City of Hattiesburg, MS

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

Meeting Agenda - Final

Monday, October 1, 2018

4:00 PM

Council Chambers

City Council - Agenda Review

I. Public Hearing

I.-1 2018-826 Hold Public Hearing on October 1, 2018 at 4:00p.m. in the City Council Chambers at City Hall to determine if the following properties are in such a stste of uncleanliness so as to be a menace to the health and safety of the community, according to the provisions of MS Code 1972, Section 21-19-11.

Attachments: Public Hearing 10.1.18
1. 307 Conti
2. 102 S. 11th Ave
3. 2011 Brooklane Dr.
4. 121 May Ave
5. 717 Walnut St.
6. 3407 Tiltree Dr.
7. 114 N 23rd
8. 611 Highland Ave
9. 100 Claiborne Ave
10. 111 Dearborne St.
11. 306 J. D. Randolph St. (Recovered)
12. 212 Timothy Ln

Owner notice

Agenda Adjustments

Amend Policy Agenda Item V.-1 to include approval of the minutes for the September 17, 2018.

Amend Policy Agenda Item V.-5 to include "as authorized by Section 17-21-5, Mississippi Code of 1972.

Add Policy Agenda Items V.-20 and V.-21 at the request of the Administration as follows:

V.-20 2018-835 Adopt Resolution authorizing the employment of professionals in connection with the sale and issuance by the City of General Obligation Bonds and/or a General Obligation Bond of the City for sale to the Mississippi Development Bank (The "City Bond"); all in an aggregate principal amount not to exceed forty-five million dollars ($45,000,000); and for related purposes.

Attachments: Hattiesburg MDB Hattiesburg General Obligation Bonds 2019 (200087) (MDB G
Hattiesburg MDB Hattiesburg General Obligation Bonds 2019 (200087) (MDB G
Hattiesburg GO Bonds 2019 - City MA (IRMA) Disclosure & Eng Ltr (10.2.18)
Hattiesburg GO Bond 2019 RJ IRMA Exemption Letter_Hattiesburg 9.28.18
Executed - Res #2018-152 authorizing the employment of professionals in conn

V.-21 2018-836 Adopt Resolution Declaring the Intention of the Mayor and the City Council of the City of Hattiesburg, Mississippi, to issue General Obligation Bonds of the City and/or a General Obligation Bond of the City for Sale to the Mississippi Development Bank, all in an aggregate principle amount not to exceed Forty-Five Million Dollars ($45,000,000) to raise money for the purpose of (I) Constructing, Improving or Paving Streets, Sidewalks, Driveways, Parkways, Walkways or Public Parking Facilities, and Purchasing Land Therefor; (II) Erecting, Repairing, Improving, Adorning, Equipping and Furnishing Municipal Buildings, and Purchasing Buildings and Land Therefor; (III) Protecting a Municipality, its Streets and Sidewalks from Overflow, Caving Banks and other like Dangers; (IV) Constructing Bridges and Culverts; and (V) For Other Authorized Purposes Under Mississippi Code Ann. Sections 21-33-301 ET SEQ., and Sections 31-25-1 ET SEQ., as Amended and Supplemented from Time to Time, Including Funding Capitalized Interest, if Applicable and Paying the Costs of Borrowing, Including any Costs for Bond Insurance Premium, if applicable; Directing the Publication of a Notice of Such Intention; and for Related Purposes.

Attachments: Hattiesburg MDB Hattiesburg General Obligation Bonds 2019 (200087) (MDB G
Executed - Res #2018-153 Hattiesburg MDB Hattiesburg General Obligation Bo
Proof of publication Resolution 2018-153

Amend Routine Agenda Items VI.-5, VI.-6 and VI.-7 at the request of Administration as follows:

to include "authorize the Mayor to execute the same and authorize Attorney to record with Forrest County".

Add Routine Agenda Item VI.-15 as follows:

VI.-15 2018-837 Ratification of amended Memorandum of Understanding between the Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) and Hattiesburg Police Department - to be made a part of the minutes.

Attachments: MOU with ATF and HPD - revised

II. Agenda Review

III. Citizen's Forum

IV. Work Session

1. Proposed Tax Abatements - ADP, Todd Jackson

2. Tax Abatement Cost Benefit Analysis - Alex Pickle

3. Proposed Sustainabiliity Commission Ordinance - Ann Jones

4. Hub City Downtown Historic District - Ginger Lowrey

V. Meeting Close

City of Hattiesburg, MS

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

Master

File Number: 2018-826

File ID:	2018-826	**Type:**	Regular Agenda Item	**Status:**	Agenda Ready
Version:	1	**Reference:**		**In Control:**	City Council
Requester:				**File Created:**	09/25/2018
Brief Title:	Hold Public Hearing on properties per attached memo.			**Final Action:**	
				Minute Book Number:	MB 2018-235-236

Title:

Hold Public Hearing on October 1, 2018 at 4:00p.m. in the City Council Chambers at City Hall to determine if the following properties are in such a stste of uncleanliness so as to be a menace to the health and safety of the community, according to the provisions of MS Code 1972, Section 21-19-11.

Notes:

		Agenda Date:	10/01/2018
Indexes:		**Agenda Number:**	I.-1
Sponsors:		**Enactment Date:**	
Attachments:	Public Hearing 10.1.18, 1. 307 Conti, 2. 102 S. 11th Ave, 3. 2011 Brooklane Dr., 4. 121 May Ave, 5. 717 Walnut St., 6. 3407 Tiltree Dr., 7. 114 N 23rd, 8. 611 Highland Ave, 9. 100 Claiborne Ave, 10. 111 Dearborne St., 11. 306 J. D. Randolph St. (Recovered), 12. 212 Timothy Ln, Owner notice	**Enactment Number:**	
Contact:		**Meeting Date:**	10/01/2018
Drafter:		**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Agenda Review	10/01/2018					

Action Text: Code Enforcement Manager Chris Price presented the properties to be considered. Mr. Price recommended the that the Council adopt resolutions determining the properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, providing a specified period of time to remove the violations, and declaring the City's intent to take action to clear violations and chare the cost plus penalty against the property if the violations are not resolved in the specified period of time. He recommended resolutions allowing homeowners 15 days to resolve violations.

The following citizens addressed the Council:

- Walter Farly, 100 Claiborne Avenue (case number 9)

There were no other citizens present who wished to address the Council regarding properties listed for the public hearing.

Text of Legislative File 2018-826

Title

Hold Public Hearing on October 1, 2018 at 4:00p.m. in the City Council Chambers at City Hall to determine if the following properties are in such a stste of uncleanliness so as to be a menace to the health and safety of the community, according to the provisions of MS Code 1972, Section 21-19-11.

Summary

Hold Public Hearing on properties per attached memo.

Budget Information

Expenditure Type

Purchasing Item

[Enter Purchasing Item Here Without Parentheses. Example: Sealed Bid, State Contract, Unadvertised Bid, Regular Purchase.]

Publication Information

MAYOR
Toby Barker

COUNCIL - WARD ONE
Jeffrey George
COUNCIL - WARD TWO
Deborah Denard Delgado
COUNCIL - WARD THREE
Carter Carroll
COUNCIL - WARD FOUR
Mary Dryden
COUNCIL - WARD FIVE
Nicholas Brown

MEMORANDUM

TO: Mayor and City Council

FROM: Chris Price, Code Enforcement Manager

DATE: September 24, 2018

RE: Hold Public Hearing

Hold Public Hearing on Monday October 1, 2018 to determine if the following properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provisions of MS Code 1972, Section 21-19-11.

Address	PPIN #	Ward
1. 307 Conti Street	014698	4
2. 102 S. 11TH Ave	016763	4
3. 2011 Brooklane Dr.	016372	4
4. 121 May Ave.	022563	5
5. 717 Walnut St.	024074	2
6. 3407 Tiltree Rd.	023612	3
7. 114 N 23rd Ave.	016203	4
8. 611 Highland Ave	023598	5

9. 100 Claiborne Ave 013553 5

10. 111 Dearborne St. 020922 2

11. 306 J. D. Randolph St. 019000 2

12. 212 Timothy Ln 021776 4

Address	PPIN #	Ward	Violations	Proposed Actions	Estimate Clean up/Demo	Estimate Penalty
307 Conti Street	014698	4	AS, DS, OGL, T&L, VS	*Demolish dangerous and vacant structure *Cut and maintain Overgrown lot *Clean lot of trash & litter	**$5,000**	**$2,500**
102 S. 11TH Ave	016763	4	AS, DS, US, OGL, T&L, VS	*Demolish dangerous and vacant structure *Cut and maintain Overgrown lot *Clean lot of trash & litter	**$3,500**	**$1,750**
2011 Brooklane Dr.	016372	4	AS, DS, OGL, T&L, VS	*Demolish dangerous and vacant structure *Cut and maintain Overgrown lot *Clean lot of trash & litter	**$3,500**	**$1,750**
121 May Ave.	022563	5	AB, DB, OGL	*Demolish dangerous and vacant structure *Cut and maintain Overgrown lot	**$2,000**	**$1,500**
717 Walnut St.	024074	2	OGL, T&L, VS	*Cut and maintain Overgrown lot *Clean lot of trash & litter * Board and secure vacant structure	**$600**	**$1,500**

3407 Tiltree Rd.	023612	3	OGL, VS	*Cut and maintain Overgrown lot *Clean lot of trash & litter * Board and secure vacant structure	**$575**	**$1,500**
114 N 23rd Ave.	016203	4	AS, DS, OGL, T&L, VS	*Cut and maintain Overgrown lot *Clean lot of trash & litter * Board and secure the exterior of vacant structure	**$575**	**$1,500**
611 Highland Ave	023598	5	AS, DS, OGL, T&L, VS	*Cut and maintain Overgrown lot *Clean lot of trash & litter * Board and secure vacant structure	**$600**	**$1,500**
100 Claiborne Ave	013553	5	AB, AV, DB, OGL	*Demolish dangerous and vacant structure *Cut and maintain Overgrown lot *Clean lot of trash & litter	**$6,000**	**$3,000**
111 Dearborne St	020922	2	OGL, T&L	*Cut and maintain Overgrown lot *Clean lot of trash & litter	**$700**	**$1,500**
306 J. D. Randolph	019000	2	AS, DS, OGL, T&L, OS, VS	*Demolish dangerous and vacant structure *Cut and maintain Overgrown lot *Clean lot of trash & litter	**$6,500**	**$3,250**

212 Timothy Ln	021776	4	DS, OGL, VS	*Demolish dangerous and vacant structure *Cut and maintain Overgrown lot	**$4,300**	**$2,150**

Trash & Litter=T&L
Vacant Structure=VS
Dangerous Structure=DS
Overgrown Lot=OGL
Open Storage=OS
Protective Treatment=PT
Accessory Structure=AS
Unsafe Structure=US
Abandoned Vehicle=AV
Interior Structure=IS
Exterior Structure=ES
Electrical=EL
Responsibility (Water) =RW
Hazardous Tree=HT
Glazing=GL
PID=Premise Id
X's2=2 Structures
Structure Built in Right of Way= SBROW
Demo=DM

Case History For

307 Conti

Ward: 4

Action Center: 06-17-005671

Date: June 29, 2017

PPIN: 14698

Owners: James Adams

Violations: Dangerous Structure, Vacant Structure, Overgrown Lot, Trash and Litter

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

Karnella Myers

601-554-1009

Case #1

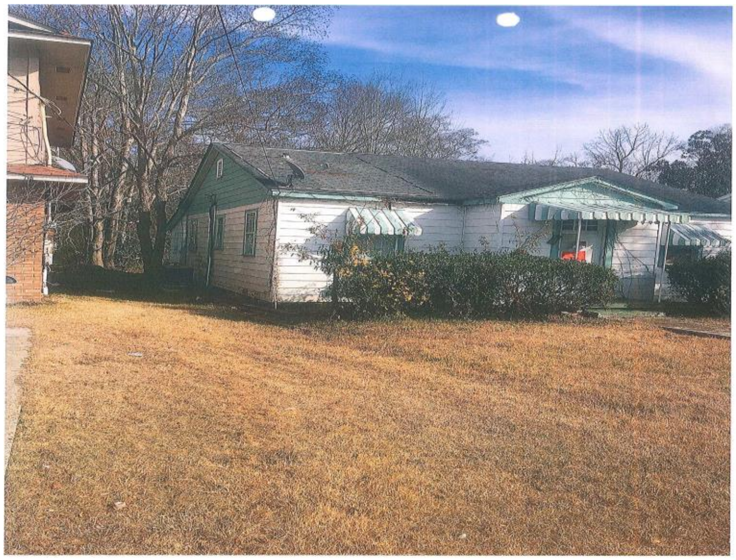
NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Jason Adams, P O Box 43 Summit, MS 39666; Jason Adams, 5865 Windsor Cir, Meridian, MS 39305; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-029L-09-269, 307 Conti St Hattiesburg, MS 39401 and better describes as: LOT 13 IN BLOCKS 3 OF THE DAVIS AND FERGUSON SURVEY OR ADDITION TO THE CITY OF HATTIESBURG, FORREST COUNTY, MISSISSIPPI, ACCORDING TO THE OFFICAL PLAT OF SAID SURVEY ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF FORREST COUNTY, TOGETHER WITH ALL IMPROVEMENT WHICH PROPERTY OS KNOWN AS MUNICIPAL NO 301 CONTI STREET IN THE SAID CITY OF HATTIESBURG, FORREST COUNTY, MISSISSIPPI.

