



**Friday, December 31, 2021  
9:00 AM**

**City Council  
Special Called Meeting Agenda**

**Council Chambers  
200 Forrest Street**

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**Call to Order and declaration of a special called meeting**

**Policy Items**

1. **2021-1484** Approve Amendment to Agreement between City of Hattiesburg and USA Yeast Company, LLC, extending the term of the contract through March 31, 2022.

**Meeting Recess**

**AMENDMENT TO AGREEMENT BETWEEN CITY OF HATTIESBURG,  
MISSISSIPPI AND USA YEAST COMPANY, LLC**

This **AMENDMENT TO AGREEMENT BETWEEN** (the “**Amendment**”) is made and entered into as of December \_\_, 2021, (the “**Effective Date**”) by and between **CITY OF HATTIESBURG, MISSISSIPPI** (the “**City**”) and **USA YEAST COMPANY, LLC** (the “**USA Yeast**”).

**WHEREAS**, on or about December 15, 2011, the City and USA Yeast entered into that certain Agreement (the “**Agreement**”) relative to USA Yeast’s manufacturing facility located within the City;

**WHEREAS**, the City and USA Yeast desire to amend the Agreement to extend the terms of the agreement from December 31, 2021, to March 31, 2022; and

**WHEREAS**, the Agreement is hereby incorporated by reference into this Amendment, and capitalized terms not otherwise defined herein shall have the meaning assigned in the Agreement; and

**NOW, THEREFORE**, in exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned do hereby certify and agree as follows:

1. Section 7.1 of the Agreement is amended as follows:

**Term.** This Agreement shall terminate at 11:59 p.m. CST on March 31, 2022.

2. Except as herein and hereby amended, all terms and provisions of the Agreement shall continue in full force and effect according to the terms thereof and each of the undersigned hereby confirms, accepts and agrees to be bound by the terms of the Agreement as hereby amended.

3. This Amendment may be executed in counterparts and all such counterparts shall constitute one agreement of both parties hereto, notwithstanding that both parties are not signatory to the same counterpart.

**[signatures to follow]**

**IN WITNESS WHEREOF**, the City and USA Yeast have signed and delivered this Amendment or have caused this Amendment to be signed and delivered by its duly authorized representative.

**USA YEAST COMPANY, LLC**

By: \_\_\_\_\_

\_\_\_\_\_  
(Title)

**CITY OF HATTIESBURG, MISSISSIPPI**

By: \_\_\_\_\_  
Toby Barker, Mayor

Attest:

\_\_\_\_\_  
Kermas Eaton, City Clerk