as the Letter is reviewed by an attorney.

Coleman said the first paragraph of page 2 of the Letter where it discusses how the collected sales taxes will be used states: "The LYSA shall have the sole discretion for the use [of] such revenue within those purposes during the **term**". Coleman asked if the word "term" is referring to the first five years of the lease agreement, or the entire term of the lease agreement, which is 55 years.

Chairman Henry said he does not have that answer at this time. However, these types of concerns will be addressed and clarified moving forward.

Monroe said she is concerned that the Authority may have difficulty raising money for the facility and its programs if they are not allotted naming rights to any of the sports facilities and fields.

Chairman Henry said this will be addressed with the KCAILUC moving forward. He said the KCAILUC is aware that the Authority is seeking multiple grant options that could require naming rights.

Monroe asked Chairman Henry if she was correct in her understanding that he believes the Authority should move forward with both entities – the Commissioners of the Land Office as well as KCAILUC.

Chairman Henry said that is correct. He said he has been told it could take up to six months to obtain a lease agreement with the Commissioners of the Land Use Office. However, he does not think it would be wise to spend lots of money with both entities. He suggests the Authority move forward pursuing lease agreements with both entities until the time comes to spend a significant amount of money.

Monroe asked if the Authority would be spending the \$10,000 from the City of Lawton if the Request for Limited Support and Funding is approved.

Chairman Henry said this money might have to be spent to find out if entering into a lease agreement with the Commissioners of the Land Office is a viable option.

Motion by Johnson, **Second** by Ratliff, to approve a Letter of Intent between the Lawton Youth Sports Authority and the Kiowa, Comanche & Apache Intertribal Land Use Committee (KCAILUC) and authorize the Chairman to execute said letter. **AYE:** Ratliff, Moini, Monroe, Henry, Coleman, Johnson, Fortenbaugh. **NAY:** None. ***Motion Passed.***

- E. Consider approving a Letter of Engagement for Professional Services with Fellers Snider Attorneys at Law related to securing a long-term lease between LYSA and the Kiowa, Comanche & Apache Intertribal Land Use Committee (KCAILUC).**

Chairman Henry said this firm was mutually agreed upon between the City of Lawton and the KCAILUC. However, he said if the City has in-house expertise that they did not have before, it may not be necessary for the Authority to consult this firm as much as initially anticipated.

Motion by Moini, Second by Fortenbaugh, to approve a Letter of Engagement for Professional Services with Fellers Snider Attorneys at Law related to securing a long-term lease between LYSA and the Kiowa, Comanche & Apache Intertribal Land Use Committee (KCAILUC). **AYE:** Moini, Monroe, Henry, Ratliff, Johnson, Coleman, Fortenbaugh. **NAY:** None. ***Motion Passed.***

- F. Consider approving a Request for Limited Support and Funding, not to exceed \$75,000, with the City of Lawton for expenses related to a potential long-term lease with the Kiowa, Comanche & Apache Intertribal Land Use Committee (KCAILUC).**

Chairman Henry said the amount specified (\$75,000) in this agreement is standard. If it were to be determined that the Authority needs additional funding, a revised funding agreement would have to be brought before both the Authority and City Council for approval.

If the Request for Limited Support and Funding were to be approved and executed, Monroe asked if the Authority would use this funding to pay fees incurred with Fellers Snider Attorneys.

Chairman Henry said that is correct.

Motion by Johnson, Second by Ratliff, to approve a Request for Limited Support and Funding, not to exceed \$75,000, with the City of Lawton for expenses related to a potential long-term lease with the Kiowa, Comanche & Apache Intertribal Land Use Committee (KCAILUC). **AYE:** Moini, Monroe, Henry, Ratliff, Johnson, Coleman, Fortenbaugh. **NAY:** None. ***Motion Passed.***

IV. DISCUSSION ITEMS:

None.

V. ADJOURNMENT

Motion by Ratliff, **Second** by Moini, to adjourn the March 9, 2023 meeting. **AYE:** Moini, Monroe, Henry, Coleman, Fortenbaugh, Johnson, Ratliff. **NAY:** None. ***Motion Passed.***

There be no further business, the meeting adjourned at 2:36 PM.