Publication: September 20, 2018



Case History For
102 S. 11th Ave.

Ward: 4

Action Center: 02-18-005824

Date: February 6, 2018

PPIN: 16763

Owners: Marshall L. & Alease H. Minter

Violations: Dangerous Structure, Vacant Structure, Overgrown Lot, Trash and Litter

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:
Karnella Myers
601-554-1009

Case # 2

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Marshal and Alease Minster 102 S. 11th Ave. Hattiesburg, MS 39401; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-029M-09-074,102 S. 11th Ave. HATTIESBURG, MS 39401 and better described as Lot Ten (10), Block One (1) of the HATTIESBURG HEIGHTS PROPER SURVEY in the City of Hattiesburg, County of Forrest, State of Mississippi, as per the map or plat thereof on file in the Chancery Clerk of Forrest County, Mississippi, together with all improvements thereon and appurtenances thereunto belonging.

Publication: September 20, 2018

Case History For
2011 Brooklane Dr.

Ward: 4

Action Center: 11-17-005760

Date: November 8, 2017

PPIN: 16372

Owners: American Pride Properties LLC

Violations: Dangerous Structure, Vacant Structure, Overgrown Lot, Trash and Litter

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:
Karnella Myers
601-554-1009

Case # 3

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: American Pride Properties LLC 940 Centre Circle Suite 2005 Altamonte Spring, FL 32714; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-028P-08-201, 2011 Brooklane Dr. HATTIESBURG, MS 39401 and better described as LT 17 & 18 BLK 12 HATTIESBURG HEIGHS 3RD SURVEY B642 P250 11/16/90 Prev#: H0320-12-010 STR 8-04N-13W.

Publication: September 20, 2018

Case History For
121 May Ave

Ward: 5

Action Center: 05-18-006024

Date: May 21, 2018

PPIN: 22563

Owners: Hattiesburg Public School District

Violations: Dilapidated Building, Abandoned Building, Overgrown Lot

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:
Tywan Kidd
601-554-1007

Case # 4

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Hattiesburg Public School 301 Mamie St. Hattiesburg, MS 39401; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-03-8C-16-051, 121 May Ave HATTIESBURG, MS 39401 and better described as LT 3 BLK 2 GEORGE L PACE SUB Forrest County

Publication: September 20, 2018

Case History For

717 Walnut St.

Ward: 1

Action Center: 04-18-005994

Date: April 23, 2018

PPIN: 22563

Owners: Hattiesburg Public School District

Violations: Vacant Structure, Exterior Structure, Overgrown Lot

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

LaKeshia Hall

601-554-1023

Case # 5

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: C Dam LLC 6184 HWY 98 apt 100 Hattiesburg, MS 39402; C Fam LC 717 Walnut St. Hattiesburg, MS 39401; Long Land Investment Inc. P O Box 7 Lauderdale, MS 39335; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-038B-15-023, 717 Walnut ST.HATTIESBURG, MS 39401 and better described as Lot 5 and the South ½ of vacated alley laying North of said lot of Stapleton and Bayne Subdivision of Block 92 of the Kamper and Lewin Survey or Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi.

Publication: September 20, 2018

Case History For

3407 Tiltree Dr.

Ward: 3

Action Center: 12-17-005777

Date: December 5, 2017

PPIN: 23612

Owners: Paula Sill

Violations: Vacant Structure, Overgrown Lot

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

Charles Copeland

601-554-4600

Case # 6

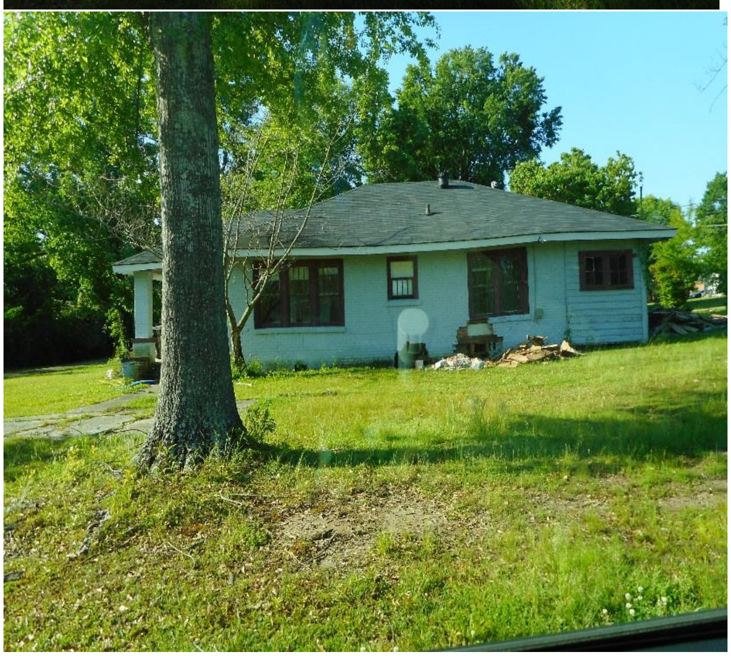
NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Paula Sill, 3407 Tiltree Rd. Hattiesburg, MS 39401; Paula Sill c/o Michael Sill, 11200 Three Rivers Rd. #14A Gulfport, SM 39503; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-039E-18-021, 3407 Tiltree Rd. HATTIESBURG, MS 39401 and better described as Lot 14 of Regency Estates Subdivision in the City of Hattiesburg, County of Forrest, State of Mississippi, as per the map or plat thereof on files in the office of the Chancery Clerk of Forrest County, Mississippi, together with all improvements thereon and appurtenances thereunto belonging.

Publication: September 20, 2018



Case History For

114 N 23rd Ave.

Ward: 4

Action Center: 04-18-005943

Date: April 19, 2018

PPIN: 16203

Owners: Terry N & Wanda C. Shoemake

Violations: Vacant Structure, Dangerous Structure, Overgrown Lot, Trash & Litter

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

Karnella Myers

601-554-1009

Case # 7

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Terry and Wanda Shoemake 111 N 24th Ave Hattiesburg, MS 39401; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-028J-08-259, 114 N 23rd St. HATTIESBURG, MS 39401 and better described as , Lots 1 and 2, Block 20, Hattiesburg Heights Second Survey, City of Hattiesburg, Forrest County, Mississippi, asper official map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi.

LESS AND EXCEPT: The South 19.0 feet of Lot 2, Block 20, Hattiesburg Heights Second Survey, City of Hattiesburg, Forrest County, Mississippi, as per official map or plat thereof on file in the Chancery Clerk of Forrest County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

Publication: September 20, 2018

Case History For

611 Highland Ave

Ward: 2

Action Center: 05-18-006003

Date: May 9, 2018

PPIN: 23598

Owners: William Jr. & Terri Conner

Violations: Accessory Structure**,** Vacant Structure, Dangerous Structure, Overgrown Lot, Trash & Litter

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

Karnella Myers

601-554-1009

Case # 8

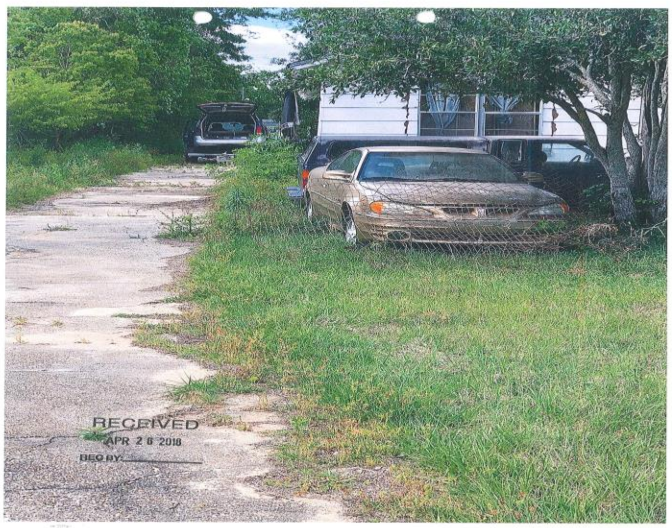
NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

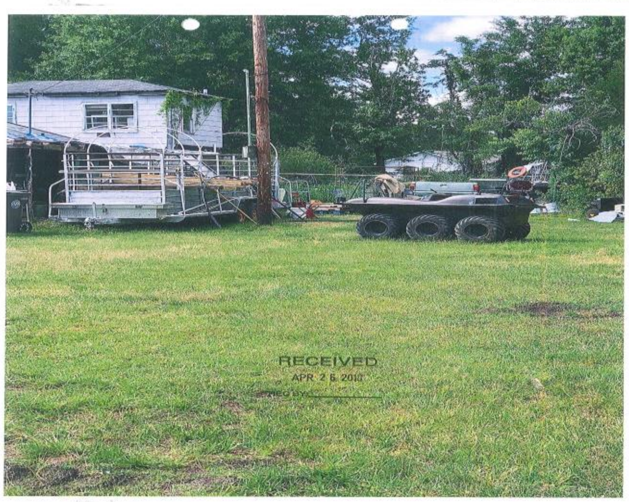
To: William Jr. and Terri Conner 611 Highland Ave. Hattiesburg, MS 39401; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

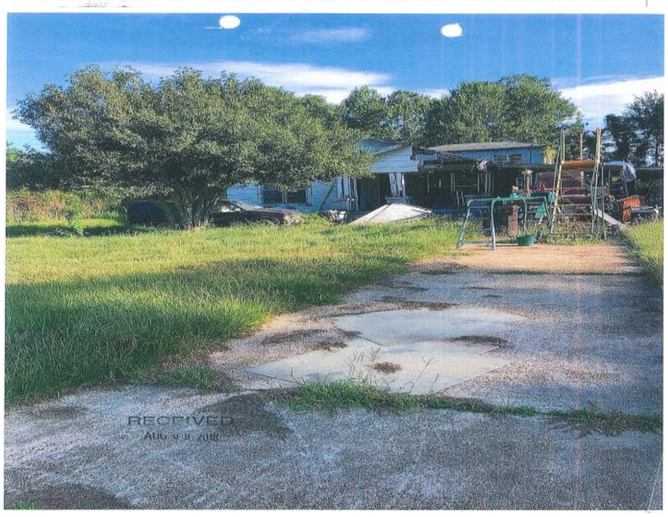
PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-038F-16-092, 611 Highland Ave. HATTIESBURG, MS 39401 and better described as, The S ¼ of Lot 21 and all of Lot 22 of the R. E. RAWLS SUBDIVISION of Block 40 of the D. D. McINNIS THIRD SUURVEY, of the City of Hattiesburg, being a part of the N ½ of the SE 1/4/ of Section 16, Township 4 North, Range 13 West.

