MINUTES

LAWTON YOUTH SPORTS TRUST AUTHORITY

SPECIAL MEETING

LAWTON CITY HALL- 212 SW 9th Street, Lawton, Oklahoma

3rd FLOOR CONFERENCE ROOM

THURSDAY, AUGUST 11, 2022– 2:00 P.M.

Chairman Henry called the meeting to order at 2:02 p.m. in the 3rd 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:	Sean Fortenbaugh Brian Henry Albert Johnson, Jr. Carey Monroe Clint Powell (arrived at 2:12pm) Krista Ratliff Randy Warren Steve Coleman
ABSENT:	Hossein Moini
ALSO PRESENT:	Dewayne Burk, Deputy City Manager Michael Cleghorn, City Manager Christine James, Parks & Rec Director Joe Don Dunham, Finance Director Donalynn Blazek-Scherler, Recording Secretary Frank Myers, Programs Committee Mike Cowan, Programs Committee Makenzie Ridenhour, Programs Committee Kim McConnell, Lawton Constitution Eric Swanson, Southwest Ledger Justin Stevens, KSWO

I. REPORTS

A. Programs Committee- Receive a report from Moini and take action as necessary.

No report given.

B. Facilities Committee- Receive a report from Chairman Henry and take action as necessary.

Chairman Henry stated Mr. Logan Dye attended LYSA's last meeting and met some of the trustees there. He stated Mr. Dye has coordinated with the YMCA and is trying to form an informal baseball/softball league with about six teams that will play games on Saturday mornings. There was some confusion about the availability of fields, and the land swap made things a little more confusing. Chairman Henry stated within 48-hours of the LYSA meeting, LYSA, Chamber of Commerce, and Lawton Public Schools were able to make arrangements for Mr. Dye's league to have a field at Tomlinson Middle School to play on for the five or six weeks it will be running. Mr. Dye will be doing all the maintenance on the field to get it game day ready since the field has been closed for a year and a half or two years now. Chairman Henry stated he wanted to share this as the vision he has for what this authority can do. It's about getting different parts of the community together to pull youth sports to the forefront and move obstacles to get things done. He stated this is an example of that. He believes the league will start on September 15th.

Chairman Henry stated the Facilities Committee will be ramping up soon, assuming things go the way he hopes they will later. He stated he will ty that back into the conversation about the contract when we get to that.

C. **Parks & Recreation-** Receive a report from the City of Lawton Parks & Rec Division and take action as necessary.

James stated she is glad that Mr. Dye was brought up because she wants to talk to the trustees about facilities. She stated Parks and Rec gets a lot of phone calls about renting the facilities, but they are not done on a first come, first serve basis because Parks and Rec will accommodate the Sports Authority before anyone else. She stated Parks and Rec needs to know what the Authority will be asking for as far as facilities, so she knows the availability she has left for rentals. James stated Mr. Dye had reached out to her office, and she also advised he come to the LYSA meeting. Parks and Rec was keeping him at bay because she needed to be sure we weren't over-committing our fields, and she is glad he was able to work something out.

Chairman Henry stated he isn't sure if the answer to her question will come during the contract discussion, but it will lead to that based on some of the work ESM wants to do, assuming the contract is awarded to them. He stated he thinks getting a definitive answer on that will be shortcoming. Chairman Henry stated from our standpoint, you should march forward with business as usual until we can make a complete change. He stated he has seen a couple of football teams practicing at the bottom of the hill at Cameron University and in the Kingsbriar Addition. This leads him to believe that the football teams seem to have their stuff worked out for right now until a complete change is made.

James stated they have been approached by LPS to do a lease agreement at Eastside. We are planning to have Fall football at Ahlschlager, but she has been keeping LPS at bay because she needs a backup plan in case more teams register than what we can have at Ahlschlager. She stated it is hard when you don't know how many teams there are going to be, but she is trying to plan ahead.

Chairman Henry stated the contractor may have the same kind of mindset, and they are ready to go. He stated he doesn't know if the contract discussion will answer James' questions, but it will get them closer.

Burk asked if LYSA was working with LPS on Grandview and Eastside.

Chairman Henry stated no, what we were saying is we don't know yet. We also need get the contract approved, hopefully. Once that is done, the contractor is literally on the ground ready to run. He stated the answer they need will come soon, but it is not today.

