Monday, December 16, 2024 4:00 PM	City Council Monday Meeting Agenda	Council Chambers 200 Forrest Street

Call to Order

Public Hearing

1.	**2024-792**	Hold a Public Hearing on the proposed Tax Increment Financing Redevelopment Plan for the City of Hattiesburg, Mississippi, 1996, as Amended and Restated November 2024 (the "Redevelopment Plan").
2.	**2024-791**	Hold a Public Hearing on the Tax Increment Financing Plan for Hattiesburg Marketplace, City of Hattiesburg, Lamar County, Mississippi, November 2024.

- **Agenda Adjustments - Delete Routine Item #8 and Add Policy Items #20 and #21 at the request of the Administration as follows.**

20.	**2024-787**	Adopt a Resolution requesting the Legislature of the State of Mississippi to enact a local and private bill enabling the City of Hattiesburg, Mississippi, to extend the repealer imposed on the Special 1% Tax levied on the gross proceeds from hotel/motel overnight room rentals and restaurants, excluding restaurants with gross sales less than $100,000.00 annually, which proceeds are divided by the City of Hattiesburg and the University of Southern Mississippi to July 1, 2030.
21.	**2024-803**	Adopt a Resolution authorizing the obligation and expenditure of a portion of ARPA funds for modification and use of Lamar County property as a Crisis Stabilization Unit (CSU) facility.

Agenda Review

Citizens' Forum

Meeting Recess

Memorandum

To: Mayor Toby Barker and Members of City Council

From:

cc:

Date: Monday, December 16, 2024

Re: Hold a Public Hearing on the proposed Tax Increment Financing Redevelopment Plan for the City of Hattiesburg, Mississippi, 1996, as Amended and Restated November 2024 (the "Redevelopment Plan").
File Number: 2024-792
Minute Book #

Summary

Recommendation Statement

Please place this on the December 16, 2024 City Council meeting for consideration.

TAX INCREMENT FINANCING REDEVLOPMENT PLAN FOR THE CITY OF HATTIESBURG, MISSISSIPPI, 1996, AS AMENDED AND RESTATED NOVEMBER 2024

Prepared By:
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ARTICLE I
THE TAX INCREMENT FINANCING ACT

A. This *Tax Increment Financing Redevelopment Plan for the City of Hattiesburg, Mississippi, 1996, as Amended and Restated November 2024* (the "Redevelopment Plan") is an amendment to and a restatement of that *Tax Increment Financing Redevelopment Plan, City of Hattiesburg, Mississippi, 1996*, and is being adopted and implemented by the City of Hattiesburg, Mississippi (the "City") pursuant to Section 21-45-1 *et seq*., Mississippi Code of 1972, as amended (the "TIF Act"). Projects implemented under this Redevelopment Plan may be undertaken in collaboration with Forrest County, Mississippi and Lamar County, Mississippi and/or other counties, cities and governing authorities pursuant to Section 17-13-1 *et seq*., Mississippi Code of 1972, as amended (the "Interlocal Act"), and/or the Regional Economic Development Act as authorized by Section 57-64-1 *et seq*., Mississippi Code of 1972, as amended and applicable (the "REDA Act").

B. A "redevelopment plan" means a plan for the acquisition, clearance, reconstruction, rehabilitation or future use of a redevelopment project area which shall be sufficiently complete: (i) to indicate its relationship to definite local objectives as to appropriate land uses and improved traffic, public transportation, public utilities, recreational, residential, commercial and community facilities and other public improvements; and (ii) to indicate proposed land uses, waterfront uses, if any, and building requirements in the area. A redevelopment plan may include interlocal cooperation agreements between a municipality and a county whereby both agree to pledge revenues payable to them to fund the debt of service of any indebtedness incurred pursuant to the TIF Act.

C. Tax Increment Financing ("TIF") is a legal, constitutionally accepted financing mechanism to accomplish development and redevelopment of municipalities and counties throughout the State of Mississippi (the "State"). TIF is a tool that can be used to induce or encourage economic development and is a local incentive that can be accessed and used through the City's own initiative. This Redevelopment Plan permits the adoption and administration of TIF plans ("TIF Plans[1]") for projects on any lands lying within the corporate limits of the City as the same exists as of the date of approval hereof and as may be modified thereafter (the "Redevelopment Project Area").

D. After the adoption of a TIF Plan, the clerk will certify the assessed value of the real property, including personal property located thereon, described in the TIF Plan. Property taxable at the time of the certification shall be included in the assessed value at its most recently determined valuation. Property exempt from taxation at the time a TIF Plan is adopted shall be included at zero unless it was taxable when the TIF Plan was approved, in which case its most recently determined assessed valuation before it became exempt shall be included. These assessed values are referred to as the "Original Assessed Value."

E. Each year thereafter, the clerk will certify the amount by which the assessed value of real property, including personal property located thereon, described in the TIF Plan has

[1] A short overview of the adoption of TIF Plans is provided in Article II

increased or decreased from the Original Assessed Value. These assessed values are referred to as the "Current Assessed Value."

F. The clerk shall certify the amount of the Captured Assessed Value to the City each year for the duration of the TIF Plan. The City may choose to retain all or a portion of the Captured Assessed Value for purposes of TIF if the TIF Plan provides that all or a portion of the Captured Assessed Value is necessary to finance the redevelopment project, including the cost of establishing necessary reserves to insure payment of revenue bonds.

G. Pursuant to the TIF Act, Tax Increment Financing Bonds, notes, or other debt obligations ("TIF Bonds") may be issued by the City to construct improvements or reimburse developers for the construction of improvements that will induce development activity.

H. To provide for the payment of the TIF Bonds, the City and other participating jurisdictions, if any, may pledge all or part of the ad valorem taxes generated on the Captured Assessed Value. The City may elect to pledge increases in retail sales tax rebates generated by the projects to provide for the payment of TIF Bonds as authorized by the TIF Act, as well as other sources of revenue as may permitted under the REDA Act. Participating jurisdictions and governing authorities may also elect to pledge revenues pursuant to applicable State law.

I. If the TIF Plan provides that only a portion of the Captured Assessed Value is necessary to finance the TIF Bonds, only that portion shall be set aside and the remainder shall be apportioned to the various municipal tax levy funds and the various county tax levy funds. If the TIF Plan provides that a portion of the retail sales tax rebate is to be used to finance the TIF Bonds, only that portion shall be set aside, and the remainder may be used by the City as authorized by State law.

J. In most cases, TIF is used to construct public infrastructure improvements (i.e., roads, utilities, drainage, parking, etc.) even though it can be used for other purposes.

K. School taxes **cannot** be used to retire TIF Bonds. The schools can use those funds in their normal operations.

L. There is **no** financial obligation on the part of the City if TIF Bonds are issued other than the pledge of the ad valorem tax revenues on real and personal property and/or sales tax rebates if applicable. TIF Bonds are secured solely by increased ad valorem tax revenues and/or sales tax rebates and are not general obligations secured by the full faith, credit, and taxing power of the City. Additionally, if a county participates in TIF Bonds, those TIF Bonds are secured solely by increased ad valorem tax revenues and are not general obligations secured by the full faith, credit, and taxing power of the County.

ARTICLE II
THE TAX INCREMENT FINANCING PROCESS

A. The steps for adopting this Redevelopment Plan are below:

(1) The Redevelopment Plan designating all or part of the City as "a Redevelopment Project Area" is prepared.

(2) The Mayor and City Council (the "Governing Body") of the City adopts a resolution determining the necessity for utilizing TIF and setting a public hearing in connection with the Redevelopment Plan.

(3) The Redevelopment Plan is referred to the City's Planning Commission for review.

(4) City's Planning Commission finds that the Redevelopment Plan conforms to the City's Comprehensive Plan.

(5) The City publishes a notice of public hearing in accordance with the TIF Act.

(6) A public hearing is held at which time the Redevelopment Plan and related matters are presented to the public, and citizens are given an opportunity to comment.

(7) The Governing Body adopts a resolution approving and adopting the Redevelopment Plan.

B. The steps for adopting a TIF Plan or any amendment to a TIF Plan pursuant to this Redevelopment Plan are below:

(1) A TIF Plan is prepared for a specific economic development project. A TIF Plan must conform to the TIF Act, and must include the following: (a) a statement of the objectives of the City with regard to the TIF Plan; (b) a statement indicating the need and proposed use of the TIF Plan in relationship to the Redevelopment Plan; (c) a statement containing the cost estimates of the redevelopment project and the projected sources of revenue (ad valorem taxes, sales taxes, and the proceeds of any other financial assistance) to be used to meet the costs including estimates of tax increments and the total amount of indebtedness to be incurred; (d) a list of all real property to be included in the TIF Plan; (e) the duration of the TIF Plan's existence; (f) a statement of the estimated impact of the TIF Plan upon the revenues of all taxing jurisdictions in which the redevelopment project is located; and (g) a statement requiring that a separate fund be established to receive any ad valorem taxes and/or sales tax rebates and the proceeds of any other financial assistance.

(2) The Governing Body adopts a resolution acknowledging the availability of the TIF Plan and setting a public hearing for the TIF Plan in accordance with the TIF Act.

(3) The City conducts a public hearing at which time the TIF Plan is presented to the public and citizens are given an opportunity to comment.

(4) After the public hearing and assuming there are no further amendments made to the TIF Plan after the public hearing, the Governing Body of the City adopts a resolution approving the TIF Plan.

(5) Pursuant to further proceedings of the City, bond counsel will proceed with the TIF Bond issuance process as called for under the TIF Plan and draft any agreements entered into between the City and the developer(s) of the projects permitted in the TIF Plan.

ARTICLE III
TAX INCREMENT FINANCING REDEVELOPMENT PLAN OBJECTIVES

A. This Redevelopment Plan has been developed in conformity with State law and will be implemented in accordance with the goals, objectives, and strategies of City's the Comprehensive Plan entitled *Comprehensive Plan 2008-2028, City of Hattiesburg, Mississippi* (as subsequently amended or modified, the "Comprehensive Plan"). The Comprehensive Plan was approved in 2008 and updated and replaced the comprehensive plan adopted by the City in 1988. As of the date of this Redevelopment Plan, the City is in the process of preparing an update to the Comprehensive Plan. This Redevelopment Plan shall be used by the City to facilitate development and redevelopment projects consistent with and in accordance with the City's duly adopted Comprehensive Plan which may change or be updated from time to time.