Publication: September 20, 2018







Case History For

100 Claiborne Ave

Ward: 5

Action Center: 04-18-005969

Date: April 26, 2018

PPIN: 13533

Owners: Walter & Yvonne Early

Violations: Abandoned Building**,** Abandoned Vehicle**,** Overgrown Lot

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

Tywan Kidd

601-554-1007

Case # 9

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Walter and Yvonne Early 134 Cypress Ave Hattiesburg, MS 39401; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-038G-15-042, 100 Claiborne Ave. HATTIESBURG, MS 39401 and better described as Lot 7, 8, and 9 in Block 8 of the Burkett Subdivision of the South Half of Section 15, Township 4 North, Range 13 West as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, said property being assessed on the 2010 Forrest County Tax Rolls.

Publication: September 20, 2018

Case History For

111 Dearborne St.

Ward: 2

Action Center: 04-18-005718

Date: April 30, 2018

PPIN: 20922

Owners: Givon Forbes

Violations: Overgrown Lot, Trash and Litter

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

Karnella Myers

601-554-1009

Case # 10

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Givon Forbes 11290 LaurelWalk Dr. Laurel, MD 20708; Lacrisha Williamson 200 Eastabuchie Rd Petal, MS 39465; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-029K-09-388, 111 Dearborne St. HATTIESBURG, MS 39401 and better described as , Lots 18 and 19 in Block 5 of the Moseley and Dozier as per map or plats thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

Publication: September 20, 2018

Case History For

306 J. D. Randolph St.

Ward: 2

Action Center: 03-16-005268

Date: March 3, 2016

PPIN: 19000

Owners: Mary Lott

Violations: Vacant Structure, Accessory Structure, Open Storage, Dangerous Structure**,** Overgrown Lot, Trash and Litter

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

Karnella Myers

601-554-1009

Case # 11

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Mary Graham Lott 304 McInnis Spring Rd Hattiesburg, MS 39401; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-029G-03-429, 306 J. D. Randolph St. HATTIESBURG, MS 39401 and better described as , Block 110 Section 03 Township 04N Range 13W

Publication: September 20, 2018

Case History For

212 Timothy Ln

Ward: 4

Action Center: 07-18-006146

Date: July 19, 2018

PPIN: 21776

Owners: Jimmy Brown Jr.

Violations: Vacant Structure, Exterior Walls

Case History: This property is in an abandoned and dilapidated state which has continued for several years. Code Enforcement seeks a Council Resolution in an effort to correct the violations.

Inspector:

Kendrick Laster

601-554-1011

Case # 12

NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S) AND/OR TO CLEAR ALL CODE VIOLATIONS

To: Jimmy Brown 512 Timothy Ln Hattiesburg, MS 39401; and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00p.m. On Monday October 1, 2018 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanliness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so himself, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statue, to wit:

PARCEL: 2-038D-16-056, 512 Timothy Ln. HATTIESBURG, MS 39401 and better described as, Block 93 of the D. D. McInnis Third Survey; Section 16; Township 04N; Range 13wW; Hattiesburg, Forrest County, Mississippi

Publication: September 20, 2018

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111 Dearborne

Sent To Givon Forbes
Street and Apt. No., or PO Box No. 11290 Laurelwalk Dr.
City, State, ZIP+4® Laurel, MD 20708

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306 J. D. Randolph

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212 Timothy

Sent To Jimmy Brown
Street and Apt. No., or PO Box No. 512 Timothy Ln
City, State, ZIP+4® Hattiesburg MS 39401

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Street and Apt. No., or PO Box No. 6184 Hwy 98 Apt 110
City, State, ZIP+4® Hattiesburg, MS 39402

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3407 Tiffree

Sent To Paula Sill c/o Michael Sill
Street and Apt. No., or PO Box No. 11200 Three Rivers Rd # 12A
City, State, ZIP+4® Gulfport, MS 39503

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102 S. 11th

Sent To Marshal & Alease Minister
Street and Apt. No., or PO Box No. 102 S. 11th Ave
City, State, ZIP+4® Hattiesburg, MS 39401

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Street and Apt. No., or PO Box No. 940 Centre Circle Suite 2005
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Street and Apt. No., or PO Box No. 3407 Tiltree Rd
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121 May

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114 N 23 Ave

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611 Highland

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100 Claiborne

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City, State, ZIP+4® Hattiesburg MS 39401

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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

City of Hattiesburg, MS

Master

File Number: 2018-835

File ID:	2018-835	**Type:**	Regular Agenda Item	**Status:**	Passed
Version:	1	**Reference:**		**In Control:**	City Council
Requester:	Ann Jones			**File Created:**	10/01/2018
Brief Title:	Adopt Resolution Authorizing Employment of Professionals in the Sale/Issuance of GO Bonds			**Final Action:**	10/02/2018
				Minute Book Number:	MB 2018-245-246

Title:

Adopt Resolution authorizing the employment of professionals in connection with the sale and issuance by the City of General Obligation Bonds and/or a General Obligation Bond of the City for sale to the Mississippi Development Bank (The "City Bond"); all in an aggregate principal amount not to exceed forty-five million dollars ($45,000,000); and for related purposes.

Notes:

		Agenda Date:	10/02/2018
Indexes:		**Agenda Number:**	V.-20
Sponsors:		**Enactment Date:**	
Attachments:	Hattiesburg MDB Hattiesburg General Obligation Bonds 2019 (200087) (MDB GO UW) - Engagement Resolution (10_2_18)_44179535_2 (003), Hattiesburg MDB Hattiesburg General Obligation Bonds 2019 (200087) (MDB GO UW) - Engagement Letter (BS) -_44361819_1 (003), Hattiesburg GO Bonds 2019 - City MA (IRMA) Disclosure & Eng Ltr (10.2.18), Hattiesburg GO Bond 2019 RJ IRMA Exemption Letter_Hattiesburg 9.28.18, Executed - Res #2018-152 authorizing the employment of professionals in connection with sale and issuance by the city of General Obligation Bonds	**Enactment Number:**	
Contact:		**Meeting Date:**	10/02/2018
Drafter:	Ann Jones	**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Agenda Review	10/01/2018					
1	City Council	10/02/2018	Adopt				Pass

Action Text: A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt Resolution (#2018-152) authorizing the employment of professionals in connection with the sale and issuance by the City of General Obligation Bonds and/or a General Obligation Bond of the City for sale to the Mississippi Development Bank (The "City Bond"); all in an aggregate principal amount not to exceed forty-five million dollars ($45,000,000); and for related purposes.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

Yea: 5
Council Member George
Council Member Delgado
Council President Carroll
Council Vice President Dryden
Council Member Brown

Text of Legislative File 2018-835

Title

Adopt Resolution authorizing the employment of professionals in connection with the sale and issuance by the City of General Obligation Bonds and/or a General Obligation Bond of the City for sale to the Mississippi Development Bank (The "City Bond"); all in an aggregate principal amount not to exceed forty-five million dollars ($45,000,000); and for related purposes.

Summary

Resolution to employee professionals in association with sale/issuance of GO Bonds

Budget Information

Expenditure Type

Purchasing Item

Publication Information

The Mayor and the City Council of the City of Hattiesburg, Mississippi (the "**Governing Body**"), acting for and on behalf of the City of Hattiesburg, Mississippi (the "**City**") took up for consideration the matter of employing professionals, and after a discussion of the subject matter, the following resolution was presented for consideration:

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI (THE "CITY") AUTHORIZING THE EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE SALE AND ISSUANCE BY THE CITY OF GENERAL OBLIGATION BONDS OF THE CITY AND/OR A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK (THE "CITY BOND"), ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FORTY-FIVE MILLION DOLLARS ($45,000,000); AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body, acting for and on behalf of the City, is authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**City Bond Act**"), to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, and purchasing buildings and land therefor; (iii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (iv) constructing bridges and culverts; and (v) for other authorized purposes under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), including funding capitalized interest, if applicable and paying the costs of borrowing, including any costs for bond insurance premium, if applicable (the "**Project**"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and the Bank Act, and other applicable laws of the State of Mississippi (the "**State**"), to issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "**Bank**") to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the Act; and the Governing Body is authorized to provide financing for the costs of the Project (a) through the issuance of general obligation bonds of the City, in one or more series, in a total aggregate principal amount not to exceed Forty-Five Million Dollars ($45,000,000) (the "**Bonds**") pursuant to the City Bond Act, and/or (b) through the issuance of a general obligation bond of the City, in one or more series, to be sold to the Bank in a total aggregate principal amount not to exceed Forty-Five Million Dollars ($45,000,000) (the "**City Bond**") pursuant to the Act; and

WHEREAS, in connection with the execution and delivery of the documentation necessary to secure the sale and issuance of the Bonds, the Governing Body now desires to engage Butler Snow LLP, Ridgeland, Mississippi, as bond counsel (the "**Bond Counsel**"); Moran M. Pope III, Hattiesburg, Mississippi, as counsel to the City (the "**City Counsel**"), and

Government Consultants, Inc., Madison, Mississippi, as independent registered municipal advisor (the "**Municipal Advisor**") to prepare and distribute such resolutions and documents necessary in order to facilitate the sale and issuance of the Bonds subject to the approval of the Governing Body of the City; and

WHEREAS, in connection with the execution and delivery of the documentation necessary to secure the sale and issuance of the City Bond, the Governing Body now desires to engage Bond Counsel, City Counsel, Municipal Advisor and Raymond James & Associates, Inc., Memphis, Tennessee, as Underwriter (the "**Underwriter**", and together with Bond Counsel, City Counsel and the Municipal Advisor, the "**Professionals**"), to prepare and distribute such resolutions and documents necessary in order to facilitate the sale and issuance of the City Bond subject to the approval of the Governing Body of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body, acting for and on behalf of the City, does hereby find and determine that it is necessary and advisable for the City to hire the Professionals in connection with the sale and issuance of the Bonds and/or the City Bond.

SECTION 2. The terms of employment for Bond Counsel are set forth in the engagement letter (the "**Engagement Letter**") attached hereto as **EXHIBIT A**. All provisions of the Engagement Letter, when executed as hereinafter authorized, shall be incorporated herein, and shall be deemed to be part of this resolution fully and to the same extent as if separately set out verbatim herein. The form of the Engagement Letter and the execution thereof by the Mayor of the City, the President of the Governing Body and/or the City Clerk of the City, acting for and on behalf of the City, is hereby approved and authorized.

SECTION 3. In connection with the employment of Municipal Advisor, the City is hereby requested to execute the Independent Registered Municipal Advisor (IRMA) Representation letter (the "**M/A IRMA Letter**") attached hereto as **EXHIBIT B**. The Mayor of the City, the President of the Governing Body and/or the City Clerk of the City, acting for and on behalf of the City, is hereby authorized, acting for and on behalf of the City, to execute said M/A IRMA Letter.

SECTION 4. Raymond James & Associates, Inc., Memphis, Tennessee, is hereby selected to serve as Underwriter in connection with the sale and issuance of the City Bond. In connection with the employment of the Underwriter, the City hereby ratifies and approves the execution of the attached IRMA Disclosure ("**Disclosure**"), attached hereto as **EXHIBIT C**.

SECTION 5. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilperson _______________, seconded by Councilperson ____________ and was adopted by the following roll call vote, to wit:

YEAS: **NAYS:** **ABSENT:**

The President thereby declared the motion carried and the resolution adopted this the 2nd day of October, 2018.

(SEAL)

ATTEST: **ADOPTED:**

______________________________ ______________________________

CLERK OF COUNCIL **PRESIDENT**

The above and foregoing resolution having been submitted to and approved by the Mayor, this the 2nd day of October, 2018.

______________________________ ______________________________

CITY CLERK **MAYOR**

.