Burk stated people are asking to use of some of the rec facilities, but we don't want to do any agreement prematurely before we know what the Sports Authority is going to need.

Chairman Henry stated registration doesn't close until the 28th and in my experience, a lot of those come in the last week.

James stated pretty much, but we are trying to get some of those built right now, and these are some of the questions we are trying to get worked out.

Chairman Henry stated march forward with that business as you would normally handle it, and we'll get the switch done as soon as possible.

Burk stated LPS is wanting the South two fields at Eastside.

James stated we are holding them at bay until we know what the Authority needs.

Burk stated we are not agreeing to anything until we know for sure the direction we are going there, but school is starting, and they need an answer from us.

Chairman Henry stated if the Sports Authority wasn't here, or God forbid, if the contract doesn't get approved, you wouldn't agree to anything until the 28th when registration is closed, and you know how many teams you have anyway, right? What Christine is saying is if you have too many teams to all play at Ahlschlager, you are going to have to use the fields at Eastside anyway.

James stated potentially, yes. Unless we can do an agreement at Grandview.

Burk stated we have other alternatives, but they specifically want Eastside because they want to use it for the middle school. MacArthur's facilities aren't as nice as ours, so they would like to do that. The lease agreement we are looking at is a one-year agreement where they get those two fields, and they maintain them. If we do that, we don't get them, and you all don't get them. We don't want to do that and exclude the Authority from being able to use them for a year. Do you follow where I'm going?

Chairman Henry stated yes, so that isn't just a football question. It becomes a baseball question, too.

Burk stated absolutely. With the participation levels we've had, we wouldn't need them all. We haven't needed them all. That's why it's critical we anticipate where you guys think you are at, and if you think you will need them all. If you need all the facilities we have, we certainly don't want to enter into an agreement that will preclude you from being able to use those facilities.

Chairman Henry stated that answer won't come today, but we will get it as quickly as possible.

II. BUSINESS ITEMS:

A. Consider approving the minutes of the July 14, 2022 and July 22, 2022 meetings.

Motion by Warren, **Second** by Ratliff, to approve the minutes of the July 14, 2022 and July 22, 2022 meetings. **AYE:** Henry, Johnson Jr., Monroe, Ratliff, Warrant, Coleman, Fortenbaugh. **NAY:** None. ***MOTION PASSED.***

B. Consider approving an agreement for management services between Lawton Youth Sports Trust Authority and Eastern Sports Management, LLC for the assistance of management of sports programming and sports facilities, subject to the approval of a Limited Support Agreement between City of Lawton and Lawton Youth Sports Authority and authorize the Chairman to execute said agreement.

Ratliff stated the Programs Committee is made up of four trustees and three community members. She stated she asked the community members to attend today's meeting so she could give them a shout out and recognition for the work they did. This process was very time intensive and very exhausting. Ratliff presented two large binder and stated these two binders alone are from the RFP/RFI/RFQ process and selection process. She stated she would like to give recognition to Frank, Makenzie, and Michael and she would like to say thank you for their hard work and dedication towards this process. Ratliff stated we can't thank you enough for what you have done for the youth in our community.

Ratliff stated she will give a high-level overview of the proposed contract that is available in the agenda packet. She stated we are proposing to contract with Eastern Sports for a five-year term with an auto annual renewal. She stated it has a fairly exhaustive out clause for cause and for no reason at all, which is a good benefit. Ratliff stated the contract with start with a Study Period that will include a market analysis, their transition plan that will be developed in partnership with LYSA and City of Lawton, and a business development plan. This will show what the future looks like, and how they plan on getting there.

Moving on the Human Resource Services, Ratliff stated they will recruit, retain, hire, train, and supervise all the employees of the entity that will manage youth sports. She stated they will also develop policy and procedure in partnership with LYSA and Lawton Parks and Rec. They will oversee financials in partnership, including budget, bookkeeping, and the audit process. Ratliff stated they will be in charge of all marketing. They have a very exhaustive marketing program that is very comprehensive and quite impressive. They do this in many other markets, so to see how that will be implemented in our community is pretty exciting. They already have a fully designed website that once we are ready to go live, it is ready. Ratliff stated they have already been boots on the ground several times, at their own risk, to meet with Parks and Rec, to understand what we have already, and to understand what we need to move forward. Ratliff stated under Administration, they will develop an operational plan, how we look already, with the fields, with the demographic, with the market, and what sports will be offered. Ratliff stated they will maintain facilities long-term. She stated I know we are going to have conversation in the short-term to see what that looks like until we really get kicked off. The schedule and fees are also included along with supplies and equipment.

