



City of Lawton

Lawton Youth Sports Trust Authority

Agenda

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Thursday, November 10, 2022

2:00 PM

Lawton City Hall- 3rd Floor Conference
Room

Call To Order

Roll Call

Reports

1. Programs Committee- Receive a report from Moini regarding the activities of the Programs Committee **22-784**
2. Facilities Committee- Receive a report from Chairman Henry regarding the activities of the Facilities Committee **22-785**
3. Parks & Recreation- Receive a report from the City of Lawton Parks & Rec Division **22-786**
4. Eastern Sports Management - Receive a report from Eastern Sports Management. **22-787**

New Business

5. Consider approving the minutes of the October 13, 2022 meeting. **22-761**
Attachments: 10.13.22
6. Consider approving a proposed Annual Meeting Notice for calendar year 2023. **22-788**
Attachments: Annual Meeting Notice 2023
7. Consider approving an amended lease agreement between the City of Lawton and Lawton Youth Sports Trust Authority for the Lease of Land and Agreement for Use of a portion of Eastside Park and authorize the Chairman and Secretary to execute said lease agreement. **22-762**
Attachments: Amended Eastside Park_ Lease Agreement - COL-LYSA DRAFT

Adjournment



City of Lawton

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Commentary

File #: 22-784

Agenda Date: 11/10/2022

Agenda No: 1.

ITEM TITLE:

Programs Committee- Receive a report from Moini regarding the activities of the Programs Committee

INITIATOR: Chairman Brian Henry

STAFF INFORMATION SOURCE: Hossein Moini and Dr. Krista Ratliff

BACKGROUND: The Programs Committee will provide an update on monthly activities.

EXHIBIT: None.

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: No action is to be taken.



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Commentary

File #: 22-785

Agenda Date: 11/10/2022

Agenda No: 2.

ITEM TITLE:

Facilities Committee- Receive a report from Chairman Henry regarding the activities of the Facilities Committee

INITIATOR: Chairman Brian Henry

STAFF INFORMATION SOURCE: Chairman Henry

BACKGROUND: The Facilities Committee will provide an update on monthly activities.

EXHIBIT: None.

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: No action is to be taken.



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Commentary

File #: 22-786

Agenda Date: 11/10/2022

Agenda No: 3.

ITEM TITLE:

Parks & Recreation- Receive a report from the City of Lawton Parks & Rec Division

INITIATOR: Chairman Brian Henry

STAFF INFORMATION SOURCE: Parks & Recreation Division

BACKGROUND: The Parks & Rec Division will provide a monthly update on activities within their department to aide in the transition of Youth Sports from the City of Lawton to the Lawton Youth Sports Trust Authority.

EXHIBIT: None.

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: No action is to be taken.



City of Lawton

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Commentary

File #: 22-787

Agenda Date: 11/10/2022

Agenda No: 4.

ITEM TITLE:

Eastern Sports Management - Receive a report from Eastern Sports Management.

INITIATOR: Chairman Brian Henry

STAFF INFORMATION SOURCE: Eastern Sports Management

BACKGROUND: Eastern Sports Management will provide an update on monthly activities.

EXHIBIT: None.

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: No action is to be taken.



City of Lawton

Lawton City Hall
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Commentary

File #: 22-761

Agenda Date: 11/10/2022

Agenda No: 5.

ITEM TITLE:

Consider approving the minutes of the October 13, 2022 meeting.

INITIATOR: Donalynn Blazek-Scherler

STAFF INFORMATION SOURCE: City Clerk's Office

BACKGROUND: The minutes of the October 13, 2022 meeting have been drafted and are awaiting approval

EXHIBIT: Draft minutes of the October 13, 2022 meeting

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve the minutes of the October 13, 2022 meeting.



MINUTES
LAWTON YOUTH SPORTS TRUST AUTHORITY
SPECIAL MEETING
LAWTON CITY HALL- 212 SW 9th Street, Lawton, Oklahoma
3rd FLOOR CONFERENCE ROOM
THURSDAY, OCTOBER 13, 2022 2:00 P.M.

