

AGENDA
Lawton Economic Development Authority
Regular Meeting
October 19, 2023—2:00 PM
City Hall
3rd Floor Conference Room
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 invoices, requisitions, and all other submitted materials for payment and take action as deemed necessary.
2. Receive Financial Report(s) and take action as deemed necessary.
3. Consideration and action upon a resolution authorizing and approving the financial advisor acting on behalf of the Lawton Economic Development Authority (herein the "Authority") to prepare and circulate informational and bid packets regarding the potential acquisition, construction, equipping, renovating, and improving of certain capital improvement projects to be located within the City of Lawton, Oklahoma (the "City") based upon the inducement resolution of the City authorized September 12, 2023 contemplating the capital improvement projects; authorizing and directing the execution of the documents relating thereto; approving and authorizing officers of the Authority to take action and execute all related instruments and documents and containing other provisions relating thereto; and the taking of other action with respect thereto.
4. Consider approving a revised Professional Services Agreement to fill the vacant position of Executive Director for the Lawton Economic Development Authority.
5. Consider approving the Annual Meeting Notice for 2024.

ADJOURNMENT

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA, THE LAWTON ECONOMIC DEVELOPMENT AUTHORITY, LAWTON, STATE OF OKLAHOMA, MET IN ITS REGULAR SESSION AT THE THIRD FLOOR CONFERENCE ROOM, LAWTON CITY HALL, 212 S.W. 9TH, LAWTON, OKLAHOMA, AT __: __.M. ON THE 19TH DAY OF OCTOBER, 2023.

PRESENT:

ABSENT:

THEREUPON the Chair introduced a Resolution which was read in full by the Secretary and upon motion by Trustee _____, seconded by Trustee _____, said Resolution was adopted by the following vote:

AYE:

NAY:

Said Resolution was thereupon signed by the Chair, attested by the Secretary of the Authority, sealed with the seal of said Authority, and is as follows:

RESOLUTION NO. 23-

A RESOLUTION APPROVING AND AUTHORIZING THE FINANCIAL ADVISOR ACTING ON BEHALF OF THE TRUSTEES OF THE LAWTON ECONOMIC DEVELOPMENT AUTHORITY (HEREIN THE "AUTHORITY") TO PREPARE AND CIRCULATE INFORMATIONAL AND BID PACKETS REGARDING THE POTENTIAL ACQUISITION, CONSTRUCTION, EQUIPPING, RENOVATING, AND IMPROVING OF CERTAIN CAPITAL IMPROVEMENT PROJECTS TO BE LOCATED WITHIN THE CITY OF LAWTON, OKLAHOMA (THE "CITY"); BASED UPON THE INDCUMENT RESOLUTION OF THE CITY APPROVED SEPTEMBER 12, 2023 CONTEMPLATING THE CAPITAL IMPROVEMENT PROJECTS; AUTHORIZING AND DIRECTING THE EXECUTION OF THE DOCUMENTS RELATING THERETO; APPROVING AND AUTHORIZING OFFICERS OF THE AUTHORITY TO TAKE ACTION AND EXECUTE ALL RELATED INSTRUMENTS AND DOCUMENTS AND CONTAINING OTHER PROVISIONS RELATING THERETO; AND THE TAKING OF OTHER ACTION WITH RESPECT THERETO.

WHEREAS, the Lawton Economic Development Authority, a public trust (the "Authority"), has been created by a Trust Indenture for the use and benefit of the City of Lawton, Oklahoma (the "City"), under authority of and pursuant to the provisions of Title 60, Oklahoma Statutes 2021, Sections 176-180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes of the State of Oklahoma; and

WHEREAS, the Trustees of the Lawton Economic Development Authority have determined to issue indebtedness for the purpose of financing all or a portion of the cost of the acquisition, construction, equipping, renovating, and improving of certain capital improvement projects to be

located within the City, and pay costs of issuance related thereto, providing economic savings in support of the Authority's purposes (collectively, the "Project"); and

WHEREAS, the Authority needs to determine through an information bid process the best course of action in completing the Project (as herein defined); and

WHEREAS, it would be in the best interests of the Trust Estate of the Authority for the financial advisor of the Authority to prepare and circulate such informational and bid packets as necessary to effectuate the Project; and

NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE LAWTON ECONOMIC DEVELOPMENT AUTHORITY:

SECTION 1. The financial advisor for the Authority, BOK Financial Securities, Inc., is hereby authorized to prepare and circulate informational and bid packets for the purpose of determining the costs, processes, expectations, and facts necessary to effectuate a financing of all or a portion of the cost of the acquisition, construction, equipping, renovating, and improving of certain capital improvement projects to be located within the City (the "Project") are hereby and by these presents duly authorized and approved, based on the final financing documents being acceptable to the officers of the Authority.