Ratliff stated Phase 2 of the Contract, which we are not signing today, is their partnership in the building of the new facility. She stated it is discussed in the contract, but it is not part of the execution today.

Coleman asked if there is a deliverable at the end of the study period.

Ratliff stated there is a deliverable. They will make a recommendation on what sports will be provided, a comprehensive budget that will set us going forward after the start of the next fiscal year, what the programs will look like, the coaching status, registration, coaching certification, and the entire program.

Coleman stated he didn't see that in the contract, so that's why he asked. He didn't see a deliverable that will come to us so we can see what is going on.

Ratliff stated we didn't say specifically to bring it back to the board. It will go back to the Programs Committee.

Burk stated you mentioned the maintenance, which is a key element for the City. Once the baton is passed and the contractor takes over, what does that look like? I know you are getting ready to approve a budget and a substantial amount, once Council approves it, will be coming to the Sports Authority to fund the start up of this. My question is, what does that look like, is it addressed in the contract, and do they have a projection of when they will assume that responsibility from us. He stated for us to keep doing it, we would have to keep funding it.

Ratliff stated she can definitely understand where Mr. Burk is coming from. She stated it is not addressed in the contract because we don't know what we don't know yet. We need to get in with Eastern and start that study period so they can evaluate what fields we have, what they look like, what state are they in, and what does the budget look like. Ratliff stated we have spent some time down at Parks and Rec trying to figure out line items on budgets, and as you both know, it's fairly difficult because of the organizational structure of the Parks and Rec team that works on it so diligently, but that's part of the process. She stated as a rough estimate, we will not be prepared to take over that maintenance of the parks during phase one, so that will be at least next fiscal year. By next fiscal year, we should have a solid idea of what the budget would be to take over the maintenance of those fields.

Burk asked if that would look like the Sports Authority having a contract with the City to continue the maintenance.

Ratliff stated more than likely, it would be a contract between Eastern and the City, not the Sports Authority.

Burk asked if that will be an extra contribution in addition to what the Sports Authority will be asking for, or will they be paying the City to maintain the field.

Ratliff stated we haven't gotten that far because it is not part of phase one, and we can't make decisions on things we don't know yet. Eastern has to get in and estimate, since we couldn't break out the budget from the City. They do have experience in maintaining fields, so once they are here and they know the operating expenses, they will be able to have a close estimate of what the cost will be to maintain the fields. That will give us a better idea.

Chairman Henry stated he thinks in conversations with Eastern, their hope is to take that over in the Spring. The initial thought was that they would take over with basketball.

Burk stated maintenance of the facilities is built into this year's budget. Moving forward, if you are signing a five-year agreement, we have to know for the next budget year if we need to adjust the budget one way or the other.

Chairman Henry stated then that is a definite, next fiscal year, they will take that over.

Burk asked if there is a clause in the contract that they can go back and adjust that.

Ratliff stated that is part of the budget outline that is addressed in the contract, but we are not prepared to talk about next fiscal year's budget until February or

March. We will present that to this committee and Council around May, when we have a good idea about what programs are offered, field conditions, and such. Ratliff stated as you know, we did spend some time trying to develop a budget for 23's fiscal year and 24's fiscal year, but it's impossible since we don't have those breakouts yet.

Chairman Henry stated Eastern is very clear and they know we have a 90-day window to get this fiscal year's budget firmed up. They also know we need 2023's fiscal year budget by March so it can flow in the normal City of Lawton approval process.

Ratliff stated by March, we expect to have fairly solid numbers because they will be here.

Cleghorn stated from my perspective and my staff's perspective, we are fully committed to helping the Sports Authority with this transition, and we understand, as we've talked about from the very beginning, that there are a lot of unknowns. We will work through all that. Dewayne is asking questions to try to firm up our understanding of how this is going to transition. I understand that it's not really widely known yet, because there is a lot of unknowns.