EXHIBIT A

BOND COUNSEL ENGAGEMENT LETTER

EXHIBIT B
M/A IRMA LETTER

EXHIBIT C

DISCLOSURE (UNDERWRITER)

44179535.v2

BUTLER | SNOW

October 2, 2018

VIA EMAIL

Mayor and City Council
Attn: Mayor
City of Hattiesburg, Mississippi
200 Forrest Street
Hattiesburg, Mississippi 39401

Re: Not to exceed $45,000,000 City of Hattiesburg, Mississippi (the "**City**"), (a) general obligation bonds (the "**Bonds**"), and/or (b) general obligation bond to be sold to the Mississippi Development Bank (the "**Bank**") (the "**City Bond**") (together the "**GO Financing**")

Dear Mayor and City Council:

The purpose of this engagement letter is to set forth certain matters concerning the services we will perform as bond counsel to the City of Hattiesburg, Mississippi (the "**City**" or "**Borrower**") in connection with the above-referenced GO Financing. We understand that the Mayor and City Council of the City, is authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**City Bond Act**") and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), to issue the Bonds and/or City Bond for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, and purchasing buildings and land therefor; (iii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (iv) constructing bridges and culverts; and (v) for other authorized purposes under the City Bond Act and the Bank Act, including funding capitalized interest, if applicable and paying the costs of borrowing, including any costs for bond insurance premium, if applicable (the "**Project**"). We further understand that you, as the Borrower, will be responsible for paying our fees as bond counsel from the proceeds of the GO Financing.

SCOPE OF ENGAGEMENT

In connection with this engagement, we expect to perform the following duties:

1. Subject to the completion of proceedings to our satisfaction, render our legal opinion (the **"Bond Opinion"**) regarding the validity and binding effect of the Bonds and/or the City Bond, the source of payment and security for the Bonds and/or the City Bond, and the excludability of interest on the Bonds and/or the City Bond from gross income for federal and State of Mississippi (the "**State**") income tax purposes;

2. Prepare and review documents necessary or appropriate for the authorization, issuance and delivery of the Bonds and/or the City Bond and coordinate the authorization and execution of such documents;

3. Assist the City and the Bank, if applicable, in seeking from any other governmental authorities such approvals, permissions, and exemptions as we determine are necessary or appropriate in connection with the authorization, issuance and delivery of the Bonds and/or the City Bond, except that we will not be responsible for any required Blue Sky filings;

4. Review legal issues relating to the structure of the bond issue;

5. Assist in compiling and pursuing the validation proceedings under State law;

6. Assist the City in preparing the preliminary official statement and the official statement (together, the "**Official Statement**") and subject to satisfactory completion of our review, provide to the City written advice that in the course of our participation, no information has come to our attention that leads us to believe that the Official Statement, as of its date (except for financial statements, other statistical data, feasibility reports and statements of trends and forecasts and book-entry language contained in the Official Statement and its appendices, as to which we will express no opinion), contains any untrue statement of material fact or omits to state any material fact necessary to make the statements in the Official Statement, in light of the circumstances under which they were made, not misleading; and provided, that if we prepare an Official Statement then there may be a fee of $15,000 in addition to the fee quoted herein, if applicable;

7. Assist the City and the Bank, if applicable in presenting information to bond or bond rating organizations, if necessary, and providers of credit enhancement relating to legal issues affecting the issuance of the Bonds and/or the City Bond; and

8. Draft the continuing disclosure undertaking of the City.

Our Bond Opinion will be addressed to the City and will be delivered by us on the date of delivery of the Bonds and/or the City Bond. The Bond Opinion will be based on facts and laws existing as of its date. In rendering our Bond Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the City with applicable laws relating to the Bonds and/or the City Bond. During the course of this engagement, we will rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and/or the City Bond and its security. We understand that you will direct members of your staff and other employees of the City to cooperate with us in this regard. In rendering our Bond Opinion, we will expressly rely upon other counsel as to due authorization, execution and delivery of Bond documents executed by the City.

Our duties in this engagement are limited to those expressly set forth above. Among other things, our duties under this engagement, without a separate engagement as may hereafter be agreed between the parties, do not include:

(a) Except as described in paragraph 6 above, assisting in the preparation or review of the Official Statement or any other disclosure document, if applicable, with respect to the Bonds and/or the City Bond, or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering advice that the Official Statement or other disclosure document, if applicable, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading;

(b) Preparing request for tax rulings from the Internal Revenue Service ("**IRS**") or no action letters from the Securities and Exchange Commission ("**SEC**");

(c) Preparing Blue Sky or investment surveys with respect to the Bonds and/or the City Bond;

(d) Drafting State constitutional or legislative amendments;

(e) Pursuing test cases or other litigation, such as contested validation proceedings;

(f) Making an investigation or expressing any view as to the creditworthiness of the City or the Bonds and/or the City Bond;

(g) Except as described in paragraph 8 above and if applicable, assisting in the preparation of, or opining on, a continuing disclosure undertaking pertaining to the Bonds and/or the City Bond or, after closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking;

(h) Representing the City in IRS examinations or inquiries, or SEC investigations;

(i) After closing, providing continuing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Bonds and/or the City Bond will continue to be excludable from gross income for federal income tax purposes (e.g., our engagement does not include rebate calculations for the Bond);

(j) Giving and/or providing any financial advice or recommendations concerning the issuance of the Bonds and/or the City Bond as mandated by SEC rules; or

(k) Addressing any other matters not specifically set forth above that is not required to render our Bond Opinion.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this engagement letter, the City will be our client and an attorney-client relationship will exist between us. We understand that counsel to the City will assist with the issuance of the Bonds and/or the City Bond, particularly as to the authorization, execution and delivery of Bond documents. We assume that all other parties, including the Bank, if applicable, will retain such counsel, as they deem necessary and appropriate to represent their interest in this transaction. In performing our services as bond counsel, we will represent the interest of the Borrower and the Bank, if applicable. We will not be representing any other party and will not be acting as an intermediary among the parties. Our services as Bond Counsel are limited to those contracted for in this letter, and the City's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the City will not affect, however, our responsibility to render an objective Bond Opinion.

Our representation of the City and the attorney-client relationship created by this engagement letter will be concluded upon issuance of the Bonds and/or the City Bond, or the final series thereof. Nevertheless, subsequent to the Closing of each series of Bonds and/or the City Bond, we will mail, if required, to the IRS the appropriate IRS Form 8038-G and prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds and/or the City Bond.

PROSPECTIVE CONSENT

As you are aware, Butler Snow represents many political subdivisions, companies and individuals. It is possible that during the time that we are representing the City, one or more of our present or future clients will have transactions with the City. It is also possible that we may be asked to represent, in an unrelated matter, one or more of the entities involved in the issuance of the Bonds and/or the City Bond. We do not believe that such representation, if it occurs, will adversely affect our ability to represent you as provided in this engagement letter, either because such matters will be sufficiently different from the issuance of the Bonds and/or the City Bond so as to make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Bonds and/or the City Bond. Execution of this engagement letter will signify the City's consent to our representation of others consistent with the circumstances described in this paragraph.

FEES

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financing represented by the GO Financing; (ii) the duties we will undertake pursuant to this engagement letter; (iii) the time we anticipate devoting to the financing; and (iv) the responsibilities we will assume in connection therewith, our fee for the Bonds and/or City Bond will not exceed one percent (1%) of the par amount of any series of the Bonds and/or City Bond; plus any of the fees with respect to the preparation and distribution of the Official Statement describe above in Paragraph 6, if applicable; and plus expenses for the Bonds and/or the City Bond for items such as travel costs, deliveries, copies, transcripts, telephone charges, filing fees, computer-assisted research and other expenses (excluding any State Bond Attorney fee and expenses if paid by Bond Counsel).

Regardless of the above, we reserve the right that our fee may vary: (a) if the principal amount of the Bonds and/or the City Bond actually issued differs significantly from the amount stated above; (b) if material changes in the structure or schedule of the financing occur; or (c) if unusual or unforeseen circumstances arise, which require a significant increase in our time or responsibility. If, at any time, we believe that circumstances require an adjustment of our original fee estimate, we will advise you and prepare and provide to you an amendment to this engagement letter.

RECORDS

At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retain by us after the termination of this engagement.

If the foregoing terms are acceptable to you, please so indicate by returning the enclosed copy of this engagement letter dated and signed by an authorized officer, retaining the original for your files.

[Remainder of Engagement Letter left blank intentionally.]

Thank you again for this opportunity to be of service. We look forward to working with you.

Sincerely,

Butler Snow LLP

/s/ Elizabeth Lambert Clark

Elizabeth Lambert Clark

Enclosures

STATEMENT TO BE SIGNED BY CITY OF HATTIESBURG, MS:

The execution by me of the above Engagement Letter was authorized by Resolution of the City Council of the City dated October 2, 2018. I have read the above Engagement Letter and understand and agree to its contents, including the fee and billing arrangements.

CITY OF HATTIESBURG, MS

By:________________________________
Authorized Officer

Date: October 2, 2018

GOVERNMENT CONSULTANTS

GOVERNMENT CONSULTANTS, INC.

Consulting & Municipal Advisory Firm

116 Village Boulevard
Madison, Mississippi 39110

Telephone: (601) 982-0005
Facsimile: (601) 982-2448
Email: gcms@gc-ms.net

October 2, 2018

Mayor Barker and City Council
City of Hattiesburg, Mississippi
200 Forrest Street
Hattiesburg, Mississippi 39401

Re: City of Hattiesburg, Mississippi
Not to Exceed $45,000,000 City of Hattiesburg, Mississippi General Obligation Bonds, Series 2019; OR
Not to Exceed $45,000,000 Mississippi Development Bank Special Obligation Bonds, Series 2019 (Hattiesburg, Mississippi General Obligation Bond Project) (the "Bonds")
Disclosure and Engagement Letter (the "Letter")

Dear Mayor and City Council,

We are writing you to provide certain disclosures to you as representative of the City of Hattiesburg, Mississippi (the "Issuer" or "Obligor") as required by the Securities and Exchange Commission ("SEC") and Municipal Securities Rulemaking Board ("MSRB" or the "Board"). Government Consultants, Inc. ("GCI" or the "Municipal Advisor") is an Independent Registered Municipal Advisor and welcomes the opportunity to provide municipal advisory services to the Issuer or Obligor for the defeasance of the above reference Bonds.

<u>Disclosures Concerning our Role as Municipal Advisor</u>

(i) The Municipal Advisor has a fiduciary duty to the Issuer or Obligor. This is different than an underwriter, if any, who only has an obligation to deal fairly with you, as Issuer or Obligor. The underwriter, if any, has financial and other interests that differ from the Issuer or Obligor, unlike the Municipal Advisor who has no financial or other interests that differ from the Issuer or Obligor.

(ii) We shall provide advice concerning the structure, timing, terms, sizing and other similar matters related to the defeasance by the Issuer or Obligor.

(iii) We shall make a reasonable inquiry to the relevant facts that help determine what course of action to take that best suits the Issuer or Obligor. A reasonable analysis will be conducted to determine that all advice and/or recommendation(s), are not based on materially inaccurate or incomplete information.

(iv) We shall evaluate possible material risks, benefits and alternatives with the Issuer or Obligor.

(v) Our duties are limited to this transaction and the above-mentioned disclosures.

The MSRB provides a brochure covering information for municipal advisory client protections and appropriate regulatory authority contact information on the MSRB homepage at http://www.msrb.org.

Disclosure Concerning Conflicts of Interest and Other Information

MSRB Rule G-42 requires that GCI provide in writing any disclosures relating to actual or potential material conflicts of interest, including certain categories of potential conflicts of interest identified in MSRB Rule G-42, if applicable. After reasonable due diligence by GCI, there are no known material conflicts of interest that may affect GCI's ability to serve as a municipal advisor to the Issuer or Obligor. If new material conflict(s) of interest occurs after the delivery and execution of this Letter, GCI will disclose all new material conflict(s) of interest to the Issuer or Obligor.