B. The Redevelopment Plan herein incorporates by reference the goals, objectives, and strategies and intended purposes of the Comprehensive Plan. Because it is the intent of the Governing Body for this Redevelopment Plan to be implemented consistently with the goals, objective and strategies of the Comprehensive Plan, if any portion of this Redevelopment Plan shall conflict with amendments and updates to the Comprehensive Plan, the Comprehensive Plan shall control.

C. This Redevelopment Plan contemplates that the City will utilize TIF as a tool to assist the City in implementing goals, objectives, strategies, and recommendations of the Comprehensive Plan and is intended to support and complement the Comprehensive Plan. The forty-five goals of the Comprehensive Plan are as follows:

(1) Continue to protect and enhance the City's quality of life—stabilize and protect neighborhoods, build sidewalks and bikeways, invest in education, public facilities and spaces—in order to uphold the City's reputation as a great place to live, work, retire, shop, and recreate.

(2) Continue to make the City a great place to own and operate a business, large or small; promote policies and programs to sustain and improve small businesses;

(3) Continue to market the many qualities that make the City a desirable place to locate a business; identify and enhance the qualities of the City's environment that will attract a diverse, sustainable range of businesses and industries;

(4) Make improvement of the City's public schools a community-wide priority; strive to make the Hattiesburg Public School District synonymous with superior education;

(5) Make efforts to ensure that public facilities—utilities, streets and traffic controls, public safety, etc.—complement the efforts of private schools to create safe and pleasant learning environments;

(6) Market the City as a college town; identify, enhance and promote the qualities that make student living outside the classroom interesting and enjoyable;

(7) Promote greater collaboration between the City, the University of Southern Mississippi, and William Carey University on land use, transportation/circulation, community events, and community building initiatives;

(8) Promote the construction of high-quality housing in a range of housing types, prices and densities; preserve existing housing stock that is in good condition;

(9) Promote home ownership opportunities and downpayment assistance programs to enable more residents to achieve the American dream of owning a home;

(10) Protect the value, safety and stability of neighborhoods by ensuring that local zoning and development decisions do not create potential nuisances—noises, odors, vibrations, increases in nonresidential traffic—or allow inappropriate nonresidential encroachments;

(11) Empower neighborhood residents to take active roles in improving neighborhood conditions and furthering neighborhood plans through participation in neighborhood associations; mobilize neighborhood residents to improve neighborhood conditions and participate in civic issues and community decision-making;

(12) Preserve, protect, and promote officially designated and otherwise well-recognized historic districts and resources;

(13) As a certified retirement community, provide residential development options and quality of life amenities that are attractive to retirees;

(14) Strive to be the outstanding city in Southeast Mississippi for health care facilities and skilled health care personnel. Ensure that all residents have access to quality health care and medical services;

(15) Create and maintain clean, attractive public and private spaces in the City; make the appearance of the City something that is recognized and admired by visitors and a source of pride for residents;

(16) Celebrate and promote the City's beauty, history and culture by holding community events, honoring people and events that have influenced the City's culture, and protecting the city's cultural and historic places and structures;

(17) Protect the distinctive qualities of the City's natural environment—longleaf pine trees, scenic rivers and creeks—for the use and enjoyment of future generations;

(18) Recognize that the policies and actions undertaken today in the City will have a lasting impact on future generations. Embrace the principles of sustainable development to conserve and protect natural resources, improve air and water quality, enhance public health and well-being, and ensure prosperity and a high quality of life for all current and future residents;

(19) Preserve and maintain the beauty and character of the City by preserving the region's distinctive topography;

(20) Promote land use and development practices that consider the environment's natural stormwater drainage and clarification systems—creeks, streams, watercourses, wetlands, and floodplains; Discourage new development in wetlands and flood prone areas;

(21) The City has a well-established urban forest. Preserve and maintain the beauty and character of the City by promoting policies to protect and preserve the City's tree canopy.

(22) Strive to protect residents and property owners from environmental hazards;

(23) Protect the residents of the City by lowering the risks and reducing the effects of disasters on critical facilities; identify and implement mitigation strategies that will reduce or prevent catastrophic damages, casualties, physical and/or financial losses;

(24) Plan appropriately for the orderly arrangement of land uses to create a city with safe, convenient, attractive, sustainable, healthy neighborhoods and districts;

(25) Encourage the formation and maintenance of healthy, complete residential districts with a range of appropriate housing types, public uses, and neighborhood-serving retail and service businesses; protect neighborhoods from encroachment of incompatible land uses and developments;

(26) Encourage a wider range of multi-family housing options, such as second-floor apartments above storefronts, townhomes, and condominiums, as alternatives to conventional apartment complexes;

(27) Direct student housing to locations that are accessible to area colleges and universities without negatively impacting established, stable residential neighborhoods;

(28) Promote high-quality, well-designed, sustainable mixed-use developments;

(29) Provide a range of retail and service businesses that are accessible and convenient to all areas of the City;

(30) Foster industrial development in industrial parks and in designated industrial districts in the City; attract and encourage a diverse mix of research and technology enterprises and light industries;

(31) Provide adequate space for public and quasi-public land uses in the City. Ensure that public and quasi-public uses are appropriately sited to be accessible to residents and visitors.

(32) Promote and advance Downtown Hattiesburg as the City's central business district—the heart of civic activities, entertainment, commerce, banking, specialty retail, urban residential, arts and culture;

(33) Promote and advance a Community Development Renewal District to promote a healthy balance of homes, services, and work opportunities inside the district and based on the principle that all segments of the population deserve healthy vibrant places to live and work and recreate.

(34) Ensure opportunities for local cultural interaction within the Community Development Renewal District to address a variety of planning elements that bring people together in public spaces and venues;

(35) Promote "green" building and development throughout the Community Development Renewal District. Provide solutions that bring about a cleaner, healthier, and greener natural environment. Discourage activity and development that destroys, degrades, or pollutes the natural environment;

(36) Maintain a safe, efficient and convenient network of streets and sidewalks that are well constructed, well-maintained; build transportation facilities that are designed to reflect the character of surrounding land uses and provide the amenities desired by pedestrians and the motoring public;

(37) Treat walking and bicycling as viable transportation modes as opposed to amenities only to be funded when grant monies are available. Adopt a "Complete Streets" policy as a guide for all future transportation decisions;

(38) Provide adequate utility services to all residents of the City;

(39) Embrace new technologies and be proactive in using and supporting technologies and technology-based industries to enhance the City's quality of life;

(40) Provide adequate community facilities in all areas of the City. Supply sufficient funds and personnel to ensure that adequate community services are provided in all areas of the City;

(41) Provide a wide variety of passive and active recreational activities in the City for young children, young adults, families, adults, retirees, and persons with disabilities;

(42) Realize the full potential of the Hattiesburg Zoo—the only city-owned and operated zoo in the State. Continue to build the zoo's reputation as a respected environmental education center. Market and promote its educational programs and school partnerships;

(43) Ensure the safety of City residents and visitors by providing adequate police and fire protection in all areas of the City; and

(44) Ensure that the Comprehensive Plan is a living document that is implemented through day-to-day public decision-making, public budgeting, and through the actions of the many public, quasi-public and private agencies and individuals that impact the city's form and function;

(45) Develop an integrated geographic information system (GIS) designed to manage georeferenced data from all city departments and provide access to map data (zoning, flood zones, tax parcel information, etc.) to the citizens via the City's website.

D. This Redevelopment Plan and subsequent TIF Plans will require that developments induced under the TIF Act be constructed in accordance with the Comprehensive Plan together with the *Hattiesburg, Mississippi Land Development Code, Ordinance #3209,* adopted February 21, 2017, and as updated September 8, 2020, as the same may be supplemented or updated from time to time (the "LDC"), the intent of which is to ensure that no development activity shall occur on any public or private property within the jurisdiction of the LDC until and unless all applicable development approvals for the development activity have been granted. All developments assisted with TIF must adhere to the objectives and requirements of the LDC, the street and road design standards of the City and requirements of the City governing utilities and drainage improvements, among other things.

ARTICLE IV
DESCRIPTION OF REDEVELOPMENT PROJECT AREA

A. Redevelopment Project Area Description: The Redevelopment Project Area designated by this Redevelopment Plan will consist of all real property located within the corporate limits of the City. It is the City's intent to expedite the use of TIF for the benefit of the public, therefore in the event the City annexes other property, this Redevelopment Plan shall include said additional property without the necessity of amending same.

B. Redevelopment Project Area Boundary Map: A map of the Redevelopment Project Area encompassing all real property located within the corporate limits of the City is attached hereto in Exhibit 1.

ARTICLE V
REDEVELOPMENT TECHNIQUES TO IMPLEMENT POLICIES

A. This Redevelopment Plan shall be implemented primarily by the City, exercising the redevelopment powers conferred upon the City by the TIF Act. The techniques to be used to meet the goals and objectives of the Redevelopment Plan include rehabilitation and renovation, expansion of existing buildings, acquisition of real property, demolition and removal of buildings, construction of improvements, new development and redevelopment, consolidation of title, elimination of environmental deficiencies and blighting influences, construction of parking facilities, and encouragement of rehabilitation, renovation, new development and redevelopment by private enterprise. A brief description of each component or technique of the Redevelopment Plan follows:

B. Rehabilitation and Renovation: This Redevelopment Plan provides for the utilization of TIF powers of the City to rehabilitate and renovate structures, which are: (a) substandard structures[2] on which rehabilitation or renovation is practical in the judgment of the owners thereof; or (b) structures in which, in the judgment of the owner thereof, rehabilitation will result in a higher and better use for the property on which such structure is located.

C. Acquisition of Real Property: Real property shall be acquired as provided in Article IX of the Redevelopment Plan.

D. Demolition and Removal of Structures: This Redevelopment Plan shall be implemented in some instances through the demolition and removal of structures. This Redevelopment Plan provides for the demolition and removal of the following structures, if necessary and appropriate:

(1) Substandard structures as to which, in the judgment of the owner thereof, rehabilitation is not practical;

(2) Structures, which in the judgment of the owner thereof, are economically obsolete;

(3) Structures, which in the judgment of the owner thereof, prevent maximum utilization of the property on which such structures are located;

(4) Structures that have been acquired by the City and determined by the Governing Body of the City to be economically obsolete; and

(5) Structures that have been acquired by the City and that Governing Body determines prevent the maximum utilization of the property on which such structures are located.

E. Construction of Improvements: This Redevelopment Plan provides for the construction of

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[2] A substandard structure is a structure that does not conform to the building and related codes of the City as are in force and effect from time to time.

new improvements for uses on vacant or cleared land within the Redevelopment Project Area. Such construction shall be in accordance with the Comprehensive Plan, LDC, and all other applicable codes and ordinances of the City as may be in force and effect.