Chairman Henry called the meeting to order at 2:01 p.m. in the Third Floor Conference Room in 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
Albert Johnson, Jr.
Hossein Moini
Randy Warren
Steve Coleman

ABSENT:

Sean Fortenbaugh
Carey Monroe
Clint Powell
Krista Ratliff

ALSO PRESENT:

Dewayne Burk, Deputy City Manager
Tim Wilson, City Attorney's Office
Christine James, Parks & Rec Director
Matt Elliott, Eastern Sports Management
Donalynn Blazek-Scherler, Recording Secretary
Kim McConnell, Lawton Constitution

I. REPORTS

- A. Programs Committee-** Receive a report from Moini regarding the activities of the Programs Committee.

No Report Given.

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

No Report Given.

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

No Report Given.

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

Matt Elliott with Eastern Sports Management gave report. He stated Fall programming is going well. ESM is working on scheduling playoffs and figuring out awards.

Elliott stated we are on the cusp of opening Winter programming. We will be adding a 14U age division to basketball since there was no previous offering for 13 and 14-year-olds. We will also offer volleyball programming. Elliot stated this is a good season extension for those who are currently playing volleyball or are about to start playing volleyball for the school. There is club volleyball at that time, but for the ones that don't play club, this will be an opportunity they have never had.

Elliott stated we are currently partnering with LSC to provide indoor soccer for the Winter as well. This will be an opportunity for LSC and us to expand programming and build on our relationship.

Elliott stated we are testing the market a little bit on adult volleyball. Outside of adult softball, which we are doing, there is not an adult offering in the Winter.

Moini asked if there would be any scheduling issues since basketball and volleyball will be using the same facilities.

Elliott stated no, they will play on different days so there won't be any issues there. When we talk about indoor soccer, that will be using those indoor resources as well. He stated that will be a little bit of scheduling magic on my part, but we feel like we are headed in a very good direction with it and will have the resources to pull it off.

Moini commented that his grandson plays flag football, and a couple of Thursdays ago, he couldn't even find a parking space. He stated that is such a great problem to have. Moini asked if there are concessions at the games.

Elliott stated there should be. It still falls under Optimists.

Chairman Henry stated there was a small snafu, but the Optimists have a lease agreement through May on all City facilities.

Johnson Jr. asked about the traffic on the PlayLawton site.

Elliott stated it is where we expected it to be. We are just continuing to funnel people there and trying to increase that presence. We want to divert people to our socials as well and get them familiar with the website. That's our big push right now.

Chairman Henry stated there was a scheduling obstacle to overcome first thing with volleyball. ESM got it all taken care of, and I heard from parents afterwards that the communication regarding the change of sites was fantastic. They were all supposed to play at Central Middle School, but the floor wasn't done yet, and they had to find other locations. Cameron University stepped in to help out.

Coleman asked if ESM will be handling indoor soccer signups.

Elliott stated yes.

II. BUSINESS ITEMS:

A. Consider approving the minutes of the September 8, 2022 meeting.

Motion by Warren, **Second** by Moini, to approve the minutes of the September 8, 2022 meeting. **AYE:** Henry, Johnson, Moini, Warren, Coleman. **NAY:** None. ***MOTION PASSED.***

B. Consider approving a lease agreement between the City of Lawton and Lawton Youth Sports Trust Authority for the Lease of Land and Agreement for Use of a portion of Eastside Park and authorize the Chairman and Secretary to execute said lease agreement.

Chairman Henry stated this lease agreement ties into what our Trust Indenture calls us to do, which is to oversee and have use of the City's assets. The goal is to have Eastern take over any assets we have, including Eastside and 38th Street, by July 1, 2023. This lease agreement is dated December 31, 2023, but that is only because this lease was already in place. This is just to convert it from LPS to us first.

James stated she has fielded several phone calls from LPS regarding Eastside and asked where she should direct those calls.

Chairman Henry stated direct them to me. I have had discussions with Kevin Hime, Jason James, and folks at MacArthur Middle School.

James stated they keep saying they are leasing it, and she has explained that they are not leasing it from the City; they are leasing from the Sports Authority. She does not want the Sports Authority to be left out of that communication.

Chairman Henry stated he has shared with them that we need to get this piece done, and then we can turn around and finalize a use agreement with them.