In addition to providing disclosures concerning material conflict(s) of interest, MSRB Rule G-42 further requires GCI to have a fiduciary duty that includes a duty of loyalty and duty of care to the Issuer or Obligor and to disclose our role and duties as a Municipal Advisor. Our primary obligation is to always act in the best interest of the Issuer or Obligor.

Disclosure Concerning the Compensation

Our compensation for serving as municipal advisor will be contingent on the closing of the transaction(s) for the issuance of bonds and is based, in part, on the size of the bonds. We will negotiate with the Issuer or Obligor as to compensation and will be paid upon closing of the transaction(s). The Municipal Advisor will abide by its fiduciary duty to the Issuer or Obligor and provide unbiased and independent advice as required by MSRB.

Disclosure of Information Regarding Legal Events and Disciplinary History

MSRB Rule G-42 requires that all municipal advisors, including GCI, provide in writing to their clients certain legal or disciplinary events that are material to the Issuer's or Obligor's evaluation of GCI or the integrity of GCI management or personal. GCI believes there are no known legal or disciplinary events reported on any Form MA or Form MA-I that are material to your evaluation of GCI and there are no recent changes made on any Form MA or Form MA-I that are material to your evaluation. Any such information, whether material or not must be reported on Form MA and/or MA-I filed with the SEC, which forms are available and which can be viewed on the SEC's EDGAR system website at http://www.sec.gov/edgar/searchedgar/companysearch.html.

Disclosure Relating to Issuing Bonds

As with any issuance of debt, your obligation to pay principal and interest when due, will be a contractual obligation that will require you to make these payments no matter what budget restraints you encounter. The failure to pay principal and interest when due, could cause you to be in default. A default may negatively impact your credit ratings and may effectively limit your ability to publicly offer bonds or other securities at market rate levels. Please be aware of the following basic aspects of the Bonds.

Fixed rate bonds are interest bearing debt securities issued by an issuer or obligor. The interest rates for these bonds are specified at closing and will not change while the bonds are outstanding. Maturity dates for fixed rate bonds are fixed at the time of the issuance and may include serial maturities (specified principal amounts are payable on the same date each year until final maturity) or a term maturity (specified principal amounts are payable on each term maturity date) or a combination of serial and term maturities. Interest on fixed rate bonds is typically paid semiannually at a stated fixed rate or rates for each maturity.

General obligation bonds are debt securities to which your full faith and credit is pledged to pay principal and interest. Also, the Issuer or Obligor pledges to use your ad valorem taxing power, if needed, to pay principal and interest.

This debt issuance is secured by a millage collected within the jurisdiction of the Issuer or Obligor. The Issuer or Obligor promises to collect the taxes and repay the debt to which it is pledged.

Additionally, the Bonds will be offered as federally tax-exempt obligations. This requires that you comply with various Internal Revenue Service ("IRS") requirements and restrictions relating to how you use and invest the proceeds of the bond issue, how you use any facilities constructed with the proceeds of the bond issue and other restrictions throughout the term of the Bonds.

It is recommended that you consult with bond counsel on such tax matters related to the issuance of the Bonds.

Disclosure Concerning the Term of Engagement

The Term of Engagement is effective on the execution date of the document that employed GCI as the Issuer's or Obligor's appointed municipal advisor and ends upon the closing and delivery of the Bonds. The Engagement may be terminated with or without cause by the Issuer or Obligor or the Municipal Advisor. A written notice must be delivered to the other party, specifying the effective date of the termination.

Acknowledgement

We must seek your acknowledgement that you have received this Letter. Accordingly, please acknowledge receipt of this Letter on behalf of the Issuer or Obligor in the space provided below. If you are not authorized to execute this Letter on behalf of the Issuer or Obligor, please notify GCI immediately so the correct individual may be contacted. Please let us know if you have any questions or concerns.

Sincerely,

Government Consultants, Inc.

BY: Lynn Norris
Lynn Norris

RECEIPT ACKNOWLEDGEMENT

BY: ______________________ ______________________
Signature **Date**
Toby Barker, Mayor, City of Hattiesburg, Mississippi
Authorized Representative's Name

October 2, 2018

Mayor Toby Barker
Ann Jones, Chief Adminstrative Officer
City of Hattiesburg, MS

The Securities and Exchange Commission (the "SEC") has recently released rules and interpretative Q&A guidance regarding how an underwriting firm, like ours, ensures that an issuer, such as you, understands that the primary firm providing financial advice to the issuer is that issuer's independent registered municipal (financial) advisor, and not the underwriter/placement agent. These new SEC regulations (the "MA Rule") became effective Tuesday, July 1, 2014.

Raymond James & Associates, Inc. and our affiliates (collectively, "Raymond James") seek to provide financing ideas and recommendations to the City of Hattiesburg (the "City") from time to time while maintaining our eligibility as the City's underwriter under both SEC and Municipal Securities Rulemaking Board rules. This requires Raymond James *not* to be treated as the City's municipal advisor under the MA Rule.

Among several exemptions provided for in the MA Rule, Raymond James would not be considered the City's municipal advisor if the City is already represented by an independent registered municipal advisor (an "IRMA") with respect to the same aspects upon which Raymond James provides financing ideas and recommendations to the City (the "IRMA Exemption").

To rely upon the IRMA Exemption, the MA Rule requires Raymond James to obtain the following representation directly from the City:

Required Representation by the City: the City hereby represents that it is represented by, and will rely upon (i.e., seek and consider) the advice of Government Consultants ("Municipal Advisor"), an independent registered municipal advisor, in connection with any advice or recommendations that Raymond James may provide the City relating to the issuance of municipal securities and/or municipal financial products.

Additionally, the MA Rule requires Raymond James to provide the City with the following disclosure:

Required Disclosure by Raymond James: By obtaining the above representation, Raymond James is not a municipal advisor to the City and is not subject to the fiduciary duty set forth in Section 15B(c)(1) of the Securities Exchange Act of 1934 with respect to any such issuance of municipal securities and/or municipal financial products.

Finally, the MA Rule requires Raymond James to provide a copy of this executed document to your Municipal Advisor. Please notify us if the above-named Municipal Advisor no longer represents you as stated above.

This document does not obligate you or Raymond James to enter any agreement(s) with respect to the issuance of municipal securities and/or municipal financial products.

Sincerely yours,

Raymond James & Associates, Inc. Corporation

By: ___________________________

Lindsey Rea, Managing Director

Acknowledged and Agreed to by:
City of Hattiesburg, Mississippi

By: ______________________________

Title: _____________________________

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Hattiesburg, Mississippi, held on the 2nd day of **October, 2018**, the following Resolution:

RESOLUTION 2018-152

The Mayor and the City Council of the City of Hattiesburg, Mississippi (the "**Governing Body**"), acting for and on behalf of the City of Hattiesburg, Mississippi (the "**City**") took up for consideration the matter of employing professionals, and after a discussion of the subject matter, the following resolution was presented for consideration:

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI (THE "CITY") AUTHORIZING THE EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE SALE AND ISSUANCE BY THE CITY OF GENERAL OBLIGATION BONDS OF THE CITY AND/OR A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK (THE "CITY BOND"), ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FORTY-FIVE MILLION DOLLARS ($45,000,000); AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body, acting for and on behalf of the City, is authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**City Bond Act**"), to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, and purchasing buildings and land therefor; (iii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (iv) constructing bridges and culverts; and (v) for other authorized purposes under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), including funding capitalized interest, if applicable and paying the costs of borrowing, including any costs for bond insurance premium, if applicable (the "**Project**"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and the Bank Act, and other applicable laws of the State of Mississippi (the "**State**"), to issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "**Bank**") to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the Act; and the Governing Body is authorized to provide financing for the costs of the Project (a) through the issuance of general obligation bonds of the City, in one or more series, in a total aggregate principal amount not to exceed Forty-Five Million Dollars ($45,000,000) (the "**Bonds**") pursuant to the City Bond Act, and/or (b) through the issuance of a general obligation bond of the City, in one or more series, to be sold to the Bank in a total aggregate principal amount not to exceed Forty-Five Million Dollars ($45,000,000) (the "**City Bond**") pursuant to the Act; and

WHEREAS, in connection with the execution and delivery of the documentation necessary to secure the sale and issuance of the Bonds, the Governing Body now desires to engage Butler Snow LLP, Ridgeland, Mississippi, as bond counsel (the "**Bond Counsel**"); Moran M. Pope III, Hattiesburg, Mississippi, as counsel to the City (the "**City Counsel**"), and Government Consultants, Inc., Madison, Mississippi, as independent registered municipal advisor (the "**Municipal Advisor**") to prepare and distribute such resolutions and documents necessary in order to facilitate the sale and issuance of the Bonds subject to the approval of the Governing Body of the City; and

WHEREAS, in connection with the execution and delivery of the documentation necessary to secure the sale and issuance of the City Bond, the Governing Body now desires to engage Bond Counsel, City Counsel, Municipal Advisor and Raymond James & Associates, Inc., Memphis, Tennessee, as Underwriter (the "**Underwriter**", and together with Bond Counsel, City Counsel and the Municipal Advisor, the "**Professionals**"), to prepare and distribute such resolutions and documents necessary in order to facilitate the sale and issuance of the City Bond subject to the approval of the Governing Body of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body, acting for and on behalf of the City, does hereby find and determine that it is necessary and advisable for the City to hire the Professionals in connection with the sale and issuance of the Bonds and/or the City Bond.

SECTION 2. The terms of employment for Bond Counsel are set forth in the engagement letter (the "**Engagement Letter**") attached hereto as **EXHIBIT A**. All provisions of the Engagement Letter, when executed as hereinafter authorized, shall be incorporated herein, and shall be deemed to be part of this resolution fully and to the same extent as if separately set out verbatim herein. The form of the Engagement Letter and the execution thereof by the Mayor of the City, the President of the Governing Body and/or the City Clerk of the City, acting for and on behalf of the City, is hereby approved and authorized.

SECTION 3. In connection with the employment of Municipal Advisor, the City is hereby requested to execute the Independent Registered Municipal Advisor (IRMA) Representation letter (the "**M/A IRMA Letter**") attached hereto as **EXHIBIT B**. The Mayor of the City, the President of the Governing Body and/or the City Clerk of the City, acting for and on behalf of the City, is hereby authorized, acting for and on behalf of the City, to execute said M/A IRMA Letter.

SECTION 4. Raymond James & Associates, Inc., Memphis, Tennessee, is hereby selected to serve as Underwriter in connection with the sale and issuance of the City Bond. In connection with the employment of the Underwriter, the City hereby ratifies and approves the execution of the attached IRMA Disclosure ("**Disclosure**"), attached hereto as **EXHIBIT C**.

SECTION 5. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Council Vice President Dryden, seconded by Council Member George and was adopted by the following roll call vote, to wit:

YEAS:	**NAYS:**	**ABSENT:**
George	**None**	**None**
Delgado		
Carroll		
Dryden		
Brown		

The President thereby declared the motion carried and the resolution adopted this the **2nd** day of **October, 2018**.

(SEAL)

ATTEST: **ADOPTED:**

Ronda S. Cooke

CLERK OF COUNCIL **PRESIDENT**

The above and foregoing resolution having been submitted to and approved by the Mayor, this the **2nd** day of **October, 2018.**

CITY CLERK

MAYOR

EXHIBIT A

BOND COUNSEL ENGAGEMENT LETTER

October 2, 2018

VIA EMAIL

Mayor and City Council
Attn: Mayor
City of Hattiesburg, Mississippi
200 Forrest Street
Hattiesburg, Mississippi 39401

Re: Not to exceed $45,000,000 City of Hattiesburg, Mississippi (the "**City**"), (a) general obligation bonds (the "**Bonds**"), and/or (b) general obligation bond to be sold to the Mississippi Development Bank (the "**Bank**") (the "**City Bond**") (together the "**GO Financing**")

Dear Mayor and City Council:

The purpose of this engagement letter is to set forth certain matters concerning the services we will perform as bond counsel to the City of Hattiesburg, Mississippi (the "**City**" or "**Borrower**") in connection with the above-referenced GO Financing. We understand that the Mayor and City Council of the City, is authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**City Bond Act**") and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), to issue the Bonds and/or City Bond for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, and purchasing buildings and land therefor; (iii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (iv) constructing bridges and culverts; and (v) for other authorized purposes under the City Bond Act and the Bank Act, including funding capitalized interest, if applicable and paying the costs of borrowing, including any costs for bond insurance premium, if applicable (the "**Project**"). We further understand that you, as the Borrower, will be responsible for paying our fees as bond counsel from the proceeds of the GO Financing.

