

**AGENDA
SPECIAL MEETING
Lawton Economic Development Authority
AUGUST 8, 2022—2:30 PM
City Hall
Banquet Hall
212 SW 9th Street
Lawton, Oklahoma 73501**

MEETING CALLED TO ORDER

**STATEMENT OF COMPLIANCE WITH OKLAHOMA OPEN MEETING ACT, 25 O.S.
§ 301-314**

ROLL CALL

INTRODUCTION OF GUESTS

BUSINESS ITEMS

1. Consider approving the minutes of the June 16, 2022 meeting.
2. Consider approving invoices, requisitions, and all other submitted materials for payment and take action as deemed necessary.
3. Receive Financial Report(s) and take action as deemed necessary.
4. Consider approving a Resolution regarding the transfer of the real property located at 910 SW B Avenue and 909 SW C Avenue to the City of Lawton, and take action as deemed necessary.
5. Consider approving an amendment to the Mowing of LEDA and LURA Properties Contract with Lawn Wizards and take action as deemed necessary.
6. Report on project activities, issues, and programs including discussion and possible action on implementation and coordination.

DISCUSSION ITEMS AND REPORTS

ADJOURNMENT

MINUTES
LAWTON ECONOMIC DEVELOPMENT AUTHORITY
THIRD FLOOR CONFERENCE ROOM
NEW CITY HALL
JUNE 16, 2022 AT 2:00 P.M.

Fred Fitch, Chair, called the meeting to order at 2:00 p.m. in Third Floor Conference Room. Meeting notice and agenda were posted on the City Hall bulletin board as required by State Law.

ROLL CALL:

PRESENT: David Denham (arrived at 2:22), Fred Fitch, Randy Warren, David Means, Larry Neal, Ernie Sheppard

ABSENT: Sean Fortenbaugh, David Madigan, Ron Nance

OTHERS PRESENT: Richard Rogalski, Executive Director; Susan Schlecht, Finance Department; Donalynn Blazek-Scherler, City Clerk's Office; John Ratliff, City Attorney; Eric Swanson, Southwest Ledger

BUSINESS ITEMS

1. Consider approving the minutes of the May 19, 2022 meeting.

Motion by Means, **Second** by Sheppard, to approve the minutes of May 19, 2022. **AYE:** Fitch, Warren, Means, Neal, Sheppard **NAY:** None. ***Motion Passed.***

2. Consider approving invoices, requisitions, and all other submitted materials for payment and take action as deemed necessary.

Schlecht presented the following invoices: \$559,000.00 for a cash transfer from the TIF 2 account into the Apportionment fund at BOK; and \$1,270.00, \$467.50, and \$40.00 to CEDL for legal expenses.

Ratliff asked if CEDL submitted an affidavit for the payment over \$1,000.00.

Schlecht stated she is only aware of the \$25,000.00 requirement for anti-collusion.

Ratliff stated it is on page three of the contract that on the agenda for today. He questioned if that requirement is also in the current agreement with CEDL.

Blazek-Scherler stated yes; it is the same agreement.

Chairman Fitch directed Schlecht to get in touch with Dan Batchelor to get the affidavit. He stated they will approve these invoices on the condition that the affidavit is received.

Schlecht stated she can have the check pulled on Friday to hold until she gets the affidavit.

Motion by Warren, **Second** by Means, to approve the invoices and requisitions with the understanding that the affidavit must be received. **AYE:** Warren, Means, Neal, Sheppard, Fitch
NAY: None. ***Motion Passed.***

3. Receive Financial Report(s) and take action as deemed necessary.

Schlecht reviewed the Balance Sheet, Profit and Loss Statement, and Income and Expense Activity Report as of May 31, 2022. These reports are available in the City Clerk's Office.

Chairman Fitch asked if the \$1.224 million would be enough to cover the September payment.

Schlecht stated not quite.

Schlecht reviewed a report on the LEDA loan. This report is available in the City Clerk's Office.