Cleghorn stated he has two things to say. First, a budget amendment will be going to Council on the 23rd to establish funding for the Lawton Sports Authority. It will be to the tune of $300,000.00, and that will be his recommendation to the Council. He stated number two is that he would caution the Authority on signing a contract until they have funding on hand. You might need to wait until the transfer is completed and you have the funding. Oklahoma is very stringent on its public financing laws, and you can't spend money you don't have. Right now, you don't have any money. Even though you are going to do a budget transfer and I'm fairly confident it's going to happen, Council could change their minds.

Chairman Henry stated he had that discussion with John Ratliff, and the way the item is written, it is subject to the approval of the limited support agreement. And Eastern is aware of that as well.

Cleghorn stated then you're good.

Addressing Coleman, Chairman Henry stated just because it isn't written in the contract that the deliverables will be brought back to the full Authority doesn't mean anything. The Programs Committee can bring it back to this group.

Chairman Henry stated the biggest deliverable will be the budget in the 90-day window. When I started reading about there were a lot of deliverables due in a 90-day or 120-day window, but I've already seen the website.

Warren stated I was going to say, they've got a lot of that built already.

Chairman Henry stated if this gets approved, we are going to send a text, and the website is going live that minute. It's ready. It even has the adjusted pricing for the sports stuff on it.

James stated they were in the office this morning.

Ratliff stated I will say that I've had conversation with Eastern telling them they are working at risk at this point because we don't have a signed contract, but we need them here to take over Fall sports per the City's request. She stated they've spent their own money and built their own website because they are aware of the critical time nature we're in to get these youth registered for Fall sports. They've been nothing short of amazing partners so far. We have nothing short of high expectations of them.

James stated they have been extremely helpful.

Coleman stated this contract is conditioned upon funding. Is that correct?

Ratliff stated yes, and Eastern is well aware of that. It is null and void pending funding.

Cleghorn stated he doesn't want to put words in his Council's mouth, but I feel confident it will pass. I will never speak for Council because they make their own decisions, and we'll see what happens on the 23rd.

Ratliff stated we are very thankful for Council and the City of Lawton for their understanding and their investment in our youth and sports. We are very excited about this.

Addressing Coleman, Monroe stated you asked about the deliverables and under "Duties of Manager", it states the manager will provide the following services during the study period. Under that, it talks about the market analysis, transition plan development, business plan development, budgets, operational plan… It doesn't say it in a single sentence, but below that initial statement, it does outline all those things.

Chairman Henry stated he doesn't want to put words in Coleman's mouth, but it doesn't say to bring back to this Authority, but we will certainly do that.

Ratliff stated as part of the Programs Committee's updates, we will be happy to do that.

Coleman stated as long as we know what they're doing during their study period.

Coleman asked if the City Attorney's Office has approved this.

Ratliff stated yes, the City Attorney's Office did review it and provided extensive feedback. We took that feedback back to Eastern, and they accommodated every single item of feedback.

Chairman Henry stated there were particular pieces of language added in there. For example, they had a clause in there about releasing their proprietary information. John Ratliff added, in summary, something to the effect of "based on the Open Meetings Act, we will". He stated if it is something required by the Open Meetings Act, then that request couldn't be fulfilled.

Coleman stated it has an effective date of August 9th.

Chairman Henry stated he marked that because it will need to be changed to today. That is probably effective today pending approval of the limited support agreement, but it could be the 23rd. That's a question for legal.

Fortenbaugh stated he likes that there is a lot of language about where to put the sports facility. They aren't married to this place, but they know what's right and what's not right. We'll know once and for all what's the best place that we have available.

Ratliff stated they have exhaustive experience in building facilities of this nature in communities that are similar to ours. Our Program's Committee also made it very clear that we want them to do community feedback sessions, and take the tribes' opinions into consideration, and partner with different community leaders. We are very excited about the experience they have doing this.

Chairman Henry stated and to include what should go in it.

Warren stated exactly. They know better than we do on what it should include.

Chairman Henry stated it wouldn't surprise him if their recommendation included an expansion of the facility. Not necessarily in courts, but in amenities inside to keep people there and to draw people there.