SCOPE OF ENGAGEMENT

In connection with this engagement, we expect to perform the following duties:

1. Subject to the completion of proceedings to our satisfaction, render our legal opinion (the "**Bond Opinion**") regarding the validity and binding effect of the Bonds and/or the City Bond, the source of payment and security for the Bonds and/or the City Bond, and the excludability of interest on the Bonds and/or the City Bond from gross income for federal and State of Mississippi (the "**State**") income tax purposes;

2. Prepare and review documents necessary or appropriate for the authorization, issuance and delivery of the Bonds and/or the City Bond and coordinate the authorization and execution of such documents;

3. Assist the City and the Bank, if applicable, in seeking from any other governmental authorities such approvals, permissions, and exemptions as we determine are necessary or appropriate in connection with the authorization, issuance and delivery of the Bonds and/or the City Bond, except that we will not be responsible for any required Blue Sky filings;

4. Review legal issues relating to the structure of the bond issue;

5. Assist in compiling and pursuing the validation proceedings under State law;

6. Assist the City in preparing the preliminary official statement and the official statement (together, the "**Official Statement**") and subject to satisfactory completion of our review, provide to the City written advice that in the course of our participation, no information has come to our attention that leads us to believe that the Official Statement, as of its date (except for financial statements, other statistical data, feasibility reports and statements of trends and forecasts and book-entry language contained in the Official Statement and its appendices, as to which we will express no opinion), contains any untrue statement of material fact or omits to state any material fact necessary to make the statements in the Official Statement, in light of the circumstances under which they were made, not misleading; and provided, that if we prepare an Official Statement then there may be a fee of $15,000 in addition to the fee quoted herein, if applicable;

7. Assist the City and the Bank, if applicable in presenting information to bond or bond rating organizations, if necessary, and providers of credit enhancement relating to legal issues affecting the issuance of the Bonds and/or the City Bond; and

8. Draft the continuing disclosure undertaking of the City.

Our Bond Opinion will be addressed to the City and will be delivered by us on the date of delivery of the Bonds and/or the City Bond. The Bond Opinion will be based on facts and laws existing as of its date. In rendering our Bond Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the City with applicable laws relating to the Bonds and/or the City Bond. During the course of this engagement, we will rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and/or the City Bond and its security. We understand that you will direct members of your staff and other employees of the City to cooperate with us in this regard. In rendering our Bond Opinion, we will expressly rely upon other counsel as to due authorization, execution and delivery of Bond documents executed by the City.

Our duties in this engagement are limited to those expressly set forth above. Among other things, our duties under this engagement, without a separate engagement as may hereafter be agreed between the parties, do not include:

(a) Except as described in paragraph 6 above, assisting in the preparation or review of the Official Statement or any other disclosure document, if applicable, with respect to the Bonds and/or the City Bond, or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering advice that the Official Statement or other disclosure document, if applicable, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading;

(b) Preparing request for tax rulings from the Internal Revenue Service ("**IRS**") or no action letters from the Securities and Exchange Commission ("**SEC**");

(c) Preparing Blue Sky or investment surveys with respect to the Bonds and/or the City Bond;

(d) Drafting State constitutional or legislative amendments;

(e) Pursuing test cases or other litigation, such as contested validation proceedings;

(f) Making an investigation or expressing any view as to the creditworthiness of the City or the Bonds and/or the City Bond;

(g) Except as described in paragraph 8 above and if applicable, assisting in the preparation of, or opining on, a continuing disclosure undertaking pertaining to the Bonds and/or the City Bond or, after closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking;

(h) Representing the City in IRS examinations or inquiries, or SEC investigations;

(i) After closing, providing continuing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Bonds and/or the City Bond will continue to be excludable from gross income for federal income tax purposes (e.g., our engagement does not include rebate calculations for the Bond);

(j) Giving and/or providing any financial advice or recommendations concerning the issuance of the Bonds and/or the City Bond as mandated by SEC rules; or

(k) Addressing any other matters not specifically set forth above that is not required to render our Bond Opinion.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this engagement letter, the City will be our client and an attorney-client relationship will exist between us. We understand that counsel to the City will assist with the issuance of the Bonds and/or the City Bond, particularly as to the authorization, execution and delivery of Bond documents. We assume that all other parties, including the Bank, if applicable, will retain such counsel, as they deem necessary and appropriate to represent their interest in this transaction. In performing our services as bond counsel, we will represent the interest of the Borrower and the Bank, if applicable. We will not be representing any other party and will not be acting as an intermediary among the parties. Our services as Bond Counsel are limited to those contracted for in this letter, and the City's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the City will not affect, however, our responsibility to render an objective Bond Opinion.

Our representation of the City and the attorney-client relationship created by this engagement letter will be concluded upon issuance of the Bonds and/or the City Bond, or the final series thereof. Nevertheless, subsequent to the Closing of each series of Bonds and/or the City Bond, we will mail, if required, to the IRS the appropriate IRS Form 8038-G and prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Bonds and/or the City Bond.

PROSPECTIVE CONSENT

As you are aware, Butler Snow represents many political subdivisions, companies and individuals. It is possible that during the time that we are representing the City, one or more of our present or future clients will have transactions with the City. It is also possible that we may be asked to represent, in an unrelated matter, one or more of the entities involved in the issuance of the Bonds and/or the City Bond. We do not believe that such representation, if it occurs, will adversely affect our ability to represent you as provided in this engagement letter, either because such matters will be sufficiently different from the issuance of the Bonds and/or the City Bond so as to make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Bonds and/or the City Bond. Execution of this engagement letter will signify the City's consent to our representation of others consistent with the circumstances described in this paragraph.

FEES

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financing represented by the GO Financing; (ii) the duties we will undertake pursuant to this engagement letter; (iii) the time we anticipate devoting to the financing; and (iv) the responsibilities we will assume in connection therewith, our fee for the Bonds and/or City Bond will not exceed one percent (1%) of the par amount of any series of the Bonds and/or City Bond; plus any of the fees with respect to the preparation and distribution of the Official Statement describe above in Paragraph 6, if applicable; and plus expenses for the Bonds and/or the City Bond for items such as travel costs, deliveries, copies, transcripts, telephone charges, filing fees, computer-assisted research and other expenses (excluding any State Bond Attorney fee and expenses if paid by Bond Counsel).

Regardless of the above, we reserve the right that our fee may vary: (a) if the principal amount of the Bonds and/or the City Bond actually issued differs significantly from the amount stated above; (b) if material changes in the structure or schedule of the financing occur; or (c) if unusual or unforeseen circumstances arise, which require a significant increase in our time or responsibility. If, at any time, we believe that circumstances require an adjustment of our original fee estimate, we will advise you and prepare and provide to you an amendment to this engagement letter.

RECORDS

At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the transaction will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retain by us after the termination of this engagement.

If the foregoing terms are acceptable to you, please so indicate by returning the enclosed copy of this engagement letter dated and signed by an authorized officer, retaining the original for your files.

[Remainder of Engagement Letter left blank intentionally.]

Thank you again for this opportunity to be of service. We look forward to working with you.

Sincerely,

Butler Snow LLP

/s/ Elizabeth Lambert Clark

Elizabeth Lambert Clark

Enclosures

STATEMENT TO BE SIGNED BY CITY OF HATTIESBURG, MS:

The execution by me of the above Engagement Letter was authorized by Resolution of the City Council of the City dated October 2, 2018. I have read the above Engagement Letter and understand and agree to its contents, including the fee and billing arrangements.

CITY OF HATTIESBURG, MS

By:____________________________
Authorized Officer

Date: October 2, 2018

EXHIBIT B
M/A IRMA LETTER

GOVERNMENT CONSULTANTS

GOVERNMENT CONSULTANTS, INC.

Consulting & Municipal Advisory Firm

116 Village Boulevard
Madison, Mississippi 39110

Telephone: (601) 982-0005
Facsimile: (601) 982-2448
Email: gcms@gc-ms.net

October 2, 2018

Mayor Barker and City Council
City of Hattiesburg, Mississippi
200 Forrest Street
Hattiesburg, Mississippi 39401

Re: City of Hattiesburg, Mississippi
Not to Exceed $45,000,000 City of Hattiesburg, Mississippi General Obligation Bonds, Series 2019; OR
Not to Exceed $45,000,000 Mississippi Development Bank Special Obligation Bonds, Series 2019 (Hattiesburg, Mississippi General Obligation Bond Project) (the "Bonds")
Disclosure and Engagement Letter (the "Letter")

Dear Mayor and City Council,

We are writing you to provide certain disclosures to you as representative of the City of Hattiesburg, Mississippi (the "Issuer" or "Obligor") as required by the Securities and Exchange Commission ("SEC") and Municipal Securities Rulemaking Board ("MSRB" or the "Board"). Government Consultants, Inc. ("GCI" or the "Municipal Advisor") is an Independent Registered Municipal Advisor and welcomes the opportunity to provide municipal advisory services to the Issuer or Obligor for the defeasance of the above reference Bonds.

Disclosures Concerning our Role as Municipal Advisor

(i) The Municipal Advisor has a fiduciary duty to the Issuer or Obligor. This is different than an underwriter, if any, who only has an obligation to deal fairly with you, as Issuer or Obligor. The underwriter, if any, has financial and other interests that differ from the Issuer or Obligor, unlike the Municipal Advisor who has no financial or other interests that differ from the Issuer or Obligor.

(ii) We shall provide advice concerning the structure, timing, terms, sizing and other similar matters related to the defeasance by the Issuer or Obligor.

(iii) We shall make a reasonable inquiry to the relevant facts that help determine what course of action to take that best suits the Issuer or Obligor. A reasonable analysis will be conducted to determine that all advice and/or recommendation(s), are not based on materially inaccurate or incomplete information.

(iv) We shall evaluate possible material risks, benefits and alternatives with the Issuer or Obligor.

(v) Our duties are limited to this transaction and the above-mentioned disclosures.

The MSRB provides a brochure covering information for municipal advisory client protections and appropriate regulatory authority contact information on the MSRB homepage at http://www.msrb.org.

Disclosure Concerning Conflicts of Interest and Other Information

MSRB Rule G-42 requires that GCI provide in writing any disclosures relating to actual or potential material conflicts of interest, including certain categories of potential conflicts of interest identified in MSRB Rule G-42, if applicable. After reasonable due diligence by GCI, there are no known material conflicts of interest that may affect GCI's ability to serve as a municipal advisor to the Issuer or Obligor. If new material conflict(s) of interest occurs after the delivery and execution of this Letter, GCI will disclose all new material conflict(s) of interest to the Issuer or Obligor.

In addition to providing disclosures concerning material conflict(s) of interest, MSRB Rule G-42 further requires GCI to have a fiduciary duty that includes a duty of loyalty and duty of care to the Issuer or Obligor and to disclose our role and duties as a Municipal Advisor. Our primary obligation is to always act in the best interest of the Issuer or Obligor.

Disclosure Concerning the Compensation

Our compensation for serving as municipal advisor will be contingent on the closing of the transaction(s) for the issuance of bonds and is based, in part, on the size of the bonds. We will negotiate with the Issuer or Obligor as to compensation and will be paid upon closing of the transaction(s). The Municipal Advisor will abide by its fiduciary duty to the Issuer or Obligor and provide unbiased and independent advice as required by MSRB.