F. Development and Redevelopment: Under the provisions of this Redevelopment Plan, vacant or cleared land held by the City may be disposed of to private parties for new development or redevelopment. Such disposition of land by the City shall be in accordance with the Redevelopment Plan and applicable State law.

This Redevelopment Plan encourages the new development or redevelopment of vacant or cleared land, which is acquired by private enterprises.

G. Consolidation of Title: This Redevelopment Plan provides for the elimination of diverse patterns of ownership, which prevent or restrict development of large tracts of land.

In the event that the City determines that optimum utilization of a particular tract of land cannot be attained because of diversity of ownership, and that action by the City is likely to enhance the possibility of development of such tracts, the City may take such actions as it determines to be necessary to consolidate title to such tract of land.

H. Elimination of Environmental Deficiencies and Blighting Influences: This Redevelopment Plan provides for the City to undertake to determine any and all factors, which prevent or restrict new development or redevelopment within the Redevelopment Project Area. The Governing Body of the City shall take such action as it deems necessary to reduce or eliminate such factors or the effects thereof.

Environmental deficiencies and blighting influences that the City may deem necessary to reduce or eliminate include, but are not limited to, physical conditions, ownership patterns, non-conforming land uses, improper development, etc.

I. Construction of Off-Street Parking Facilities: This Redevelopment Plan provides for the construction of off-street parking facilities to serve the demand within the Redevelopment Project Area. Parking facilities shall be constructed in accordance with the Comprehensive Plan, LDC, and other applicable codes and ordinances of the City.

J. Encouragement of Rehabilitation, Renovation, New Development and Redevelopment by Private Enterprise: This Redevelopment Plan provides that the City shall, to the greatest extent feasible, afford maximum opportunity to encourage the rehabilitation, renovation, new development and redevelopment of the Redevelopment Project Area by private enterprise.

In order to utilize appropriate private and/or public resources to eliminate and prevent the development or spread of slums and urban blight, to encourage needed urban rehabilitation and renovation, to provide for the redevelopment of slum and blighted areas, and to provide for and encourage the new development or redevelopment of vacant or cleared lands, the City shall encourage rehabilitation, renovation, clearance, new development or redevelopment within the Redevelopment Project Area by:

(1) Carrying out a program of voluntary repair, renovation, and rehabilitation of buildings or other improvements in accordance with this Redevelopment Plan, including making loans to defray all or part of the costs (including costs of acquiring real estate) of repairing and rehabilitating buildings or other improvements in accordance with this Redevelopment Plan; and

(2) Making loans to defray all or part of the costs of acquiring real property, demolishing and removing buildings and improvements and constructing improvements (including buildings) in the Redevelopment Project Area in accordance with this Redevelopment Plan.

Such loans shall be made only from the proceeds of revenue bonds or notes of the City secured solely by the City's rights in connection with such loans; shall be made upon such terms and conditions as the City shall determine; and shall be subject to such additional requirements as the City shall impose.

ARTICLE VI
LAND USES, MAXIMUM DENSITIES, LAND DEVELOPMENT, AND BUILDING REQUIREMENTS

A. Land Uses/Zoning Ordinance: This Redevelopment Plan is to be implemented in accordance with the Comprehensive Plan and, therefore, provides for adherence to the City's land use plan. Land use in the Redevelopment Project Area is regulated by the LDC, as the same may be amended from time to time. The map delineating the zoning districts for the City is on file in the Office of the City Clerk of the City.

B. Maximum Densities/Zoning Ordinance: The LDC of the City shall regulate the maximum development densities in the Redevelopment Project Area.

C. Land Development/Subdivision Regulations: This Redevelopment Plan shall require that any development assisted with TIF be developed in conformity with regulations and standards of the City governing the subdivision of land, namely the LDC.

D. Building Requirements/Building and Related Codes: This Redevelopment Plan requires that any new construction and any rehabilitation shall meet the requirements of the building and related codes of the City as may be in effect from time to time.

ARTICLE VII
REAL PROPERTY ACQUISITION

A. Procedures: This Redevelopment Plan requires that all property acquisitions by the City shall be made in accordance with the TIF Act. Discrimination of any kind shall be prohibited. Race, color, creed, national origin, age, and sex shall in no way affect any aspect of the land acquisition process.

B. Property to Be Acquired: Under the provisions of this Redevelopment Plan, the City may, at its discretion, acquire real property (as defined in the TIF Act) for needed public facilities within the Redevelopment Project Area (including, but not limited to, surface or multi-story parking facilities).

Where necessary to eliminate unhealthy, unsanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, the City may, from time to time in its discretion, acquire mortgages made to finance costs of (1) acquiring real property, (2) demolishing and removing buildings and improvements, and (3) constructing improvements in the Redevelopment Project Area in accordance with this Redevelopment Plan.

ARTICLE VIII
TRAFFIC CONTROL AND MAJOR CIRCULATION ROUTES

This Redevelopment Plan is to be implemented in conformity with the Comprehensive Plan. The City shall, from time to time, establish major traffic circulation routes for the Redevelopment Project Area and will maintain traffic controls. The City's transportation plan, subdivision regulations, street design and construction standards govern street widths, ingress and egress patterns, turn lanes, turn restrictions, and vehicle limitation established by weight.

The City's regulations, along with realignment, widening, and overlaying of existing streets will achieve improved traffic circulation and flow for City and pass-through traffic. Traffic control and circulation in the Redevelopment Project Area will utilize appropriate signage and electronic signalization as necessary and will provide optimum access to existing and proposed off-street parking. This Redevelopment Plan will be implemented so as to efficiently integrate traffic circulation and flow into the zoning scheme of the City and the general circulation patterns of the community.

ARTICLE IX
OFF-STREET PARKING, LOADING AND UNLOADING SPACE

This Redevelopment Plan conforms to the LDC and other codes and ordinances wherein off-street parking, loading and unloading space requirements shall be regulated and controlled.

ARTICLE X
RELATIONSHIP TO POLICIES REGARDING APPROPRIATE LAND USES, IMPROVED TRAFFIC, PUBLIC TRANSPORTATION, PUBLIC UTILITIES, RECREATIONAL AND COMMUNITY FACILITIES, AND OTHER PUBLIC IMPROVEMENTS

This Redevelopment Plan will serve to support and complement the Comprehensive Plan and the LDC. The objective of this Redevelopment Plan is to adhere to the purposes and the goals, objectives, vision, and strategies of the Comprehensive Plan and the LDC and to use TIF as an inducement for development and redevelopment pursuant to the Act. This Redevelopment Plan seeks to utilize TIF to incentivize capital investment that will encourage the redevelopment of blighted areas, strengthen the entire community by carefully planning the location of shopping centers and the design of business establishments, increase the tax base, increase retail sales tax rebates, increase revenues from special tourism taxes and economic development and increase job opportunities in the City. This Redevelopment Plan seeks to encourage revitalization of the Redevelopment Project Area by inducing new development and redevelopment. Public facilities and services will be improved and properly maintained as a result of the implementation of this Redevelopment Plan. This Redevelopment Plan seeks to encourage development and redevelopment projects and to insure their conformity to the Comprehensive Plan, the LDC and the elements comprising both the Comprehensive Plan and the LDC.

ARTICLE XI
PROVISIONS OF REGULATIONS DECLARED TO BE MINIMUM REQUIREMENTS

For the purposes of this Redevelopment Plan, regulations referred to shall be interpreted and applied as minimum requirements. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing a higher standard shall govern.

ARTICLE XII
WAIVER OF REQUIREMENTS

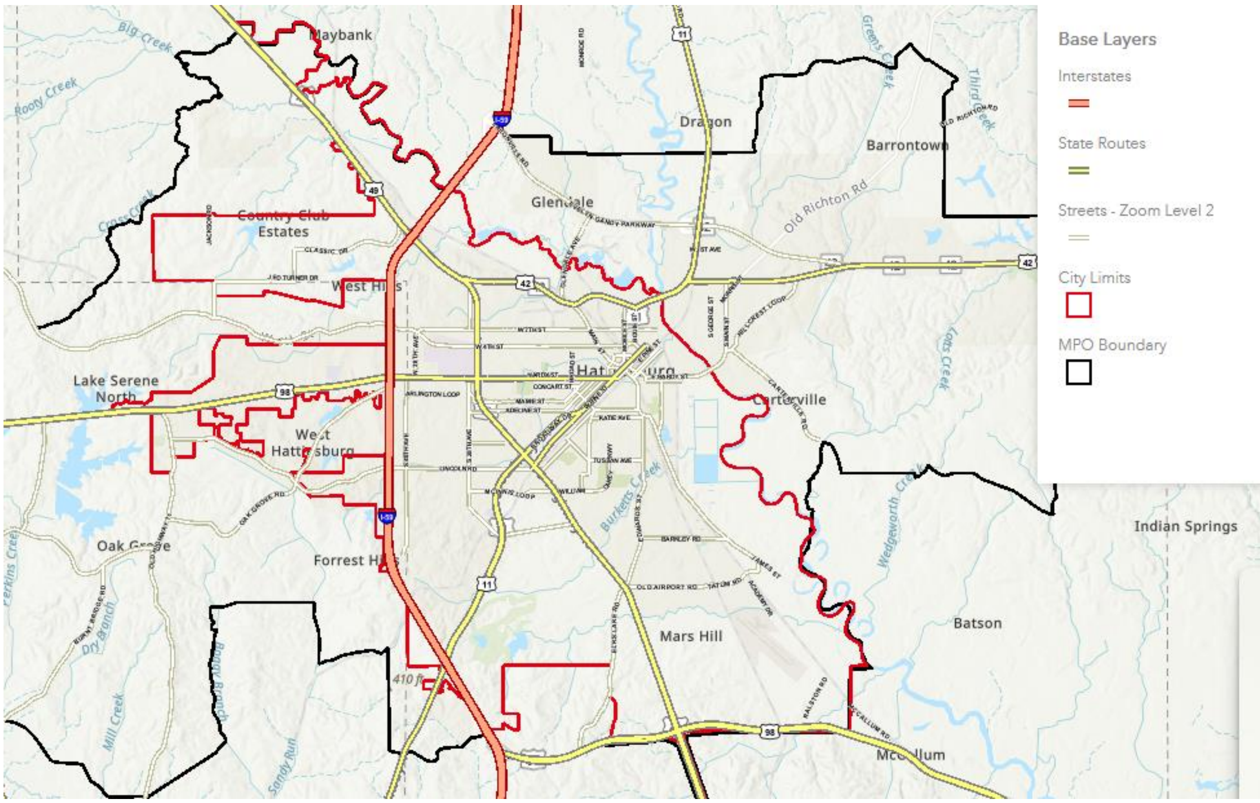
A. Any requirement or condition contained in this Redevelopment Plan may, upon request and for good cause shown, be waived or modified by the City to the extent permissible under law.