Chairman Henry stated LPS is building three facilities, one at each of their high schools. We were exploring whether or not there would be any joint use opportunities with them on their new facilities and our new facility. They want to start at Eisenhower and MacArthur immediately, but the only site at MacArthur to

put a building is the middle school baseball field. Because of this, they want to use Eastside Park for middle school baseball starting in February. They will handle all of the conversion and maintenance while they are using it. They were seeking exclusive use of it, but we can't do exclusive because, hopefully, we'll need it.

Motion by Moini, **Second** by Warren, to approve a lease agreement between the City of Lawton and Lawton Youth Sports Trust Authority for the Lease of Land and Agreement for Use of a portion of Eastside Park and authorize the Chairman and Secretary to execute said lease agreement.

C. According to Section 3.3 of the Management Agreement, consider authorizing Eastern Sports Management to conduct Indoor Facility Conceptual Planning Services and authorize the Chairman to execute an Authorization Letter to Eastern Sports Management.

Chairman Henry stated the Management Agreement has been provided and Section 3.3 outlines the Indoor Facility Conceptual Planning Services. City Council approved \$40,000.00 of funding for this item. All they need is a letter from us asking them to do it and \$40,000.00 in funding. Today, we are just seeking approval to issue the letter authorizing Section 3.3.

Moini asked if there is a timeline for Eastern to complete this.

Chairman Henry stated there is not a timeline but based on a conversation he had with them today, it can be as long as 6 months. Some of that will depend on the number of sites given to them as potentials because they will do a ranking system based on metrics.

Motion by Johnson, **Second** by Warren, to authorize Eastern Sports Management to conduct Indoor Facility Conceptual Planning Services and authorize the Chairman to execute an Authorization Letter to Eastern Sports Management

ADJOURN

Motion by Warren, **Second** by Coleman, to adjourn the meeting of October 13, 2022.
AYE: Warren, Coleman, Henry, Johnson, Moini **NAY:** None. **MOTION PASSED.**

There be no further business, the meeting adjourned at 2:17 PM.



City of Lawton

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Commentary

File #: 22-788

Agenda Date: 11/10/2022

Agenda No: 6.

ITEM TITLE:

Consider approving a proposed Annual Meeting Notice for calendar year 2023.

INITIATOR: Donalynn Blazek-Scherler, Recording Secretary

STAFF INFORMATION SOURCE: City Clerk's Office

BACKGROUND: Section 533.1 of the Oklahoma Open Meeting Act requires all public bodies to provide a written notice of all regularly scheduled meetings for the upcoming calendar year by December 15th. An Annual Meeting Notice for calendar year 2023 has been drafted and is awaiting approval of the trustees. Historically, the Lawton Youth Sports trust Authority has met on the 2nd Thursday of each month at 2:00 pm. The drafted Annual Meeting Notice for 2023 reflects this same schedule.

EXHIBIT: Proposed Annual Meeting Notice for 2023.

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve the proposed Annual Meeting notice for calendar year 2023 with any necessary changes requested by the trustees.

ANNUAL MEETING NOTICE- 2023

LAWTON YOUTH SPORTS TRUST AUTHORITY
TYPE OF MEETING

Regular Meeting* (X)
Special Meeting ** ()
Emergency Meeting ()

Rescheduled Regular Meeting*** ()
Continued or Reconvened Meeting ()

DATE	TIME	PLACE OF MEETING
January 12, 2023	2:00 p.m.	3 rd Floor Conference Room
February 9, 2023	2:00 p.m.	Lawton City Hall
March 9, 2023	2:00 p.m.	212 SW 9 th Street
April 13, 2023	2:00 p.m.	
May 11, 2023	2:00 p.m.	
June 8, 2023	2:00 p.m.	
July 13, 2023	2:00 p.m.	
August 10, 2023	2:00 p.m.	
September 14, 2023	2:00 p.m.	
October 12, 2023	2:00 p.m.	
November 9, 2023	2:00 p.m.	
December 14, 2023	2:00 p.m.	

To be completed by person filing notice:

Name: Donalynn Blazek-Scherler
Title: Recording Secretary
Address: 212 SW 9th Street
Phone: 580-581-3305

Filed in the office of the municipal clerk at ____ p.m. on _____.