Motion by Neal, **Second** by Warren, to accept the Financial Report as of May 31, 2022. **AYE:** Warren, Means, Neal, Sheppard, Fitch

4. Receive a report from Lawton Economic Development Corporation regarding current industrial prospects.

Rogalski stated there are several prospects right now that are making serious inquiries. He believes a lot of these prospects are in direct relation to the Propel CIP and STEDI Project Plan.

The board discussed updates on Carter Wind Turbines, Bluepeak Internet Services, and Dobson.

5. Consider approving a proposed transaction between LEDA and the City of Lawton regarding the real property located at 910 SW B Avenue and 909 SW C Avenue and take action as deemed necessary.

Rogalski stated this item is not ready for action because research is still being done. Schlecht found out that LURA actually paid the money for the lots. Eventually, a Memo of Understanding will be drafted that states LEDA will transfer the property to the City in exchange for LURA's landfill bill to be waived. Staff is working to determine if LEDA ever reimbursed this money back to LURA.

Sheppard asked if the exchange will be a dollar-for-dollar amount, or if everything will just be zeroed out.

Rogalski stated the landfill bill is higher than the original price paid for the lots, but with appreciation, the values are about the same, so the idea would be to call it a complete wash. That decision will be left up to the board.

6. Consider approving an agreement between LEDA and CEDL for fiscal year 2022-2023 and take action as deemed necessary.

Chairman Fitch stated this item, and the next item are just agreements to extend the current contract.

Motion by Means, Second by Warren, to approve an agreement between LEDA and CEDL for fiscal year 2022-2023. **AYE:** Means, Neal, Sheppard, Denham, Fitch, Warren. ***Motion Passed.***

7. Consider approving an agreement between LEDA, CEDL, and City of Lawton for fiscal year 2022-2023 and take action as deemed necessary.

Motion by Sheppard, Second by Warren, to approve an agreement between LEDA, CEDL, and City of Lawton for fiscal year 2022-2023. **AYE:** Neal, Sheppard, Denham, Fitch, Warren, Means. **NAY:** None. ***Motion Passed.***

8. Consider approving a 12-month contract extension with Lawn Wizards for the mowing of LEDA and LURA properties and take action as necessary.

Chairman Fitch stated we have worked with Lawn Wizards for a long time now, and they do a great job.

Rogalski asked if this is the last extension that can be done on this contract.

Blazek-Scherler stated yes.

Rogalski stated this contract will go out to bid next year.

Motion by Denham, Second by Warren, to approve a 12-month contract extension with Lawn Wizards for the mowing of LEDA and LURA properties. **AYE:** Neal, Sheppard, Denham, Fitch, Warren, Means

9. Report on project activities, issues, and programs including discussion and possible action on implementation and coordination.

Rogalski stated we are continuing to work with developers on the North piece, but there has not been a lot of movement lately. The listing agent for Insight has been speaking with someone about the property next to the hotel, which is something we hadn't really talked about.

Sheppard stated he heard there may be some interest in the 3rd and 4th Street area.

Rogalski stated there has been some discussion of multi-family units, and he thinks it's really good. That area is zoned for multi-family, Lawton is short on rentals, and having people living in the downtown area will make it feel livelier.

Rogalski stated FISTA is requested that we look at reassessing a TIF district around the mall property in order to recapture some of the investment on that property and provide stimulation on the property along the South side of C Avenue.

Means asked if a developer was already working on this area.

Rogalski stated they have been working with one, but the original plan was far too expensive.

Denham asked how you carve out a new TIF in an area where a TIF already exists.

Rogalski stated it would be just the same as that TIF 2 was created.

Denham asked if the 25 years starts over and if you would need approval from all the taxing entities again.

Rogalski stated yes to both questions.

DISCUSSION ITEMS AND REPORTS

ADJOURNMENT

There being no further business, the meeting adjourned at 2:51 pm.