SECTION 2. The Chair, Vice-Chair, Secretary and Assistant Secretary of Trustees (the "Officers") hereby are authorized and directed, on behalf of the Authority, to determine the form and substance of, and to execute, attest and deliver any informational or bid packets as prepared by the financial advisor, all for and on behalf of the Authority.

SECTION 3.

This resolution shall become effective immediately.

[Remainder of page left blank intentionally]

THIS RESOLUTION PASSED AND APPROVED THIS 19TH DAY OF OCTOBER, 2023.

LAWTON ECONOMIC DEVELOPMENT AUTHORITY

Chair

ATTEST:

Secretary
(SEAL)

APPROVED as to form and legality the 19th day of October, 2023.

Tim Wilson, Acting City Attorney

CERTIFICATE
OF
AUTHORITY ACTION

I, the undersigned, hereby certify that I am the duly and acting Secretary of the Lawton Economic Development Authority.

I further certify that the Trustees of the Lawton Economic Development Authority held a Regular Meeting at __:__.M. on October 19, 2023, after due notice was given in full compliance with the Oklahoma Open Meeting Act.

I further certify that attached hereto is a full and complete copy of a Resolution that was passed and approved by said Trustees at said meeting as the same appears in the official records of my office and that said Resolution is currently in effect and has not been repealed or amended as of this date.

I further certify that below is listed those Trustees present and absent at said meeting; those making and seconding the motion that said Resolution be passed and approved, and those voting for and against such motion:

PRESENT:

ABSENT:

MOTION MADE BY:

MOTION SECONDED BY:

AYE:

NAY:

WITNESS MY HAND THIS 19TH DAY OF OCTOBER, 2023.

LAWTON ECONOMIC DEVELOPMENT
AUTHORITY

(SEAL)

Secretary

**OUTLINE OF
PROFESSIONAL SERVICES AGREEMENT BETWEEN
CONSULTANT AND LAWTON ECONOMIC DEVELOPMENT AUTHORITY**

Title: ~~Coordinator~~Executive Director for Economic Development

Consideration: In exchange for the professional services, activities, and work product to be provided by Consultant, the Lawton Economic Development Authority (LEDA) will pay Consultant \$6,420.00 per month, on the basis that Consultant will commit, on average, no less than 88 hours per month to providing the services. Consultant will maintain a daily record of the services performed and time spent by Consultant.

Expenses: LEDA will reimburse Consultant for mileage, at a rate of \$0.40 per mile, for travel related to Consultant's performance of the services hereunder, other than for travel to business locations or sites within Lawton, and for other expenses incurred by Consultant as may be authorized by LEDA from time to time.

Benefits/Insurance: Consultant will not be required to perform services on days or during hours the LEDA offices are officially closed for business. LEDA recognizes the same holiday schedule and office closures as the City of Lawton. Otherwise, Consultant will not receive benefits available to LEDA or City of Lawton employees, including but not limited to worker's compensation, unemployment compensation, or paid time off.

Consultant shall obtain and maintain insurance for the coverages and amounts of coverages not less than those set forth below and shall provide certificates to evidence such coverage to LEDA. Such certificates shall provide that there may be no termination, non-renewal, or modification of such coverage without thirty (30) days prior written notice to LEDA. All insurance shall be maintained for the duration of the agreement. The amounts of such coverage shall be:

- a. Adequate Workers' Compensation coverage to comply with state laws and employer's liability coverage in the minimum amount of \$100,000.00.
- b. Comprehensive General Liability Coverage (including contractual liability coverage) with personal injury coverage and property damage coverage in the amount of \$1,000,000.00.
- c. Comprehensive Automobile Liability coverage with the same minimum liability coverage in subsection b. immediately above.
- d. Said insurance policies shall name LEDA and the City of Lawton as additional named insureds on coverages described in subsections b. and c. immediately above and shall not be cancelled except upon thirty (30) days written notice to LEDA and the City of Lawton.

e. Valuable paper insurance in amount sufficient to assure the restoration in the event of their loss or destruction, of any notes, records, reports, information, documentation, data, computer files, or plans obtained or prepared as a part of the services rendered by Consultant.