Signed: _____
Deputy City Clerk

* The notice and the agenda of the meeting are to be posted at the principal office of the public body (City Hall) or, if there is no principal office, at the location of the meeting at least 24 hours in advance of the meeting, excluding Saturdays, Sundays and holidays legally declared by the State of Oklahoma. (§ 311, #9, Title 25, Okla. Statutes)

** The notice of the special meeting shall be given in writing, in person or by telephone at least 48 hours before the meeting. The notice and the agenda of the special meeting are to be posted at the principal office of the public body (City Hall) or, if there is no principal office, at the location of the meeting at least 48 hours in advance of the meeting, excluding Saturdays, Sundays and holidays legally declared by the State of Oklahoma. (§ 311, #11, Title 25, Okla. Statutes)

*** Notice of any change in the date, time or place of a regularly scheduled meeting shall be given not less than 10 days prior to the implementation of such change. (§ 311, #8, Title 25, Okla. Statutes)



City of Lawton

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212 SW 9th Street
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73501-3944

Commentary

File #: 22-762

Agenda Date: 11/10/2022

Agenda No: 7.

ITEM TITLE:

Consider approving an amended lease agreement between the City of Lawton and Lawton Youth Sports Trust Authority for the Lease of Land and Agreement for Use of a portion of Eastside Park and authorize the Chairman and Secretary to execute said lease agreement.

INITIATOR: Brian Henry, Chairman

STAFF INFORMATION SOURCE: Christine James, Parks & Rec Director

BACKGROUND: In February 2022, the Lawton Youth Sports Trust Authority was created for the purposes of promoting high quality youth athletic programs in the City of Lawton. Per the agreements of the Lawton Youth Sports Trust Indenture, LYSA is to lease, rent, furnish, or provide acquired property, buildings, improvements, and facilities for the activities and operations of the Lawton Youth Sport Trust Authority. The City of Lawton Parks & Recs Department and the Lawton Youth Sports Trust Authority have agreed that it is in the best interest of both parties to execute a lease agreement that terminates on June 30, 2023 for the lease of land and use of facilities for a section of Eastside Park, more particularly described as "A parcel of land lying in the SE ¼ of Section 27, Township 2 North, Range 11 West, of the Indian Meridian, Comanche County, Oklahoma, further described as the S/2 NW/4 SE/4 & N/2 NW/4 SW/4 SE/4 SW5/ SE/4. A lease agreement was initially approved on October 13, 2022. The noted edits have been made and are awaiting approval.

EXHIBIT: Lease Agreement between the City of Lawton and Lawton Youth Sports Trust Authority for a portion of Eastside Park

KEY ISSUES: N/A

FUNDING SOURCE: Facilities Fund

STAFF RECOMMENDED COUNCIL ACTION: Approve an amended lease agreement between the City of Lawton and Lawton Youth Sports Trust Authority for the Lease of Land and Agreement for Use of a portion of Eastside Park and authorize the Chairman and Secretary to execute said lease agreement.

LEASE AGREEMENT

THIS AGREEMENT is entered into this ____ day of _____, 2022 by and between the City of Lawton, Oklahoma, a municipal corporation (hereinafter called "City"), and The Lawton Youth Sports Trust Authority, a public trust (hereinafter called "Authority").

WITNESSETH:

In consideration of the mutual covenants herein contained, the parties hereby stipulate and agree that the purpose of this Lease Agreement is to aid the Authority in its mission to promote, create and grow youth sports opportunities in the City of Lawton by administering a diverse set of programs that foster increased participation in athletics.

1. **Lease of Land.** City hereby lets and leases to the Authority, for good and valuable consideration of ten dollars (\$10.00) payable to the City at commencement of the lease, a portion of Eastside Park, more particularly described as follows:

A parcel of land lying in the SE ¼ of Section 27, Township 2 North, Range 11 West, of the Indian Meridian, Comanche County, Oklahoma, further described as the S/2 NW/4 SE/4 & N/2 NW/4 SW/4 SE/4 & E/2 SE/4 SW/4 SE/4;

Location map attached.