B. If any provision of this Redevelopment Plan is held by a court of competent jurisdiction to be illegal, invalid or contrary to public policy, such finding shall not affect the remaining provisions of this Redevelopment Plan, and this Redevelopment Plan shall be construed and continue in existence as if such illegal, invalid or contrary to public policy was not contained herein.

ARTICLE XIII
PROVISIONS FOR AMENDING THE PLAN

This Redevelopment Plan may be modified by the City in accordance with the TIF Act, as the same may be amended from time to time.

EXHIBIT 1
Redevelopment Project Area
(encompasses all real property located
within the corporate limits of the City as of November 2024)



Memorandum

To: Mayor Toby Barker and Members of City Council

From:

cc:

Date: Monday, December 16, 2024

Re: Hold a Public Hearing on the Tax Increment Financing Plan for Hattiesburg Marketplace, City of Hattiesburg, Lamar County, Mississippi, November 2024.
File Number: 2024-791
Minute Book #

Summary

Recommendation Statement

Please place this on the December 16, 2024 City Council meeting for consideration.

TAX INCREMENT FINANCING PLAN FOR HATTIESBURG MARKETPLACE, CITY OF HATTIESBURG, LAMAR COUNTY, MISSISSIPPI, NOVEMBER 2024

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TAX INCREMENT FINANCING PLAN FOR HATTIESBURG MARKETPLACE, CITY OF HATTIESBURG, LAMAR COUNTY, MISSISSIPPI, NOVEMBER 2024

ARTICLE I

A. PREAMBLE

1. This *Tax Increment Financing Plan for Hattiesburg Marketplace, City of Hattiesburg, Lamar County, Mississippi, November 2024* (the "TIF Plan"), will be an undertaking of the City of Hattiesburg Mississippi (the "City") and Lamar County, Mississippi (the "County") and is authorized pursuant to Sections 21-45-1, *et seq.,* Mississippi Code of 1972, as amended and supplemented from time to time (the "TIF Act"), and in accordance with the Tax Increment Financing Redevelopment Plan for the City of Hattiesburg, Mississippi, 1996, as Amended and Restated November 2024 (the "Redevelopment Plan").

2. Graham Development LLC (the "Developer") plans to construct a high-quality mixed-use development known as "Hattiesburg Market Place" located off US Highway 98 and Lamar Boulevard in the City and the County (together with improvements to Lamar Boulevard and US Highway 98, (the "Project"). The Project will represent a private investment in excess of $43,000,000 and will be located on real property more particularly described in Article VII of this TIF Plan and described in Exhibit A (hereinafter referred to as the "TIF District").

3. The City and County may enter into an interlocal cooperation agreement pursuant to the Mississippi Interlocal Cooperation Act of 1974, codified at Section 17-13-1, et seq., Mississippi Code of 1972, as amended and supplemented from time to time (the "Interlocal Act"), which will designate the City as the primary party in interest in administering this TIF Plan. The issuance of bonds to provide funds to finance the costs of Infrastructure Improvements (defined in Article 1, Section B.2), will be a joint undertaking of the City and County whereby the City may issue Tax Increment Financing Bonds or notes in one or more taxable or tax-exempt series (collectively the "TIF Bonds") in accordance with the Development Agreement (as defined in Article I, Section B.3) and as authorized herein to finance a portion of the Infrastructure Improvements. The TIF Bonds authorized by this TIF Plan shall not exceed in the principal amount of Two Million Dollars ($2,000,000).

4. The tax increment financing funds identified herein will be used to defray and reimburse the cost of Infrastructure Improvements related to the Project and benefit the City and the County and their respective citizens by, among other things, addressing traffic flow and safety concerns for sections of US Highway 98 and Lamar Boulevard adjacent to the TIF District.

5. The Mayor and City Council (the "Governing Body") of the City hereby finds and determines that the Project is in the best interest of the City and its future development and that it is in the best interest of the City and its citizens that the provision of Section 21-45-9 of the TIF Act requiring dedication of the "redevelopment project" to the City not apply to those improvements which are constructed on the privately owned portion of the Project.

6. The Developer has provided information to the City and the County regarding the proposed site plan, the amount of private investment, anticipated sales tax, and job creation projections for the Project. Estimates of ad valorem taxes were made based on information and valuations from the office of the Lamar County Tax Assessor and from information provided by the Developer.

B. STATEMENT OF INTENT

1. Pursuant to the authority outlined hereinabove, the City may issue TIF Bonds, in one or more tax-exempt or taxable series, in the principal amount of not to exceed $2,000,000, which will be secured solely by a pledge of all the City's increased ad valorem taxes from the TIF District, including personal property located therein (the "City Tax Increment"), as well as the County's increased ad valorem taxes, including personal property located therein, but excluding millage for educational purposes (the "County Tax Increment" and together with the City Tax Increment, the "TIF Revenues").

2. To the extent allowed by law, the TIF Revenues will be used to pay to pay the actual costs of the City and the Developer incurred in providing for the construction of improvements to US Highway 98 and Lamar Boulevard as set forth in that certain letter dated October 22, 2024 from Billy Owen, District Engineer for District 6 (the "MDOT Letter") at the Mississippi Department of Transportation (the "MDOT Improvements") and may include the cost of the installation and construction of various infrastructure improvements within the TIF District or servicing the TIF District, which may include, but are not limited to, installation, rehabilitation and/or relocation of utilities such as water, sanitary sewer; construction, renovation, or rehabilitation of drainage improvements, culverts, roadways, curbs and gutters; sidewalks; on-site parking, paving and other related parking lot improvements; relocation of electrical lines; lighting, signalization; landscaping of rights-of way; related architectural/engineering fees, attorney's fees, TIF Plan preparation fees, issuance costs, capitalized interest, and other related soft costs (the "Improvements" and together with the MDOT Improvements, collectively, the "Infrastructure Improvements"), which Infrastructure Improvements may be constructed or installed within the TIF District or land adjacent to and/or serving the TIF District.

3. The City may issue the TIF Bonds as provided in this TIF Plan and reimburse the Developer or the City, in whole or in part, in accordance with a development agreement to be executed between the parties as authorized by the TIF Act (the "Development Agreement") up to the amount of the TIF Bonds, if issued, which shall be issued upon completion of the Project.

4. The installation and construction of the Infrastructure Improvements will be undertaken to provide for the Project as well as the public convenience, health, and welfare of the City and the County as provided in the Development Agreement.

C. PUBLIC CONVENIENCE AND NECESSITY: The public convenience and necessity require participation by the City and the County in the Project. The Project will provide for the public convenience and necessity and serve the best interests of the citizens of the City and the County, including:

1. The Project represents a private investment in excess of $43MM and will create construction jobs.

2. The Project will create new permanent full-time and part-time jobs. The number of jobs and associated payrolls are dependent on market factors and are currently unknown.

3. The Developer projects that the City's annual real and personal property taxes generated by the TIF District will *increase* by $207,117.

4. The Developer projects that the County's annual real and personal property taxes generated by the TIF District will *increase* by $212,890.

5. The Developer projects that annual ad valorem real and personal property taxes generated by the TIF District for the benefit of the Lamar County School District (the "School District") will *increase* by $243,269.

6. The Developer projects that the annual sales generated by the TIF District will exceed $38,000,000.

7. The Developer projects that the TIF District is expected to result in annual sales tax rebates to the City of $493,105.

8. The development of the Project will expand the tax base of the City, the County, and the School District.

9. The TIF District will utilize and develop land currently served by no utilities into a mixed-use development.

10. The development of the TIF District will facilitate the construction of the Infrastructure Improvements which will allow the development of strategically located property within the City and the County.

11. The construction and development of the Infrastructure Improvements will address traffic flow and safety concerns for sections of US Highway 98 and Lamar Boulevard adjacent to and/or servicing the TIF District.

12. The Developer projects that the completed Project will generate $150,320 annually from the City's 2% Convention Promotion Tax and $75,160 annually from the City's 1% Tourism Parks and Recreation Tax.

ARTICLE II
PROJECT INFORMATION

A. <u>REDEVELOPMENT PROJECT DESCRIPTION</u>: The Project is a mixed-used development in the City and the County, including retail space for small and large storefronts, restaurants and smaller dining options, office space, parking, stormwater detention and common areas.

B. <u>DEVELOPER'S INFORMATION</u>: Graham Development, LLC, Attn: Jason Graham 6218 U.S. Hwy 98, Hattiesburg, Mississippi 39402.

ARTICLE III
ECONOMIC DEVELOPMENT IMPACT DESCRIPTION

A. <u>JOB CREATION:</u> The Project will create new permanent full-time and part-time jobs. Projections on the new jobs to be created are currently not available. Annual payroll cannot be determined at this time due to market factors and the range of job skill level.

B. <u>FINANCIAL BENEFIT TO THE COMMUNITY</u>

1. <u>Ad Valorem Tax Increases</u>: The construction and development of the Project will generate significant ad valorem tax revenues for the City, the County, and the School District. Projected increases for the TIF District are set forth in Article 1, Section C.

2. <u>Retail Sales</u>: Retail sales are estimated to be in excess of $38,000,000, creating an annual sales tax rebate of $493,105 for the City and annual State of Mississippi sales taxes of $2,665,433.

3. <u>Special Taxes</u>: It is anticipated that the completed Project will generate $150,320 annually from the City's 2% Convention Promotion Tax and $75,160 annually from the City's 1% Tourism Parks and Recreation Tax.

4. <u>Pledge:</u> The City will pledge the City Tax Increment, and the County will pledge the County Tax Increment to secure the TIF Bonds. The City may issue TIF Bonds, in one or more tax-exempt or taxable series, in the principal amount of not to exceed $2,000,000. The amount and timing of the issuance of the TIF Bonds shall be determined solely by the City, pursuant to further proceedings of the City, and in accordance with the Development Agreement and the Interlocal Agreement. Additionally, the principal amount of the TIF Bonds to be issued shall be limited to that amount which can be repaid by the TIF Revenues payable over a term not to exceed fifteen (15) years.