Disclosure of Information Regarding Legal Events and Disciplinary History

MSRB Rule G-42 requires that all municipal advisors, including GCI, provide in writing to their clients certain legal or disciplinary events that are material to the Issuer's or Obligor's evaluation of GCI or the integrity of GCI management or personal. GCI believes there are no known legal or disciplinary events reported on any Form MA or Form MA-I that are material to your evaluation of GCI and there are no recent changes made on any Form MA or Form MA-I that are material to your evaluation. Any such information, whether material or not must be reported on Form MA and/or MA-I filed with the SEC, which forms are available and which can be viewed on the SEC's EDGAR system website at http://www.sec.gov/edgar/searchedgar/companysearch.html.

Disclosure Relating to Issuing Bonds

As with any issuance of debt, your obligation to pay principal and interest when due, will be a contractual obligation that will require you to make these payments no matter what budget restraints you encounter. The failure to pay principal and interest when due, could cause you to be in default. A default may negatively impact your credit ratings and may effectively limit your ability to publicly offer bonds or other securities at market rate levels. Please be aware of the following basic aspects of the Bonds.

Fixed rate bonds are interest bearing debt securities issued by an issuer or obligor. The interest rates for these bonds are specified at closing and will not change while the bonds are outstanding. Maturity dates for fixed rate bonds are fixed at the time of the issuance and may include serial maturities (specified principal amounts are payable on the same date each year until final maturity) or a term maturity (specified principal amounts are payable on each term maturity date) or a combination of serial and term maturities. Interest on fixed rate bonds is typically paid semiannually at a stated fixed rate or rates for each maturity.

General obligation bonds are debt securities to which your full faith and credit is pledged to pay principal and interest. Also, the Issuer or Obligor pledges to use your ad valorem taxing power, if needed, to pay principal and interest.

This debt issuance is secured by a millage collected within the jurisdiction of the Issuer or Obligor. The Issuer or Obligor promises to collect the taxes and repay the debt to which it is pledged.

Additionally, the Bonds will be offered as federally tax-exempt obligations. This requires that you comply with various Internal Revenue Service ("IRS") requirements and restrictions relating to how you use and invest the proceeds of the bond issue, how you use any facilities constructed with the proceeds of the bond issue and other restrictions throughout the term of the Bonds.

It is recommended that you consult with bond counsel on such tax matters related to the issuance of the Bonds.

Disclosure Concerning the Term of Engagement

The Term of Engagement is effective on the execution date of the document that employed GCI as the Issuer's or Obligor's appointed municipal advisor and ends upon the closing and delivery of the Bonds. The Engagement may be terminated with or without cause by the Issuer or Obligor or the Municipal Advisor. A written notice must be delivered to the other party, specifying the effective date of the termination.

Acknowledgement

We must seek your acknowledgement that you have received this Letter. Accordingly, please acknowledge receipt of this Letter on behalf of the Issuer or Obligor in the space provided below. If you are not authorized to execute this Letter on behalf of the Issuer or Obligor, please notify GCI immediately so the correct individual may be contacted. Please let us know if you have any questions or concerns.

Sincerely,

Government Consultants, Inc.

BY: Lynn Norris
Lynn Norris

RECEIPT ACKNOWLEDGEMENT

BY: ______________________ 10-10-18
Signature **Date**

Toby Barker, Mayor, City of Hattiesburg, Mississippi
Authorized Representative's Name

EXHIBIT C

DISCLOSURE (UNDERWRITER)

44179535.v2

RAYMOND JAMES®

October 2, 2018

Mayor Toby Barker
Ann Jones, Chief Adminstrative Officer
City of Hattiesburg, MS

The Securities and Exchange Commission (the "SEC") has recently released rules and interpretative Q&A guidance regarding how an underwriting firm, like ours, ensures that an issuer, such as you, understands that the primary firm providing financial advice to the issuer is that issuer's independent registered municipal (financial) advisor, and not the underwriter/placement agent. These new SEC regulations (the "MA Rule") became effective Tuesday, July 1, 2014.

Raymond James & Associates, Inc. and our affiliates (collectively, "Raymond James") seek to provide financing ideas and recommendations to the City of Hattiesburg (the "City") from time to time while maintaining our eligibility as the City's underwriter under both SEC and Municipal Securities Rulemaking Board rules. This requires Raymond James *not* to be treated as the City's municipal advisor under the MA Rule.

Among several exemptions provided for in the MA Rule, Raymond James would not be considered the City's municipal advisor if the City is already represented by an independent registered municipal advisor (an "IRMA") with respect to the same aspects upon which Raymond James provides financing ideas and recommendations to the City (the "IRMA Exemption").

To rely upon the IRMA Exemption, the MA Rule requires Raymond James to obtain the following representation directly from the City:

Required Representation by the City: the City hereby represents that it is represented by, and will rely upon (i.e., seek and consider) the advice of Government Consultants ("Municipal Advisor"), an independent registered municipal advisor, in connection with any advice or recommendations that Raymond James may provide the City relating to the issuance of municipal securities and/or municipal financial products.

Additionally, the MA Rule requires Raymond James to provide the City with the following disclosure:

Required Disclosure by Raymond James: By obtaining the above representation, Raymond James is not a municipal advisor to the City and is not subject to the fiduciary duty set forth in Section 15B(c)(1) of the Securities Exchange Act of 1934 with respect to any such issuance of municipal securities and/or municipal financial products.

Finally, the MA Rule requires Raymond James to provide a copy of this executed document to your Municipal Advisor. Please notify us if the above-named Municipal Advisor no longer represents you as stated above.

This document does not obligate you or Raymond James to enter any agreement(s) with respect to the issuance of municipal securities and/or municipal financial products.

RAYMOND JAMES®

Sincerely yours,

Raymond James & Associates, Inc. Corporation

By: Lindsey Rea

Lindsey Rea, Managing Director

Acknowledged and Agreed to by:
City of Hattiesburg, Mississippi

By:

Title: MAYOR

City of Hattiesburg, MS

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

City of Hattiesburg, MS

Master

File Number: 2018-836

File ID: 2018-836 **Type:** Regular Agenda Item **Status:** Passed

Version: 1 **Reference:** **In Control:** City Council

Requester: Ann Jones **File Created:** 10/01/2018

Brief Title: Adopt Resolution Declaring the Intent to Sale GO Bonds in and Aggregate Principal Amount not to Exceed ($45,000,000) **Final Action:** 10/02/2018

Minute Book Number: MB 2018-246-247

Title:

Adopt Resolution Declaring the Intention of the Mayor and the City Council of the City of Hattiesburg, Mississippi, to issue General Obligation Bonds of the City and/or a General Obligation Bond of the City for Sale to the Mississippi Development Bank, all in an aggregate principle amount not to exceed Forty-Five Million Dollars ($45,000,000) to raise money for the purpose of (I) Constructing, Improving or Paving Streets, Sidewalks, Driveways, Parkways, Walkways or Public Parking Facilities, and Purchasing Land Therefor; (II) Erecting, Repairing, Improving, Adorning, Equipping and Furnishing Municipal Buildings, and Purchasing Buildings and Land Therefor; (III) Protecting a Municipality, its Streets and Sidewalks from Overflow, Caving Banks and other like Dangers; (IV) Constructing Bridges and Culverts; and (V) For Other Authorized Purposes Under Mississippi Code Ann. Sections 21-33-301 *ET SEQ.*, and Sections 31-25-1 *ET SEQ.*, as Amended and Supplemented from Time to Time, Including Funding Capitalized Interest, if Applicable and Paying the Costs of Borrowing, Including any Costs for Bond Insurance Premium, if applicable; Directing the Publication of a Notice of Such Intention; and for Related Purposes.

Notes:

Agenda Date: 10/02/2018

Indexes: **Agenda Number:** V.-21

Sponsors: **Enactment Date:**

Attachments: Hattiesburg MDB Hattiesburg General Obligation Bonds 2019 (200087) (MDB GO UW) - Intent Resolution (10_2_18)_44172125_1, Executed - Res #2018-153 Hattiesburg MDB Hattiesburg General Obligation Bonds 2019, Proof of publication Resolution 2018-153 **Enactment Number:**

Contact: **Meeting Date:** 10/02/2018

Drafter: Ann Jones **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Agenda Review	10/01/2018					
1	City Council	10/02/2018	Adopt				Pass

Action Text: A MOTION was made by Council Vice President Dryden and seconded by Council Member George to Adopt Resolution (#2018-153) Declaring the Intention of the Mayor and the City Council of the City of Hattiesburg, Mississippi, to issue General Obligation Bonds of the City and/or a General Obligation Bond of the City for Sale to the Mississippi Development Bank, all in an aggregate principle amount not to exceed Forty-Five Million Dollars ($45,000,000) to raise money for the purpose of (I) Constructing, Improving or Paving Streets, Sidewalks, Driveways, Parkways, Walkways or Public Parking Facilities, and Purchasing Land Therefor; (II) Erecting, Repairing, Improving, Adorning, Equipping and Furnishing Municipal Buildings, and Purchasing Buildings and Land Therefor; (III) Protecting a Municipality, its Streets and Sidewalks from Overflow, Caving Banks and other like Dangers; (IV) Constructing Bridges and Culverts; and (V) For Other Authorized Purposes Under Mississippi Code Ann. Sections 21-33-301 ET SEQ., and Sections 31-25-1 ET SEQ., as Amended and Supplemented from Time to Time, Including Funding Capitalized Interest, if Applicable and Paying the Costs of Borrowing, Including any Costs for Bond Insurance Premium, if applicable; Directing the Publication of a Notice of Such Intention; and for Related Purposes.

There being no discussion, the Motion received the affirmative vote of the Council as follows:

Yeas: 5 - George, Delgado, Carroll, Dryden and Brown

Nays: 0

Yea: 5 Council Member George
Council Member Delgado
Council President Carroll
Council Vice President Dryden
Council Member Brown

Text of Legislative File 2018-836

Title

Adopt Resolution Declaring the Intention of the Mayor and the City Council of the City of Hattiesburg, Mississippi, to issue General Obligation Bonds of the City and/or a General Obligation Bond of the City for Sale to the Mississippi Development Bank, all in an aggregate principle amount not to exceed Forty-Five Million Dollars ($45,000,000) to raise money for the purpose of (I) Constructing, Improving or Paving Streets, Sidewalks, Driveways, Parkways, Walkways or Public Parking Facilities, and Purchasing Land Therefor; (II) Erecting, Repairing, Improving, Adorning, Equipping and Furnishing Municipal Buildings, and Purchasing Buildings and Land Therefor; (III) Protecting a Municipality, its Streets and Sidewalks from Overflow, Caving Banks and other like Dangers; (IV) Constructing Bridges and Culverts; and (V) For Other Authorized Purposes Under Mississippi Code Ann. Sections 21-33-301 *ET SEQ*., and Sections 31-25-1 *ET SEQ*., as Amended and Supplemented from Time to Time, Including Funding Capitalized Interest, if Applicable and Paying the Costs of Borrowing, Including any Costs for Bond Insurance Premium, if applicable; Directing the Publication of a Notice of Such Intention; and for Related Purposes.