2. **Provisions.** The provisions of the Agreement for Use of Recreational Complex ("Eastside Park") are as follows:

- (A) Authority shall have the non-exclusive use of four (4) ball fields, as described on the attached map, for the term of this agreement. Authority's non-exclusive use of the ball fields during the term of this lease shall have priority over other uses. However, during those times the Authority is not actively utilizing the ball fields, said ball fields will be available for others to utilize, provided said utilization is in conformance with the purpose of the ball fields and in compliance with city code, as well as any applicable rules and regulations of the City.
- (B) Utilization of the ball fields by the Authority shall be for the operation of public youth and or adult sports programing.
- (C) During the period that Authority has non-exclusive use of the ball fields, Authority shall in addition have non-exclusive use of the scoreboards and lights associated with the fields. During this period the City shall continue to assume all responsibility for all maintenance of the four (4) ball fields including lights, grounds, turf, weed control, mowing, edging and fencing associated with the

fields. The concession stands, restrooms, playground, and common areas may be utilized by the Authority, but not exclusively, and will continued to be maintained by the City. Authority will be provided the necessary keys for use of the facilities. Authority shall ensure that all facilities are secured at the completion of each day's activities.

- (D) City will turn the water to the main line of the system on and off as requested by Authority. City will control the operation of the system.
- (E) Authority will be responsible for trash and debris cleanup after the Authority's use of the fields.
- (F) Authority will be responsible for the repair of any damages caused by its use.
- (G) City shall bear all cost for electricity used at Eastside Park.
- (H) During the term of this agreement, any alleged liability which may have been caused by or during the Authority's use of the property, for example property damage or personal injury to third parties, shall be administered by the Authority subject to the terms and conditions of the Oklahoma Governmental Tort Claims Act, Oklahoma Statutes, title 51 (1991), §151 et seq., including the exemptions from liability found at §155. In no way is it intended that this section impose liability for any damages unless said liability is determined by a court of competent jurisdiction. Each party shall be responsible for damage to the complex carried by the negligent act of its employees, agents and servants.

3. **Term.** This lease shall commence on the date first written above and shall terminate on June 30, 2023, unless terminated earlier as agreed upon by both parties.

4. **Concessions.** Authority shall honor any "Lease and Non-Exclusive Concession Operation Agreement" between the City and third party.

5. **Improvements.** Any improvements to the leased premises desired by Authority shall be made solely at Authority's expense.

6. **Disposition of Property.** Upon the expiration or termination of this Lease Agreement, any improvements made by the Authority shall become the sole property of the City. City will not pay or reimburse Authority for any such improvements made to the leased premises.

7. **Assignment and Sublease.** The Authority may assign or sublease under this agreement provided any assignment or sublease continues fulfillment of the Authority's purpose as set forth in Article III of the Authority's Trust Indenture. Nothing in this paragraph shall prevent the City from permitting another organization or entity to operate concessions as provided in paragraph 4.

8. **Successors and Assigns.** This Lease Agreement and all the terms, covenants, conditions and provisions thereof shall inure to the benefit of and be binding upon the legal representatives, successors and assigns of the parties hereto.

9. **Interpretation.** The parties, in making the Agreement, have entered into it with the hope that the use of the facilities to be provided at the recreation complex shall be of great advantage to the people of the City of Lawton, and they pledge to each other on all occasions, when and if questions arise concerning the true intent and meaning of this contract, that they will endeavor to so treat each other as to give evidence of the highest good faith and the greatest consideration each for the other, in order that unseemly and unfortunate differences may never develop between them.

10. **Governing Law, Jurisdiction, and Venue.** This Agreement will be governed by the laws of the State of Oklahoma. Jurisdiction and venue will be in the District Court of Comanche County, Oklahoma, or the Federal Western District of Oklahoma.

11. **Complete Agreement.** This written document, contains the entire agreement of the parties with respect to the subject matter hereof, and can be amended only by a written agreement signed by both parties.

12. **Waiver.** No waiver of any breach of covenant, condition, term or provision herein contained shall be construed as a waiver of the covenant, condition, term or provision itself or any subsequent breach thereof.

IN WITNESS WHEREOF, the parties have signed this Agreement on the year and date first above written.

LAWTON YOUTH SPORTS TRUST
AUTHORITY, a public trust

BY: _____
Brian Henry, CHAIRMAN

ATTEST:

SECRETARY

(SEAL)

CITY OF LAWTON, A Municipal
Corporation

BY: _____
STANLEY BOOKER, MAYOR

ATTEST:

TRACI L. HUSHBECK, CITY CLERK

(Seal)

Approved as to form and legality this _____ day of _____, 2022.

JOHN RATLIFF, CITY ATTORNEY