ARTICLE IV
THE OBJECTIVE OF THE TAX INCREMENT FINANCING PLAN

A. <u>CONSTRUCTION OF IMPROVEMENTS:</u> The Infrastructure Improvements constructed for the Project will be consistent with the Redevelopment Plan. The Project and the Infrastructure

Improvements will be installed and constructed in accordance with standards, codes, and ordinances of the City and the requirements of the current Mississippi Department of Transportation ("MDOT") Roadway Design Manual or other requirements as set by MDOT, and the Project will further the goals and objectives of the Redevelopment Plan, including Article VII of the Redevelopment Plan regarding traffic control and major circulation routes as well as Article X of the Redevelopment Plan regarding appropriate land uses. The construction of the Infrastructure Improvements (particularly the improvements to Lamar Boulevard and US Highway 98) have been planned in consultation with the City and MDOT to provide necessary traffic control solutions to allow for the orderly and safe development of the TIF District and the surrounding area.

B. **PUBLIC CONVENIENCE AND NECESSITY:** The primary objective of this TIF Plan is to serve the public convenience and necessity by providing financial support for the Project. This TIF Plan will provide financing to install and construct the Infrastructure Improvements to serve the general public and the Project.

C. **HEALTH AND WELFARE OF THE PUBLIC PROVIDED FOR:** The Infrastructure Improvements will provide for the health and welfare of the public by providing for safe and adequate infrastructure for the use of the TIF District and the public. As pointed out in the *Traffic Impact Study—Supplement, Lamar County, Mississippi August 2024*, and as set forth in the MDOT Letter, the MDOT Improvements will reduce delay times and points of conflict and should create a safe alternative for traffic. The Project will increase the City and County's tax base and develop raw land currently not served by utilities into a modern mixed-use development and provide much needed road improvements to and on US Highway 98 and Lamar Boulevard to serve the public.

ARTICLE V
A STATEMENT INDICATING THE NEED AND PROPOSED USE OF THE TAX INCREMENT FINANCING PLAN IN RELATIONSHIP TO THE REDEVELOPMENT PLAN

The use of tax increment financing is an inducement that will result in the development of vacant and underdeveloped prime property in the City and the County. This TIF Plan will allow the implementation of tax increment financing as a financing mechanism for the installation and construction of Infrastructure Improvements necessary to induce development within the TIF District and serve the public who will utilize and benefit from the development of the Project.

ARTICLE VI

A STATEMENT CONTAINING THE COST ESTIMATE OF THE REDEVELOPMENT PROJECT, PROJECTED SOURCES OF REVENUE TO MEET THE COSTS, AND TOTAL AMOUNT OF INDEBTEDNESS TO BE INCURRED

A. COST ESTIMATE OF REDEVELOPMENT PROJECT

1. The development of the Project will represent a private investment in excess of $43,000,000. The proceeds of the TIF Bonds will be used to pay the cost of constructing various Infrastructure Improvements, more particularly described in Article I, Section B.

2. The installation and construction of the Infrastructure Improvements will be undertaken to provide for the public convenience, health, and welfare and the success of the Project and will include improvements to US Highway 98 and Lamar Boulevard to assist with traffic flow and safety.

3. Proceeds of the TIF Bonds may also be used to fund capitalized interest and/or a debt service reserve fund as permitted under the TIF Act.

B. PROJECTED SOURCES OF REVENUE TO MEET COSTS

1. In addition to reimbursement from the proceeds of the TIF Bonds, the Developer will secure financing to install and construct the Infrastructure Improvements and other portions of the Project. To the extent portions of the Project are developed by third parties, those third parties will obtain private financing for that section of the Project.

2. The City will pledge the City Tax Increment, and the County will pledge the County Tax Increment to secure the TIF Bonds. Projections as of the date of this TIF Plan on the TIF Revenues are set forth below:

Entity	Millage	Taxes Paid in 2024	After Project Completion	Increment
City Ad Valorem	53.13	$12,843	$220,019	$207,177
County Ad Valorem	54.35	$12,181	$225,072	$212,890
School District Ad Valorem*	62.28	$14,641	$257,911	$243,269
TOTALS:	**169.76**	**$39,665**	**$703,002**	**$663,336**

C. <u>TOTAL AMOUNT OF INDEBTEDNESS TO BE INCURRED</u>: The City may issue TIF Bonds, in one or more tax-exempt or taxable series, in the principal amount of not to exceed $2,000,000. To secure the TIF Bonds, the City and the County will pledge the Tax Increment. The amount and timing of the issuance of the TIF Bonds shall be determined solely by the City, pursuant to further proceedings of the City, and in accordance with the Development Agreement and the Interlocal Agreement. Additionally, the principal amount of the TIF Bonds to be issued shall be limited to that amount which can be repaid by the TIF Revenues payable over a term not to exceed fifteen (15) years.

ARTICLE VII
REAL PROPERTY TO BE INCLUDED IN TAX INCREMENT FINANCING DISTRICT

A. **PARCEL NUMBERS FOR THE TIF DISTRICT:** The real property to be included in the TIF District from which the ad valorem real and personal property tax revenues will be generated to finance the TIF Bonds is described below, and in the map attached hereto as Exhibit A. The below True and Assessed Values were obtained from the Lamar County Tax Assessor's office.

Owner	Parcel	Total Value	Total Assessed	City	County	School	Total
				53.13	**54.35**	**62.28**	**169.76**
Graham Dev	052Q-10-044.002	$132,420	$19,863	$1,055	$997	$1,202	$3,254
Graham Dev	052Q-10-044.000	$501,770	$75,266	$3,999	$3,778	$4,554	$12,331
Graham Dev	055B-15-001.000	$77,600	$11,640	$618	$634	$725	$1,977
Southern Development	052Q-10-044.005	$301,870	$45,281	$2,408	$2,273	$2,740	$7,420
Vaquero Ventures W Hattiesburg LP	052Q-10-044.004	$535,140	$80,271	$4,266	$4,030	$4,856	$13,152
Cronin Properties LLC	052Q-10-044.003	$62,290	$9,344	$496	$469	$565	$1,531
		$1,611,090	**$241,665**	**$12,843**	**$12,181**	**$14,641**	**$39,665**

ARTICLE VIII
DURATION OF THE TAX INCREMENT FINANCING PLAN'S EXISTENCE

This TIF Plan shall remain in effect and existence from its approval and so long as there are TIF Bonds outstanding.

ARTICLE IX
ESTIMATED IMPACT OF TAX INCREMENT FINANCING PLAN UPON THE REVENUES OF ALL TAXING JURISDICTIONS IN WHICH A REDEVELOPMENT PROJECT IS LOCATED

A. **AD VALOREM TAX INCREASES:** The construction and full operation of the Project will generate significant ad valorem tax revenues for the City, the County, and the School District. The following estimates for real property taxes for the TIF District are based on an assumed combined true value of $25,244,052 and represent projected ad valorem tax revenues after the Project has been completed.

Entity	Millage	Taxes Paid in 2024	After Project Completion	Increment
City Ad Valorem	53.13	$12,843	$220,019	$207,177
County Ad Valorem	54.35	$12,181	$225,072	$212,890
School District Ad Valorem*	62.28	$14,641	$257,911	$243,269
TOTALS:	**169.76**	**$39,665**	**$703,002**	**$663,336**

*** School District taxes are not eligible for use and are included for informational purposes only.**

B. **RETAIL SALES:** The Project will generate approximately $38,000,000 in sales annually, generating an annual sales tax rebate of $493,105 for the City.

C. **SPECIAL TAXES:** It is projected that the completed Project will generate $150,320 annually from the City's 2% Convention Promotion Tax and $75,160 annually from the City's 1% Tourism Parks and Recreation Tax.

ARTICLE X
A STATEMENT REQUIRING THAT A SEPARATE FUND BE ESTABLISHED TO RECEIVE AD VALOREM TAXES, SALES TAX REBATES, AND THE PROCEEDS OF ANY OTHER FINANCIAL ASSISTANCE

A separate fund entitled the "Tax Increment Bond Fund: Hattiesburg Marketplace" shall be established by the City to receive ad valorem taxes and any other funds remitted in connection with this TIF Plan.

ARTICLE XI
THE GOVERNING BODY OF THE CITY SHALL BY RESOLUTION FROM TIME TO TIME, DETERMINE (i) THE DIVISION OF AD VALOREM TAX RECEIPTS, IF ANY, THAT MAY BE USED TO PAY FOR THE COST OF ALL OR ANY PART OF A REDEVELOPMENT PROJECT; (ii) THE DURATION OF TIME IN WHICH SUCH TAXES MAY BE USED FOR SUCH PURPOSES; (iii) IF THE GOVERNING BODY SHALL ISSUE BONDS FOR SUCH REDEVELOPMENT PROJECT; AND (iv) SUCH OTHER RESTRICTIONS, RULES AND REGULATIONS AS IN THE SOLE DISCRETION OF THE GOVERNING BODY OF THE CITY SHALL BE NECESSARY IN ORDER TO PROMOTE AND PROTECT THE PUBLIC INTEREST.

Through the adoption of this TIF Plan, the Governing Body of the City acknowledges the above and shall adopt the necessary resolutions when deemed necessary and appropriate for the implementation of this TIF Plan and in accordance with the Act, the Interlocal Agreement and the Development Agreement.

ARTICLE XII
PLAN OF FINANCING

A. **SECURITY FOR THE TIF BONDS:** The City may issue TIF Bonds, in one or more tax-exempt or taxable series, in the principal amount of not to exceed $2,000,000, which TIF Bonds will be secured by the pledge of the TIF Revenues.

B. **FURTHER PROCEEDINGS OF THE CITY:** In its sole discretion, the City shall take such further actions as required for the implementation of this TIF Plan.

C. **AMOUNT AND TIMING OF ISSUANCE:** The amount and timing of the issuance of the TIF Bonds shall be determined solely by the City, pursuant to further proceedings of the City, in accordance with the Development Agreement and the Interlocal Agreement. The principal amount of the TIF Bonds to be issued shall be limited to that amount which can be repaid by the TIF Revenues payable over a term not to exceed fifteen (15) years.