Motion by Sheppard, **Second** by Warren, to adjourn the meeting of June 16, 2022. **AYE:** Sheppard, Denham, Fitch, Warren, Means, Neal. **NAY:** None. ***Motion Passed.***

First Amendment to “Mowing and Debris Removal for LEDA and LURA Properties”

THIS FIRST AMENDMENT TO “MOWING AND DEBRIS REMOVAL FOR LEDA AND LURA PROPERTIES” is made and entered into by and between Lawton Economic Development Authority (LEDA), Lawton Urban Renewal Authority (LURA), and Lawn Wizards, Lawton, Oklahoma.

The parties hereto recite, declare, and agree as follows:

WHEREAS, on June 17th, 2021, parties approved and entered into a Mowing and Debris Removal Agreement for LEDA and LURA Properties; and,

WHEREAS, the agreement will expire on June 17th, 2022, and the Agreement is eligible for an additional one (1) year extension; and,

WHEREAS, all parties agree that a one (1) year contract extension is appropriate and allowable by the terms of the agreement; and,

WHEREAS, LURA has sold multiple properties listed in Exhibit A and Exhibit B of the agreement.

NOW THEREFORE, in consideration of the covenants, agreements, and consideration contained in the Mowing and Debris Removal for LEDA and LURA Properties between the parties and the further covenants, agreements, and consideration contained herein, the parties mutually agree as follows:

1. Exhibit “A” to the Mowing and Debris Removal for LEDA and LURA Properties Agreement is hereby amended by deleting Exhibit “A” in its entirety.
2. Exhibit “A” attached hereto is hereby substituted for Exhibit “B” to the Mowing and Debris Removal for LEDA and LURA Properties Agreement, and all references in the Agreement Documents to “Exhibit B” shall refer to the Exhibit A in the form attached as Exhibit A to this amendment hereto.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their appropriate officials on the _____ day of _____, 2022.

LAWTON ECONOMIC DEVELOPMENT AUTHORITY APPROVAL

Acceptance of this amendment to be executed by and on behalf of the Lawton Economic Development Authority is made this ____ day of _____, 2022.

Lawton Economic Development Authority

A Public Body Corporate

Fred L. Fitch, Chairman

ATTEST:

Larr Neal, Secretary

LEGAL REVIEW

APPROVED as to form and legality on behalf of the Lawton Economic Development Authority on the ____ day of _____, 2022.

John Ratliff, City Attorney

LAWTON URBAN RENEWAL AUTHORITY

Acceptance of this amendment to be executed by and on behalf of the Lawton Urban Renewal Authority is made this _____ day of _____, 2022.

Lawton Urban Renewal Authority

A Public Body Corporate

Dr. Ernest Sheppard, Chairman

ATTEST:

Larr Neal, Secretary

LEGAL REVIEW

APPROVED as to form and legality on behalf of the Lawton Economic Development Authority on the _____ day of _____, 2022.

John Ratliff, City Attorney

LAWN WIZARDS

Acceptance of this amendment to be executed by and on behalf of Lawn Wizards,
Lawton, Oklahoma is made this ____ day of _____, 2022.

Lawn Wizards

Rene Gotiear, Owner

ATTEST:

EXHIBIT A

LURA OWNED PROPERTY AS OF 05-23-2022

ADDRESS	ADDITION	BLOCK	LOT	LOT SIZE (ft)	AREA (sq ft)
2 SW A	Original Town	22	1	29 x 100	2,900
2 SW A	Original Town	22	2	29 x 100	2,900
2 SW A	Original Town	22	3	29 x 100	2,900
2 SW A	Original Town	22	E35' of 4	35 x 100	3,500
210 SW 2nd	Original Town	24	17	25 x 150	3,750
210 SW 2nd	Original Town	24	18	25 x 150	3,750
210 SW 2nd	Original Town	24	19	25 x 150	3,750
210 SW 2nd	Original Town	24	20	25 x 150	3,750
1307 Georgia	Lawton View	75	E31.5' of 5	31.5 x 88	2,772
1327 Oklahoma	Lawton View	111	17	25 x 140	3,500