Working

Arrangements:

Pursuant to a separate agreement between Consultant and the Lawton-Ft. Sill Economic Development Corporation (LEDC), Consultant will have access to an office, computer, computer software, and other equipment at LEDC's corporate offices in Lawton, Oklahoma. Consultant may also work remotely from Consultant's home office.

Status:

Consultant will perform his duties as an independent contractor of LEDA. Consultant shall not be an employee of LEDA. Consultant shall have no authority to bind, obligate or commit LEDA, unless specifically authorized or directed by LEDA. Consultant shall be exclusively responsible for the payment of any and all employment and other tax obligations arising out of payments from LEDA.

Term of Agreement: One-year term, which shall automatically renew for subsequent one-year terms unless either LEDA or Consultant terminates the agreement with sixty (60) days' prior written notice to the other party.

Scope of Services: As the ~~Coordinator~~Executive Director for Economic Development, the Consultant will be responsible, with policy direction, for implementing Project Plans approved pursuant to the Local Development Act by the City Council of Lawton, and for administering and implementing economic development agreements, redevelopment agreements, purchase agreements, and other agreements. Consultant will also play a role in driving economic development, innovation, and investment, through strategic planning, policy development, and collaboration with LEDA, other government agencies, community organizations, and stakeholders.

Key Responsibilities: As the ~~Coordinator~~Executive Director for Economic Development, Consultant's role will encompass a range of duties and responsibilities, including, but not limited to:

1. Assuming responsibility for TIF administration and project management, to include:
 - Implementing and administering the STEDI Project Plan, the Downtown Economic Development Project Plan, and other project plans adopted by the City Council of Lawton.
 - Monitoring and implementing economic development agreements, redevelopment agreements, purchase agreements, and other agreements.
 - Overseeing the preparation and management of TIF budgets, financial reports, and funding allocation for various developments.
 - Monitoring and analyzing TIF district performance, ensuring compliance with regulatory requirements and project timelines.

- Preparing and maintaining accurate and detailed records and reports of all increment revenues, disbursements required under Project Plans, project activities, expenditures, and milestones.
- Monitoring construction progress and growth of each development.
- Providing regular progress reports to the LEDA Board of Trustees, and City Council.
- Preparing annual TIF reports for publication and distribution to affected taxing entities as required by Oklahoma law.
- Developing and implementing comprehensive TIF strategies and plans to promote economic growth and community improvement in Lawton.
- Working closely with local government agencies, developers, and community leaders to identify TIF project opportunities and assess their financial feasibility.
- Engaging with external partners, investors, and financing institutions to secure funding for TIF projects.
- Collaborating with legal and financial advisors to navigate TIF agreements, tax increment financing bonds, and related legal documentation.
- Participating in public meetings, community forums, and other stakeholder engagement activities to ensure transparency and support for TIF initiatives.

2. Assisting with Economic Development Planning, Strategic Planning, and Business Development, to include:

- Advise and work closely with LEDA Board members and LEDC Board members to advocate policies and programs that support economic development.
- Assist with developing and implementing comprehensive economic planning strategies and initiatives.
- Generate research and materials to coordinate and implement projects and programs that support commercial, office, industrial, and residential development; business attraction; and business retention and expansion.
- Assist in managing economic planning projects, including budgets, timelines and stakeholder engagements.
- Oversee economic impact assessments and feasibility studies for various projects.
- Analyze economic trends and data to make informed recommendations and adjustments to the economic development strategy.
- Prepare reports, presentations, and updates for the LEDA Board of Trustees, City Council, LEDC Board of Directors, and other stakeholders.

Reports and Findings Confidential. All services, including reports, opinions, and information, furnished by Consultant are confidential and shall not be divulged, in whole or in part, to any person other than to duly authorized representatives of LEDA, without prior written approval of LEDA, except by testimony under oath in a judicial proceeding or as otherwise required by law.

ANNUAL MEETING NOTICE - 2024
NOTICE OF MEETING

LAWTON ECONOMIC DEVELOPMENT AUTHORITY
TYPE OF MEETING

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

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

DATE	TIME	PLACE OF MEETING
January 18, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
February 15, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
March 21, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
April 18, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
May 16, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
June 20, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
July 18, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
August 15, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
September 19, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
October 17, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
November 21, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall
December 19, 2024	2:00 p.m.	3 rd Floor Conference Room-City Hall

To be completed by person filing notice:

Name: Fred Fitch
Title: Chair
Address: 212 SW 9th Street
Phone: 580-581-3305

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

Signed: _____
Clerk/Deputy 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)