EXHIBIT A

TIF DISTRICT

TO FOLLOW

TIF PLAN EXHIBIT A

HATTIESBURG MARKET PLACE
(LOTS 3, 4, & 5)

PART OF THE SE ¼ OF THE SW ¼ OF SECTION 10 AND THE NE ¼ OF THE NW ¼ OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 14 WEST CITY OF HATTIESBURG LAMAR COUNTY, MISSISSIPPI

LOT 3 - 1.154 ACRES±
LOT 4 - 6.00 ACRES±
LOT 5 - 4.811 ACRES±
TOTAL - 11.965 ACRES±

SURVEY REFERENCE POINT 1
SPC ZONE: MISSISSIPPI EAST 2301
DATUM: NAD 83 / NAVD 88
CONVERGENCE ANGLE: -0°17'22.39"
COMBINED FACTOR: 0.999969353624
NORTHING: 661412.782'
EASTING: 810292.994'
LAT: 31°19'02.62"
LONG: 89°23'25.41"

SURVEY REFERENCE POINT 2
SPC ZONE: MISSISSIPPI EAST 2301
DATUM: NAD 83 / NAVD 88
CONVERGENCE ANGLE: -0°17'28.60"
COMBINED FACTOR: 0.999970491104
NORTHING: 660758.804'
EASTING: 809243.841'
LAT: 31°18'56.09"
LONG: 89°23'37.47"

OWNER AND PROPERTY INFORMATION:

GRAHAM DEVELOPMENT, LLC/THE FIRST AS THE LENDER

PARENT PARCELS - 11.965 ACRES±

SURVEY CLASS B

BEARINGS ORIENTED BY: GPS (GRID NORTH)

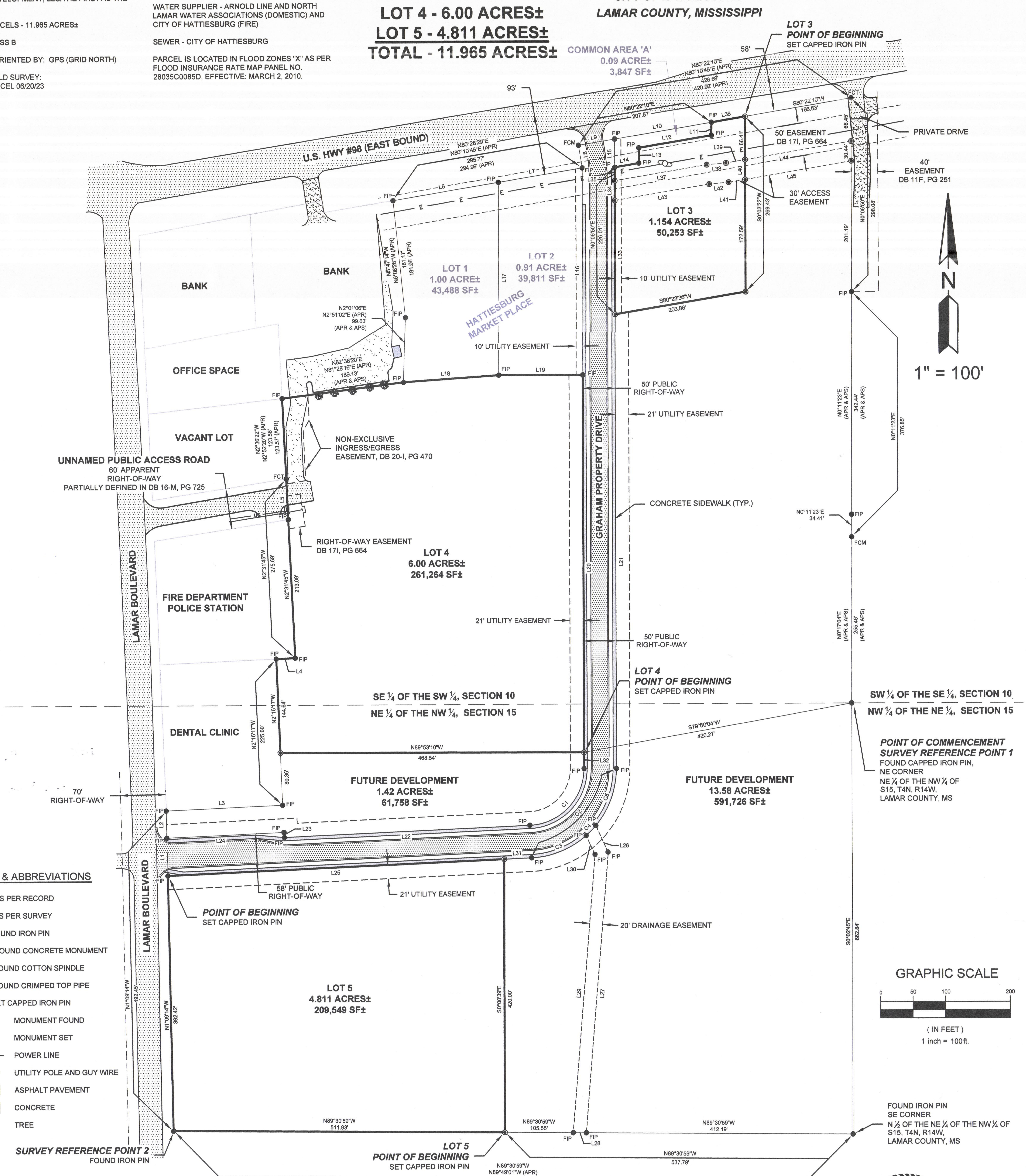
DATE OF FIELD SURVEY: PARENT PARCEL 06/20/23

SUBDIVISION SURVEYOR: ANDREWS ENGINEERING, PLLC

WATER SUPPLIER - ARNOLD LINE AND NORTH LAMAR WATER ASSOCIATIONS (DOMESTIC) AND CITY OF HATTIESBURG (FIRE)

SEWER - CITY OF HATTIESBURG

PARCEL IS LOCATED IN FLOOD ZONES "X" AS PER FLOOD INSURANCE RATE MAP PANEL NO. 28035C0085D, EFFECTIVE: MARCH 2, 2010.



GRAPHIC SCALE

0 50 100 200

(IN FEET)
1 inch = 100ft.

LEGEND & ABBREVIATIONS

- APR - AS PER RECORD
- APS - AS PER SURVEY
- FIP - FOUND IRON PIN
- FCM - FOUND CONCRETE MONUMENT
- FCS - FOUND COTTON SPINDLE
- FCT - FOUND CRIMPED TOP PIPE
- SIP - SET CAPPED IRON PIN
- MONUMENT FOUND
- MONUMENT SET
- POWER LINE
- UTILITY POLE AND GUY WIRE
- ASPHALT PAVEMENT
- CONCRETE
- TREE

REFERENCE MATERIAL:

1. TAX MAPS AND TAX DATA.
2. WARRANTY DEEDS ON FILE IN THE LAMAR COUNTY CHANCERY CLERK'S OFFICE: DB 7T, PG 232; DB 16J, PG 679; DB 23N, PG 90; DB 16M, PG 725.
3. STREET DEED ON FILE IN THE LAMAR COUNTY CHANCERY CLERK'S OFFICE: DB 16M, PG 727.
4. SURVEY PERFORMED BY CASEY L. BENEDICT DATED 8/4/17.
5. SURVEY PERFORMED BY CASEY L. BENEDICT DATED 9/30/14.
6. SURVEY PERFORMED BY MICHAEL T. WAITES DATED 5/15/03.
7. SURVEY PERFORMED BY RICHARD B. BRANTLEY DATED 01/13/14.
8. HATTIESBURG MARKET PLACE SUBDIVISION PLAT ON FILE AT THE LAMAR COUNTY CHANCERY CLERK'S OFFICE.
9. EASEMENT INSTRUMENTS ON FILE IN THE LAMAR COUNTY CHANCERY CLERK'S OFFICE: DB 11F, PG 251; DB 17T, PG 664; DB 20I, PG 470; DB 30P, PG 230.

ANDREWS ENGINEERING, PLLC
P.O. Box 1935 / Purvis, Mississippi 39475
(601) 794-4565 / hunter@andrewsengineering.net

HUNTER ANDREWS LICENSED PROFESSIONAL SURVEYOR 6/8/24 PS-3123 STATE OF MISSISSIPPI

HATTIESBURG MARKET PLACE
(LOTS 3, 4, & 5)

PART OF THE SE ¼ OF THE SW ¼ OF SECTION 10
AND THE NE ¼ OF THE NW ¼ OF SECTION 15,
TOWNSHIP 4 NORTH, RANGE 14 WEST
CITY OF HATTIESBURG
LAMAR COUNTY, MISSISSIPPI

OWNER'S CERTIFICATE:
State of Mississippi
County of Lamar

This is to certify that, I, the undersigned owner of the property shown hereon, hereby dedicate this plat to be known as Hattiesburg Market Place (Lots 3, 4, & 5). The undersigned has caused the same to be subdivided as shown and has signed and delivered this plat.

This the 5 day of JUNE, 2024

By: [signature]
Jason Graham, Member
Graham Development, LLC
40 Deep South Lane
Purvis, MS 39475

ACKNOWLEDGMENT:
State of Mississippi
County of Lamar

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of June 2024. Within my jurisdiction, the within named Jason Graham of Graham Development, LLC, who acknowledged that he executed the above and foregoing instrument, after first having been duly authorized by said corporations so to do.

My commission expires on: February 11, 2028
[signature]
Notary Public

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 10466 VICKIE SMITH WILLIAMSON Commission Expires Feb. 11, 2028 LAMAR COUNTY

LENDER'S CERTIFICATE:
State of Mississippi
County of Lamar

This is to certify that, I, the undersigned lienholder of the property shown hereon, hereby dedicate this plat to be known as Hattiesburg Market Place (Lots 3, 4, & 5). The undersigned has caused the same to be subdivided as shown and has signed and delivered this plat.

This the 5th day of June, 2024

By: [signature]
Mackenzie Parker, Commercial Loan Officer, Vice President
The First Bank

ACKNOWLEDGMENT:
State of Mississippi
County of Lamar

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of June 2024. Within my jurisdiction, the within named Mackenzie Parker, Vice President of The First Bank, who acknowledged that he executed the above and foregoing instrument, after first having been duly authorized by said corporations so to do.

My commission expires on: February 11, 2028
[signature]
Notary Public

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 10466 VICKIE SMITH WILLIAMSON Commission Expires Feb. 11, 2028 LAMAR COUNTY

CITY APPROVAL AND ACCEPTANCE:
State of Mississippi
County of Lamar

Survey checked and approved by the City Engineer for the City of Hattiesburg on this, the 12th day of JUNE, 2024.

Mary E Berg
City Engineer

This subdivision is herein approved and accepted, and all improvements contained therein to be dedicated to the City of Hattiesburg are hereby accepted for the City of Hattiesburg on the, the 17th day of June, 2024.

[signature] City Clerk
[signature] Mayor

CITY OF HATTIESBURG Incorporated 1884 SEAL MISSISSIPPI

VERIFICATION:
State of Mississippi
County of Lamar

This is to certify that I, Hunter Andrews, a Mississippi Licensed Professional Land Surveyor, as maker of the map of Hattiesburg Market Place, have compared this the COPY with the DUPLICATE and the ORIGINAL and find the same to be exact copies of each other.