Motion by Ratliff, **Second** by Johnson Jr., to approve an agreement for management services between Lawton Youth Sports Trust Authority and Eastern Sports Management, LLC for the assistance of management of sports programming and sports facilities, subject to the approval of a Limited Support Agreement between City of Lawton and Lawton Youth Sports Authority, amending the date to August 23rd, and authorizing the Chairman to execute said agreement. **AYE:** Johnson Jr., Monroe, Ratliff, Powell, Warren, Coleman, Fortenbaugh, Henry **NAY:** None. ***MOTION PASSED.***

C. Discuss and consider a proposed budget for FY 22-23 and take action as necessary.

Ratliff stated we have prepared a proposed budget for you to review and to present to City Council. The top lines are revenue; these are projections and estimates based on the best knowledge we had at the time that we developed this budget. We would like to see $10,000.00 in sponsorships, $8,000.00 in sports revenue, and $500.00 in concessions income. She stated she is aware that the concessions seem a little low, but the City of Lawton is under contract for concessions. We hope that transitions, and we will see what that holds in the future. There is also income from the City of Lawton, that Mr. Cleghorn mentioned, in the amount of $295,000.00. The total revenue is $313,500.00.

Ratliff stated below that, we have expenditures. Again, these are based on best knowledge and best practice in partnership with Eastern and data we had from the City of Lawton. Ratliff listed the individual line items under expenditures that total $313,500.00, resulting in a neutral budget. She stated this is the first budget we have done for LYSA and is based off the best knowledge that we had. I will let you know that there will be budget amendments as we move forward, but this is what we are putting before you today.

Cleghorn stated he put in the budget amendment for $300,000.00, not $295,000.00. He suggested amending the budget to reflect this. Cleghorn also asked if the City of Lawton is listed as a co-insured on the quoted insurance policy. If not, he would talk to the City Attorney, but he believes it is appropriate in a lot of these cases that the City is listed as a co-insured.

Ratliff stated we have not secured the insurance policy yet, so we do not have anybody listed as insured or co-insured, but based on what your saying, that makes sense. She stated we will ask for feedback from Eastern and the City Attorney's Office on that.

Chairman Henry asked if Admin Expenses would be the right place to make the adjustment under Expenditures for the additional $5,000.00, or if it should be listed as Revenues Over.

Ratliff stated she believes the additional $5,000.00 should show as an overage on Revenue because we don't know anything for sure.

Chairman Henry stated so we are going to adjust the Income from City of Lawton to $300,000.00 and the Revenues Over Expenditures to $5,000.00.

Motion by Warren, **Second** by Monroe, to approve the proposed budget for FY 22-23 with an amendment changing the Income (City of Lawton) Revenue line to $300,000.00

and the Revenues Over Expenditures to $5,000.00. **AYE:** Monroe, Powell, Ratliff, Warren, Coleman, Fortenbaugh, Henry, Johnson Jr.. **NAY:** None. ***MOTION PASSED.***

Chairman Henry stated LYSA will need to approve the Limited Support Agreement before the 23rd Council meeting.

Burk asked if the board could also put together a lease agreement for Eastside Park to be approved at the special meeting as well.

Coleman asked if the City's leases are typically assignable.

James stated I don't believe so.

Cleghorn stated typically not, but we can check. It would be great if we could just transfer the lease, but I don't think that will be possible. There may be a clause in there that prohibits us from transferring or reassigning those leases.

Warren stated lease agreements are approved by Council.

Burk stated we can work on putting one together for LYSA's review.

The board discussed and agreed to hold a special meeting on Wednesday, August 17th at 2:30 P.M.

Chairman Henry stated you all should be able to walk out of this meeting and view our new website.

Ratliff stated you should be able to walk out and register your child.

Chairman Henry stated he would like to take the opportunity to thank Makenzie, Frank, and Mike. That was the vision of the Authority as well: it wouldn't just be these nine people; we would also draw in other community members who have an interest in youth sports. We will also have the opportunity once we fire up the facilities, and there have been people calling to participate in that as well. Chairman Henry said thank you to Ratliff, Monroe, Hossein, and Johnson Jr from the Trust and the three community members on the Programs Committee. He stated that is a lot of work they got done in a short amount of time.

Ratliff stated it is not work when you are helping our kids.

III. ADJOURN

<u>**Motion** by Monroe, **Second** by Powell</u>, to adjourn the meeting of August 11, 2022. **AYE:** Monroe, Powell, Ratliff, Warren, Coleman, Fortenbaugh, Henry, Johnson Jr. **NAY:** None ***MOTION PASSED.***

There being no further business, the meeting adjourned at 2:39 P.M.