

# **City of Hattiesburg, MS**

*200 Forrest St.  
P.O. Box 1898  
Hattiesburg, MS 39401*



## **Meeting Agenda - Final**

**Monday, March 18, 2013**

**4:00 PM**

**Council Chambers**

**City Council - Public Hearing**

[2013-0155](#)

Hold Public Hearing to receive comments on proposed First Addendum to Tax Increment Financing Plan, "Whispering Pines Retirement Community Project".

**Attachments:**

[First Amendment.Whispering Pines Resolution](#)



# City of Hattiesburg, MS

200 Forrest St.  
P.O. Box 1898  
Hattiesburg, MS 39401

## Master

**File Number: 2013-0155**

**File ID:** 2013-0155

**Type:** Regular Agenda Item

**Status:** Agenda Ready

**Version:** 1

**Reference:**

**In Control:** City Council

**File Created:** 03/13/2013

**Brief Title:** Hold Public Hearing

**Final Action:**

**Minute Book Number:** MB2013-75-78

**Title:**

Hold Public Hearing to receive comments on proposed First Addendum to Tax Increment Financing Plan, "Whispering Pines Retirement Community Project".

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** First Amendment.Whispering Pines Resolution

**Enactment Number:**

**Contact:**

**Meeting Date:** 03/18/2013

**Drafter:** Marilyn Schwandt

**Effective Date:**

### History of Legislative File

| Ver-<br>sion: | Acting Body:                     | Date:      | Action: | Sent To: | Due Date: | Return<br>Date: | Result: |
|---------------|----------------------------------|------------|---------|----------|-----------|-----------------|---------|
| 1             | City Council - Public<br>Hearing | 03/18/2013 |         |          |           |                 |         |

### Text of Legislative File 2013-0155

#### Title

Hold Public Hearing to receive comments on proposed First Addendum to Tax Increment Financing Plan, "Whispering Pines Retirement Community Project".

#### Summary

#### Budget Information

#### Expenditure Type

**Purchasing Item**

**Publication Information**

The Clerk reported that pursuant to a resolution of the Mayor and City Council (the "Governing Body") of the City of Hattiesburg, Mississippi (the "City") calling for a public hearing to be held March 18, 2013 at 4:00 o'clock p.m., with respect to the First Addendum to City of Hattiesburg, Mississippi Tax Increment Financing Plan (Whispering Pines Retirement Community Project) 2012 (the "TIF Plan Amendment"), he did cause a notice of the public hearing to be published in the *Hattiesburg American*, a newspaper having a general circulation in the area of operation of the City of Hattiesburg, Mississippi, on March 7, 2013, as evidenced by the proof of publication on file in the office of the Clerk. On Tuesday, March 18, 2013, the public hearing was duly convened. At that time, all present were given an opportunity to present oral and/or written comment on the TIF Plan Amendment. Following the Clerk's report, Councilmember \_\_\_\_\_ offered and moved the adoption of the following Resolution:

**A RESOLUTION APPROVING THE ADOPTION AND IMPLEMENTATION OF THE "FIRST ADDENDUM TO CITY OF HATTIESBURG, MISSISSIPPI TAX INCREMENT FINANCING PLAN (WHISPERING PINES RETIREMENT COMMUNITY PROJECT) 2012".**

**WHEREAS**, on the 18th day of September, 2012, the Governing Body of the City approved the Tax Increment Financing Plan, City of Hattiesburg, Mississippi (Whispering Pines Retirement Community Project) 2012 (the "TIF Plan") in connection with the redevelopment project described therein as required by Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "Act"), which TIF Plan constitutes a qualified plan under the Act;

**WHEREAS**, under the power and authority granted by the laws of the State of Mississippi and particularly under the Act, the Governing Body on March 5, 2013, did adopt a certain resolution entitled "**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, DETERMINING THE NECESSITY FOR AMENDING THE TAX INCREMENT FINANCING PLAN, CITY OF HATTIESBURG, MISSISSIPPI (WHISPERING PINES RETIREMENT COMMUNITY PROJECT) 2012; PROVIDING THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE PROPOSED AMENDMENT TO THE TAX INCREMENT FINANCING PLAN, CITY OF HATTIESBURG, MISSISSIPPI (WHISPERING PINES RETIREMENT COMMUNITY PROJECT) 2012; PROVIDING FOR PUBLICATION OF NOTICE OF SAID PUBLIC HEARING; AND FOR RELATED PURPOSES**" to amend the TIF Plan to extend the term of the TIF Plan from 20 years to 25 years;

**WHEREAS**, as directed by the aforesaid resolution and as required by law, a notice of public hearing was published one (1) time in the *Hattiesburg American*, a newspaper published in and having a general circulation in the area of operation of the City of Hattiesburg, Mississippi, and was so published in said newspaper on March 7, 2013, as evidenced by the publisher's proof of publication of the same heretofore presented to the Governing Body and filed with the Clerk and attached hereto as **EXHIBIT A**;

**WHEREAS**, the Notice of Public Hearing generally described the TIF Plan Amendment and further called for a public hearing to be held at the regular meeting place of the Governing Body in the City of Hattiesburg, Mississippi at 4:00 o'clock p.m. on March 18, 2013, in order for the general public to state or present their views on the TIF Plan Amendment; and

**WHEREAS**, at 4:00 o'clock p.m. on Tuesday, March 18, 2013, the public hearing was held and all in attendance were given an opportunity to state or present their oral and written comments on the TIF Plan Amendment.

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

**SECTION 1.** That all of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

**SECTION 2.** Pursuant to the provisions of the Act, the Governing Body of the City does hereby adopt and approve such TIF Plan Amendment as presented. The TIF Plan, as same is hereby amended, shall be implemented as set forth therein and as authorized under the Act in order to assist in development of the project proposed.

Council Member \_\_\_\_\_ seconded the motion to adopt the foregoing Resolution, and the vote thereupon was as follows:

**YEAS:**

**NAYS:**

**ABSENT:**

The motion having received the affirmative vote of the Governing Body, the President of the City Council declared the motion carried and the resolution adopted, on this the 19th day of March, 2013.

**ATTEST:**

\_\_\_\_\_  
**CLERK OF COUNCIL**

\_\_\_\_\_  
**PRESIDENT**

The above and foregoing resolution, having been submitted to and approved by the Mayor, this the 19th day of March, 2013.

**ATTEST:**

\_\_\_\_\_  
**EDDIE R. MYERS, CITY CLERK**

\_\_\_\_\_  
**JOHNNY L. DUPREE, MAYOR**

**EXHIBIT A**  
**ORIGINAL PROOF OF PUBLICATION**

**[INSERT ORIGINAL PROOF OF PUBLICATION]**

**EXHIBIT B**  
**TIF PLAN AMENDMENT**

**FIRST ADDENDUM TO  
CITY OF HATTIESBURG, MISSISSIPPI  
TAX INCREMENT FINANCING PLAN  
(WHISPERING PINES RETIREMENT COMMUNITY PROJECT)**

Pursuant to the Resolution of the Mayor and City Council of the City of Hattiesburg, Mississippi, adopted and approved on the 19th day of March, 2013, the City of Hattiesburg, Mississippi Tax Increment Financing Plan (Whispering Pines Retirement Community Project 2012) (the "TIF Plan") is hereby amended as follows:

**Section One. "Article VIII. Duration of the Tax Increment Financing Plan's Existence."** of the TIF Plan shall be struck in its entirety and the following substituted in its place:

The duration of this Tax Increment Financing Plan, Whispering Pines Project, Hattiesburg, Mississippi, 2012, will not exceed twenty-five (25) years.