[signature]
Hunter Andrews
Professional Land Surveyor / License # 3123

ACKNOWLEDGMENT:
State of Mississippi
County of Lamar

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of June 2024. Within my jurisdiction, the within named Hunter Andrews, Professional Land Surveyor, who acknowledged that he/she executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

My commission expires on: February 11, 2028
[signature]
Notary Public

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 10466 VICKIE SMITH WILLIAMSON Commission Expires Feb. 11, 2028 LAMAR COUNTY

PLANNING DEPARTMENT CERTIFICATE:

Final approval of plat, this the 17th day of June, 2024.

[signature]
Urban Developer Director
City of Hattiesburg

LEGAL DESCRIPTION - LOT 3:

A PARCEL OF LAND BEING PART OF THE SE ¼ OF THE SW ¼ OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BEARINGS ARE BASED ON GRID NORTH)

COMMENCING AT AN IRON PIN AT THE SE CORNER OF THE SE ¼ OF THE SW ¼ OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI; THENCE RUN N0°17'04"E ALONG THE EAST LINE OF SAID FORTY FOR 255.46" TO A CONCRETE MONUMENT; THENCE RUN N0°11'23"E ALONG THE EAST LINE OF SAID FORTY FOR 376.85' TO AN IRON PIN; THENCE RUN N0°06'50"E ALONG EAST LINE OF SAID FORTY FOR 298.08' TO A COTTON SPINDLE ON THE SOUTHERN RIGHT-OF-WAY OF U.S. HIGHWAY #98; THENCE RUN S80°22'10"W ALONG SAID RIGHT-OF-WAY FOR 166.53' TO A CAPPED IRON PIN FOR THE POINT OF BEGINNING; THENCE RUN S0°03'22"W FOR 269.43' TO A CAPPED IRON PIN; THENCE RUN S80°23'36"W FOR 203.86' TO A CAPPED IRON PIN ON THE EAST RIGHT-OF-WAY OF GRAHAM PROPERTY DRIVE; THENCE RUN N0°06'50"E ALONG SAID RIGHT-OF-WAY FOR 226.01' TO A CAPPED IRON PIN; THENCE RUN N80°22'10"E FOR 37.92' TO A CAPPED IRON PIN; THENCE RUN N00°06'50"E FOR 23.40' TO A CAPPED IRON PIN; THENCE RUN N80°22'10"E FOR 113.08' TO A CAPPED IRON PIN; THENCE RUN N00°06'50"E FOR 20.00' TO A CAPPED IRON PIN ON THE SOUTHERN RIGHT-OF-WAY OF U.S. HIGHWAY #98; THENCE RUN N80°22'10"E ALONG SAID RIGHT-OF-WAY FOR 52.60' BACK TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 1.154 ACRES (50,254 SF) MORE OR LESS.

LEGAL DESCRIPTION - LOT 4:

A PARCEL OF LAND BEING PART OF THE SE ¼ OF THE SW ¼ OF SECTION 10, AND THE NE ¼ OF THE NW ¼ OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BEARINGS ARE BASED ON GRID NORTH)

COMMENCING AT AN IRON PIN AT THE NE CORNER OF THE NE ¼ OF THE NW ¼ OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI; THENCE RUN S79°50'04"W FOR 420.27' TO A CAPPED IRON PIN ON THE WESTERN RIGHT-OF-WAY OF GRAHAM PROPERTY DRIVE FOR THE POINT OF BEGINNING; THENCE RUN N89°53'10"W FOR 468.54' TO A CAPPED IRON PIN; THENCE RUN N2°16'17"W FOR 144.64' TO AN IRON PIN; THENCE RUN N87°25'44"E FOR 29.37' TO AN IRON PIN; THENCE RUN N2°31'45"W FOR 275.69' TO A CRIMPED TOP PIPE; THENCE RUN N2°36'22"W FOR 123.56' TO AN IRON PIN; THENCE RUN N82°38'20"E FOR 189.13' TO AN IRON PIN; THENCE RUN N86°00'34"E FOR 147.31' TO AN IRON PIN; THENCE RUN S89°53'10"E FOR 129.35' TO AN IRON PIN ON THE WESTERN RIGHT-OF-WAY OF GRAHAM PROPERTY DRIVE; THENCE RUN S0°06'50"W ALONG SAID RIGHT-OF-WAY FOR 579.85' BACK TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 6.00 ACRES (261,264 SF) MORE OR LESS.

LEGAL DESCRIPTION - LOT 5:

A PARCEL OF LAND BEING PART OF THE NE ¼ OF THE NW ¼ OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 14 WEST, CITY OF HATTIESBURG, LAMAR COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: (BEARINGS ARE BASED ON GRID NORTH)

COMMENCING AT A CAPPED IRON PIN AT THE NE CORNER OF THE NE ¼ OF THE NW ¼ OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 14 WEST, LAMAR COUNTY, MISSISSIPPI; THENCE RUN S0°02'45"E ALONG THE EAST LINE OF THE SAID FORTY FOR 662.84' TO AN IRON PIN AT THE SE CORNER OF THE N ½ OF THE NE ¼ OF THE NW ¼ OF SECTION 15; THENCE RUN N89°30'59"W ALONG THE SOUTH LINE OF THE N ½ OF THE NE ¼ OF THE NW ¼ FOR 537.79' TO AN IRON PIN FOR THE POINT OF BEGINNING; THENCE RUN N89°30'59"W ALONG THE SOUTH LINE OF THE N ½ OF THE NE ¼ OF THE NW ¼ FOR 511.93' TO AN IRON PIN ON THE EASTERN RIGHT-OF-WAY OF LAMAR BOULEVARD; THENCE RUN N1°09'14"W ALONG SAID RIGHT-OF-WAY FOR 392.42' TO A CAPPED IRON PIN ON THE SOUTHERN RIGHT-OF-WAY OF GRAHAM PROPERTY DRIVE; THENCE RUN N87°25'44"E ALONG SAID RIGHT-OF-WAY FOR 520.26' TO A CAPPED IRON PIN; THENCE RUN S00°00'39"E FOR 420.00' BACK TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 4.811 ACRES (209,549 SF) MORE OR LESS.

NOTES:

1) IRON PINS ARE 1/2"Ø X 18" REBAR CAPPED WITH COA #366 UNLESS OTHERWISE NOTED.
2) RECORD SEARCH FOR EASEMENTS, RIGHTS-OF-WAY, ETC. AND TITLE OPINION NOT PERFORMED AS PART OF SURVEY.
3) ST. STEPHENS PRINCIPAL MERIDIAN.
4) STATE PLANE COORDINATES WERE DERIVED FROM THE GULF COAST GEOSPATIAL CENTER ON 6/20/23.

FILING CERTIFICATION BY CHANCERY CLERK:

I certify that this instrument was filed for record in my office on this the 17th day of June, 2024, in plat book 3, page 588 + 589 slide 652 + 653.

[signature]
Chancery Clerk

CHANCERY CLERK OF LAMAR COUNTY, MS — IN GOD WE TRUST

SURVEYOR'S CERTIFICATE:
State of Mississippi
County of Lamar

This is to certify that I have surveyed the land shown on this plat and fully described on this plat and have subdivided the same with lots according to the requirements of the County and the subdivision laws of the State of Mississippi governing surveying, dividing and mapping the land and that the plat hereon is a correct representation of the said survey and subdivision, and that all monuments indicated thereon actually exist and their location, size and materials are correctly shown.

This the 5TH day of JUNE, 2024.

[signature]
Hunter Andrews
Professional Land Surveyor / License # 3123

ANDREWS ENGINEERING, PLLC
P.O. Box 1935 / Purvis, Mississippi 39475
(601) 794-4565 / hunter@andrewsengineering.net

HUNTER ANDREWS LICENSED PROFESSIONAL SURVEYOR 6/5/24 PS-3123 STATE OF MISSISSIPPI

PARCEL CURVE DATA

SEGMENT	LENGTH	RADIUS	DELTA	CHORD	CHORD DIRECTION
C1	133.34'	87.50'	87°18'54"	120.81'	N43°46'17"E
C2	209.54'	137.49'	87°19'21"	189.84'	S43°46'17"W
C3	92.60'	137.49'	38°35'24"	90.86'	N68°08'16"E
C4	21.42'	137.49'	8°55'35"	21.40'	N44°22'46"E
C5	95.52'	137.49'	39°48'22"	93.61'	N20°00'48"E

PARCEL LINE DATA

SEGMENT	LENGTH	DIRECTION
L1	58.02'	N1°09'14"W
L2	42.01'	N1°09'14"W
L3	180.22'	N87°25'44"E
L4	29.37'	N87°25'44"E
L5	62.60'	N2°31'45"W
L6	164.57'	N80°28'29"E
L7	131.20'	N80°28'29"E
L8	35.03'	N9°20'05"W
L9	56.57'	N80°22'10"E
L10	151.00'	N80°22'10"E
L11	20.00'	N0°06'50"E
L12	113.08'	N80°22'10"E
L13	23.40'	N0°06'50"E
L14	37.92'	N80°22'10"E
L15	43.37'	N0°06'50"E

PARCEL LINE DATA

SEGMENT	LENGTH	DIRECTION
L16	318.77'	S0°06'50"W
L17	296.80'	S0°06'50"W
L18	147.31'	N86°00'34"E
L19	129.35'	S89°53'10"E
L20	579.85'	S0°06'50"W
L21	698.40'	S0°06'50"W
L22	379.87'	S87°25'44"W
L23	8.00'	S2°34'16"E
L24	181.26'	S87°25'44"W
L25	520.26'	N87°25'44"E
L26	44.76'	S24°47'31"E
L27	432.84'	S4°35'31"W
L28	20.05'	N89°30'59"W
L29	429.04'	S4°35'31"W
L30	31.91'	S24°47'31"E

PARCEL LINE DATA

SEGMENT	LENGTH	DIRECTION
L31	42.31'	N87°25'44"E
L32	25.04'	S0°06'50"W
L33	175.09'	N0°06'50"E
L34	30.44'	N0°06'50"E
L35	20.48'	N0°06'50"E
L36	52.60'	N80°22'10"E
L37	143.39'	S80°22'39"W
L38	30.11'	S85°08'24"W
L39	29.83'	S80°22'39"W
L40	30.43'	N0°03'22"E
L41	25.96'	N80°22'39"E
L42	30.11'	N85°08'24"E
L43	147.29'	N80°22'39"E
L44	166.46'	S80°22'39"W
L45	166.42'	N80°22'39"E

Memorandum

To: Mayor Toby Barker and Members of City Council

From: Ann Jones, Chief Administrative Officer

cc:

Date: Monday, December 16, 2024

Re: Adopt a Resolution requesting the Legislature of the State of Mississippi to enact a local and private bill enabling the City of Hattiesburg, Mississippi, to extend the repealer imposed on the Special 1% Tax levied on the gross proceeds from hotel/motel overnight room rentals and restaurants, excluding restaurants with gross sales less than $100,000.00 annually, which proceeds are divided by the City of Hattiesburg and the University of Southern Mississippi to July 1, 2030.
File Number: 2024-787
Minute Book #

Summary

Adopt a Resolution requesting the Legislature of the State of Mississippi to enact a local and private bill enabling the City of Hattiesburg, Mississippi, to extend the repealer imposed on the Special 1% Tax levied on the gross proceeds from hotel/motel overnight room rentals and restaurants, excluding restaurants with gross sales less than $100,000.00 annually, which proceeds are divided by the City of Hattiesburg and the University of Southern Mississippi to July 1, 2030.

Recommendation Statement

I recommend that this resolution be adopted.

Please place this on the December 16, 2024 City Council meeting for consideration.

RESOLUTION

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, REQUESTING THE LEGISLATURE OF THE STATE OF MISSISSIPPI TO ENACT A LOCAL AND PRIVATE BILL ENABLING THE CITY OF HATTIESBURG, MISSISSIPPI, TO EXTEND THE REPEALER IMPOSED ON THE SPECIAL 1% TAX LEVIED ON THE GROSS PROCEEDS FROM HOTEL/MOTEL OVERNIGHT ROOM RENTAL AND RESTAURANTS, EXCLUDING RESTAURANTS WITH GROSS SALES LESS THAN $100,000 ANNUALLY WHICH PROCEEDS ARE DIVIDED BY THE CITY OF HATTIESBURG; TO PROMOTE TOURISM AND CARRY OUT PARKS AND RECREATION IMPROVEMENTS AND THE UNIVERSITY OF SOUTHERN MISSISSIPPI FOR IMPROVMENTS TO ALTHLETIC FACILITIES, PARTICULARLY REED GREEN COLISEUM, TO JULY 1, 2030.

WHEREAS, on March 2, 2018, the Council adopted a resolution requesting Local and Private Legislation to authorize the City of Hattiesburg, Mississippi, to impose a special tax levy on the gross proceeds from hotel/motel overnight room rental (exclusive of charges for food, telephone, laundry, beverages and similar charges) and restaurant sales (exclusive of restaurants with gross sales less than $100,000.00 annually) pursuant to the provisions of the proposed act; and

WHEREAS, on March 24, 2018, Senate Bill No. 3069 was approved by the Mississippi Legislature and approved by the Governor on April 12, 2018, authorizing the City of Hattiesburg, Mississippi, to levy an additional tax on hotels, motels, and restaurants; to provide that proceeds of the tax shall be used by the City to promote tourism and parks and recreation; to authorize the city to distribute a portion of the tax to the University of Southern Mississippi to be used by the University for improvements to its athletic facilities; to authorize the City to receive and expend revenues from any source for the purposes authorized in this act; and for related purposes; and

WHEREAS, before the tax as herein defined could be imposed, a special election was held on April 23, 2019, for the purpose of submitting to the qualified electors of the City of Hattiesburg, the approval or disapproval to the proposed tax levy to fund the promotion of tourism and parks and recreation in the City of Hattiesburg and for improvements to the athletic facilities at the University of Southern Mississippi.

WHEREAS, on April 23, 2019, the special election passed with more than eighty percent (80%) of the qualified electors who voted voting in favor of approving the tax levy as defined herein to fund the promotion of tourism and parks and recreation in the City of Hattiesburg and for improvements to athletic facilities at the University of Southern Mississippi.

WHEREAS, in 2018 Senate Bill No. 3069 stated that this act shall stand repealed from and after July 1, 2022.

WHEREAS, in 2022 Senate Bill No. 2514 stated that this act shall stand repealed from and after July 1, 2026.

WHEREAS, the City of Hattiesburg wishes to extend the repealer imposed on the City of Hattiesburg and the special tax levied therefore to July 1, 2030.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Hattiesburg, Mississippi, as follows to wit:

Section 1. The Legislature of the State of Mississippi is hereby requested in the 2025 regular legislative session to amend the enabling legislation set forth in Senate Bill Number

3069 2514 in 2018 2022, so as to extend the repealer imposed on the City of Hattiesburg and the special tax levied therefor to July 1, 2030.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by ___________________________, seconded by ___________________________, and was adopted by the following vote, to wit:

YEAS: **NAYS:**

The President thereby declared the motion carried and the Resolution adopted, on this 17th day of December, A.D., 2024.

(SEAL)

ATTEST: **ADOPTED:**

___________________________ ___________________________

CLERK OF COUNCIL **PRESIDENT OF COUNCIL**

The above and foregoing Resolution having been submitted to and approved by the Mayor, this 17th day of December, A.D.,2024.

ATTEST: **APPROVED:**

___________________________ ___________________________

CITY CLERK **MAYOR**

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI ("CITY") AUTHORIZING THE OBLIGATION AND EXPENDITURE OF SEVEN HUNDRED THOUSAND DOLLARS FOR MODIFICATION AND USE OF LAMAR COUNTY PROPERTY AS A CRISIS STABILIZATION UNIT (CSU) FACILITY UTILIZING FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF TREASURY ("TREASURY") UNDER THE AMERICAN RESCUE PLAN ACT'S STATE AND LOCAL FISCAL RECOVERY FUND, AS THE PROVISION OF GOVERNMENT SERVICES BY THE CITY

WHEREAS, on March 11, 2021, the President of the United States signed into law the American Rescue Plan Act ("ARPA"), which created the State and Local Fiscal Recovery Fund ("SLFRF" together with ARPA, the "Funds") to provide continued relief from the impact of the COVID-19 pandemic ("COVID-19"); and

WHEREAS, Sections 602(c)(1)(C) and 603(c)(1)(C) of the Social Security Act, as amended by Section 9901 of ARPA, Pub. L. No. 117-2 (March 11, 2021), provide that the Funds may be used for the provision of government services to the extent of the reduction in revenue experienced due to the COVID-19 public health emergency; and

WHEREAS, Treasury has established FAQ's and related guidance, as amended from time to time ("FAQ's") for its interim final rule, setting forth specific requirements for utilizing the Funds, including the eligible uses thereof, received under ARPA; and

WHEREAS, on January 6, 2022, Treasury issued the Coronavirus State and Local Fiscal Recovery Funds, Final Rule (revising 31 CFR Part 35) (the "Final Rule"), which provides recipients with additional flexibility for their use of Funds received under ARPA; and

WHEREAS, Treasury has also prepared the Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule (January 2022) (the "Overview" together with the Final Rule and FAQ's, the "Guidance"), to summarize the Final Rule provisions and provide a non-exhaustive list of government services projects that recipients can undertake with the Funds under the loss revenue category; and

WHEREAS, in accordance with the Guidance, the Mayor and City Council ("Governing Body") of the City of Hattiesburg, Mississippi ("City") resolved on January 18, 2022 by Resolution #2022-2 to declare the standard allowance presumption of ten million dollars ($10,000,000.00) as the amount of the reduction in its general revenue due to the COVID-19 public health emergency and utilize such Funds for the provision of government services; and

WHEREAS, the City recognizes that its government services can include the provision of mental health and substance use disorder services and that utilizing the Funds under the $10,000,000 standard allowance loss revenue presumption, will improve the City's general welfare, quality of life, public purpose and is in the best interest of the City's residents; and

WHEREAS, the City recognizes the benefit of collaborating with the Lamar County Board of Supervisors and the Forrest County Board of Supervisors to provide for the improving, construction, upgrading and utilization of a property owned by Lamar County Board of Supervisors, located at 115 Purvis-Baxterville Road, Purvis, Mississippi, for the crisis stabilization unit facility (the "Project"); and

WHEREAS, Lamar County, Mississippi, Forrest County, Mississippi, and the City, each of which is a public body and political subdivision of the State of Mississippi, in accordance with the Interlocal Cooperation Act of 1974, Section 17-13-1, et seq. of the Code (the "Interlocal Cooperation Act"), and other applicable law have entered into an interlocal agreement ("Agreement") for the purpose of cooperating and contracting with one another on the basis of mutual advantage to provide services that will best accord continued economic growth and development and enhance the general welfare, quality of life, and public purpose of local government units all for the benefit of the Project, and a copy of such Agreement is attached hereto as **Exhibit A**; and

WHEREAS, Lamar County, Mississippi, as the lead agency for the Project, will follow the procurement requirements under state law for the construction, modification and improvement of the Project and all funds contributed by the parties will go to the construction of the Project and the initial startup and operational cost of the Project; and

WHEREAS, upon proper procurement, the City desires to contribute $700,000 of its Funds toward the establishment of the Project as the provision of government services under the Guidance.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City as follows:

1. That the Project, pursuant to the Agreement, will improve the City's mental health and substance use disorder services for the benefit of the public in partnership with Lamar County, Mississippi, and Forrest County, Mississippi.

2. That, upon compliance with the Interlocal Cooperation Act and in compliance with state procurement laws, the City hereby obligates and expends $700,000.00 of its Funds for the Project as a provision of government services under the Guidance.

Following the reading of the foregoing Resolution, Councilperson ____________ made the motion and Councilperson _________ seconded the motion, and the question being put to a roll call vote, the result was taken as follows:

Councilperson Jeffrey George voted: ___
Councilperson Deborah Delgado voted: ___

Councilperson Carter Carroll voted: ___
Councilperson Dave Ware voted: ___
Councilperson Nicholas Brown voted: ___

The motion having received the affirmative vote of a majority of the members present, the President of the Governing Body, acting for and on behalf of the City, declared the motion carried and the resolution adopted, on this the ____ day of _________ 2024.

(SEAL)

ATTEST: ADOPTED:

________________________ __________________________

CLERK OF COUNCIL PRESIDENT

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the __ day of ____________, 2024.

ATTEST: APPROVED:

_______________________ ________________________

CITY CLERK MAYOR

EXHIBIT A

INTERLOCAL AGREEMENT BETWEEN LAMAR COUNTY, MISSISSIPPI, FORREST COUNTY, MISSISSIPPI, AND THE CITY OF HATTIESBURG, MISSISSIPPI, REGARDING MODIFICATION AND USE OF LAMAR COUNTY PROPERTY AS A CRISIS STABILIZATION UNIT (CSU) FACILITY WITHIN THE JURISDICTION OF LAMAR COUNTY, MISSISSIPPI:

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