Summary

Resolution of Intent to Issue GO Bonds

Budget Information

Expenditure Type

Purchasing Item

Publication Information

NOTICE OF RESOLUTION OF INTENT

The Mayor and the City Council of the City of Hattiesburg, Mississippi (the "**Governing Body**"), acting for and on behalf of the City of Hattiesburg, Mississippi (the "**City**") took up for consideration the matter of providing financing for certain capital improvements of the City, and after a discussion of the subject matter, the following resolution was presented for consideration:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY AND/OR A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FORTY-FIVE MILLION DOLLARS ($45,000,000) TO RAISE MONEY FOR THE PURPOSE OF (I) CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; (II) ERECTING, REPAIRING, IMPROVING, ADORNING, EQUIPPING AND FURNISHING MUNICIPAL BUILDINGS, AND PURCHASING BUILDINGS AND LAND THEREFOR; (III) PROTECTING A MUNICIPALITY, ITS STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS; (IV) CONSTRUCTING BRIDGES AND CULVERTS; AND (V) FOR OTHER AUTHORIZED PURPOSES UNDER MISSISSIPPI CODE ANN. SECTIONS 21-33-301 *ET SEQ.*, AND SECTIONS 31-25-1 *ET SEQ.*, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME, INCLUDING FUNDING CAPITALIZED INTEREST, IF APPLICABLE AND PAYING THE COSTS OF BORROWING, INCLUDING ANY COSTS FOR BOND INSURANCE PREMIUM, IF APPLICABLE; DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body, acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:

1. The City is authorized by Sections 21-33-301 et seq., Mississippi Code of 1972, as amended and/or supplemented from time to time (the "**City Bond Act**") to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, and purchasing buildings and land therefor; (iii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (iv) constructing bridges and culverts; and (v) for other authorized purposes under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), including funding capitalized interest, if applicable and paying the costs of borrowing, including any costs for bond insurance premium, if applicable (the "**Project**").

2. The Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and the Bank Act, and other applicable laws of the State of Mississippi (the "**State**"), to issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "**Bank**") to finance the costs of the Project.

3. The Project is in accordance with and in furtherance of the provisions of the Act.

4. The Governing Body is authorized to provide financing for the costs of the Project (a) through the issuance of general obligation bonds of the City, in one or more series, (the "**Bonds**") pursuant to the City Bond Act, and/or (b) through the issuance of a general obligation bond of the City, in one or more series, to be sold to the Bank (the "**City Bond**") pursuant to the Act, all in a total aggregate principal amount of not to exceed Forty-Five Million Dollars ($45,000,000).

5. As of October 2, 2018, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, is $481,363,557, and the City has outstanding bonded indebtedness as subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303 of the City Bond Act, in the amount of $13,955,000, and outstanding bonded and floating indebtedness as subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303 of the City Bond Act (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of $13,955,000.

6. The Bonds and/or the City Bond, when added to the outstanding bonded indebtedness of the City, including any indebtedness of the City issued subsequent to the adoption of this resolution but prior to the issuance of the Bonds and/or the City Bond will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of all taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of all taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

7. There has been no increase in said bonded and floating general obligation indebtedness of the City since October 2, 2018.

8. It is necessary for the health and well-being of the citizens of the City and it would be in the best interest of the City for the Governing Body to provide financing for the costs of the Project by borrowing money through the issuance of the Bonds and/or the City Bond, all in accordance with the City Bond Act and/or the Bank Act.

9. The Governing Body is authorized and empowered by the City Bond Act and/or the Bank Act to issue the Bonds and/or the City Bond for the purposes as hereinafter set forth and there are no other available funds on hand or available from regular sources of income for such purposes.

10. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds and/or the City Bond which it intends to reimburse with the proceeds of the Bonds and/or the City Bond upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds and/or the City Bond in anticipation of the

issuance of the Bonds and/or the City Bond is made pursuant to Department of Treasury Regulations Section 1.150-2 (the "**Reimbursement Regulations**"). The Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the Project is the amount herein set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body, acting for and on behalf of the City, hereby declares its intention to issue and sell the Bonds and/or the City Bond, in one or more series, in the total principal amount not to exceed Forty-Five Million Dollars ($45,000,000).

SECTION 2. The Bonds and/or the City Bond are to be issued to raise money for the purpose of financing the Project in accordance with the Act.

SECTION 3. The Bonds and/or the City Bond may be issued in one or more series and, if issued, will be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate, or amount upon all the taxable property within the geographical limits of the City; provided, however, that such tax levy for any year shall be abated pro tanto to the extent the City on or prior to September 1 of that year has transferred money to the bond fund of the Bonds and/or the City Bond, as applicable, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds and/or the City Bond, as applicable, due during the ensuing fiscal year of the City, in accordance with the provisions of the bond resolution adopted by the Governing Body in connection with the issuance of the Bonds and/or the City Bond.

SECTION 4. The Governing Body proposes to direct the issuance of all or any portion of the Bonds and/or the City Bond in the amount and for the purposes and secured as aforesaid at a meeting of the Governing Body to be held at its usual meeting in City Hall, located at 200 Forrest Street, Hattiesburg, Mississippi, at the hour of 6:00 o'clock p.m. on November 6, 2018, or at some meeting or meetings subsequent thereto; provided, however, that if ten percent (10%) of the qualified electors of the City or fifteen hundred (1,500), whichever is less, shall file a written protest with the City Clerk of the City (the "**City Clerk**") in his office located in City Hall, against the issuance of the Bonds and/or the City Bond on or before 4:00 o'clock p.m. on November 6, 2018, then the Bonds and/or the City Bond shall not be issued unless approved at an election on the question thereof called and held as is provided by law; provided, further that if no protest is filed, then the Bonds and/or the City Bond may be issued and sold in one or more series without an election on the question of the issuance thereof at any time within a period of two (2) years after November 6, 2018.

SECTION 5. This resolution shall be published once a week for at least three (3) consecutive weeks in *The Hattiesburg Post*, a newspaper published in and having general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented from time to time. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein, and the last publication shall be made not more than seven (7) days prior to such date.

SECTION 6. The City Clerk of the Governing Body shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 4 hereof.

SECTION 7. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds and/or the City Bond which it intends to reimburse with the proceeds of the Bonds and/or the City Bond upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds and/or the City Bond in anticipation of the issuance of the Bonds and/or the City Bond is made pursuant to the Reimbursement Regulations. The Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the Project is the amount herein set forth.

SECTION 8. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

[Remainder of page left blank intentionally]

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilperson **_______________**, seconded by Councilperson **____________** and was adopted by the following roll call vote, to wit:

YEAS:	**NAYS:**	**ABSENT:**

The President thereby declared the motion carried and the Intent Resolution adopted this the 2nd day of October, 2018.

(SEAL)

ATTEST:	**ADOPTED:**
CLERK OF COUNCIL	**PRESIDENT**

The above and foregoing Intent Resolution having been submitted to and approved by the Mayor, this the 2nd day of October, 2018.

CITY CLERK	**MAYOR**

Publish as a legal notice for four (4) consecutive weeks on October 11, 18, 25 and November 1, 2018.

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Hattiesburg, Mississippi, held on the 2nd day of **October, 2018**, the following Resolution:

RESOLUTION 2018-153

NOTICE OF RESOLUTION OF INTENT

The Mayor and the City Council of the City of Hattiesburg, Mississippi (the "**Governing Body**"), acting for and on behalf of the City of Hattiesburg, Mississippi (the "**City**") took up for consideration the matter of providing financing for certain capital improvements of the City, and after a discussion of the subject matter, the following resolution was presented for consideration:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY AND/OR A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FORTY-FIVE MILLION DOLLARS ($45,000,000) TO RAISE MONEY FOR THE PURPOSE OF (I) CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; (II) ERECTING, REPAIRING, IMPROVING, ADORNING, EQUIPPING AND FURNISHING MUNICIPAL BUILDINGS, AND PURCHASING BUILDINGS AND LAND THEREFOR; (III) PROTECTING A MUNICIPALITY, ITS STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS; (IV) CONSTRUCTING BRIDGES AND CULVERTS; AND (V) FOR OTHER AUTHORIZED PURPOSES UNDER MISSISSIPPI CODE ANN. SECTIONS 21-33-301 *ET SEQ.*, AND SECTIONS 31-25-1 *ET SEQ.*, AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME, INCLUDING FUNDING CAPITALIZED INTEREST, IF APPLICABLE AND PAYING THE COSTS OF BORROWING, INCLUDING ANY COSTS FOR BOND INSURANCE PREMIUM, IF APPLICABLE; DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body, acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:

1. The City is authorized by Sections 21-33-301 et seq., Mississippi Code of 1972, as amended and/or supplemented from time to time (the "**City Bond Act**") to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, and purchasing buildings and land therefor; (iii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (iv) constructing bridges and culverts; and (v) for other authorized purposes under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "**Bank Act**" and together with the City Bond Act, the "**Act**"), including funding capitalized interest, if applicable and paying the costs of borrowing, including any costs for bond insurance premium, if applicable (the "**Project**").

2. The Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and the Bank Act, and other applicable laws of the State of Mississippi (the "**State**"), to issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "**Bank**") to finance the costs of the Project.

3. The Project is in accordance with and in furtherance of the provisions of the Act.

4. The Governing Body is authorized to provide financing for the costs of the Project (a) through the issuance of general obligation bonds of the City, in one or more series, (the "**Bonds**") pursuant to the City Bond Act, and/or (b) through the issuance of a general obligation

bond of the City, in one or more series, to be sold to the Bank (the "**City Bond**") pursuant to the Act, all in a total aggregate principal amount of not to exceed Forty-Five Million Dollars ($45,000,000).

5. As of October 2, 2018, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, is $481,363,557, and the City has outstanding bonded indebtedness as subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303 of the City Bond Act, in the amount of $13,955,000, and outstanding bonded and floating indebtedness as subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303 of the City Bond Act (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of $13,955,000.

6. The Bonds and/or the City Bond, when added to the outstanding bonded indebtedness of the City, including any indebtedness of the City issued subsequent to the adoption of this resolution but prior to the issuance of the Bonds and/or the City Bond will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of all taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of all taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

7. There has been no increase in said bonded and floating general obligation indebtedness of the City since October 2, 2018.

8. It is necessary for the health and well-being of the citizens of the City and it would be in the best interest of the City for the Governing Body to provide financing for the costs of the Project by borrowing money through the issuance of the Bonds and/or the City Bond, all in accordance with the City Bond Act and/or the Bank Act.

9. The Governing Body is authorized and empowered by the City Bond Act and/or the Bank Act to issue the Bonds and/or the City Bond for the purposes as hereinafter set forth and there are no other available funds on hand or available from regular sources of income for such purposes.

10. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds and/or the City Bond which it intends to reimburse with the proceeds of the Bonds and/or the City Bond upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds and/or the City Bond in anticipation of the issuance of the Bonds and/or the City Bond is made pursuant to Department of Treasury Regulations Section 1.150-2 (the "**Reimbursement Regulations**"). The Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the Project is the amount herein set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body, acting for and on behalf of the City, hereby declares its intention to issue and sell the Bonds and/or the City Bond, in one or more series, in the total principal amount not to exceed Forty-Five Million Dollars ($45,000,000).

SECTION 2. The Bonds and/or the City Bond are to be issued to raise money for the purpose of financing the Project in accordance with the Act.

SECTION 3. The Bonds and/or the City Bond may be issued in one or more series and, if issued, will be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate, or amount upon all the taxable property within the geographical limits of the City; provided, however, that such tax levy for any year shall be abated pro tanto to the extent the City on or prior to September 1 of that year has transferred money to the bond fund of the Bonds and/or the City Bond, as applicable, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds and/or the City Bond, as applicable, due during the ensuing fiscal year of the City, in accordance with the provisions of the bond resolution adopted by the Governing Body in connection with the issuance of the Bonds and/or the City Bond.

SECTION 4. The Governing Body proposes to direct the issuance of all or any portion of the Bonds and/or the City Bond in the amount and for the purposes and secured as aforesaid at a meeting of the Governing Body to be held at its usual meeting in City Hall, located at 200 Forrest Street, Hattiesburg, Mississippi, at the hour of 6:00 o'clock p.m. on November 6, 2018, or at some meeting or meetings subsequent thereto; provided, however, that if ten percent (10%) of the qualified electors of the City or fifteen hundred (1,500), whichever is less, shall file a written protest with the City Clerk of the City (the "**City Clerk**") in his office located in City Hall, against the issuance of the Bonds and/or the City Bond on or before 4:00 o'clock p.m. on November 6, 2018, then the Bonds and/or the City Bond shall not be issued unless approved at an election on the question thereof called and held as is provided by law; provided, further that if no protest is filed, then the Bonds and/or the City Bond may be issued and sold in one or more series without an election on the question of the issuance thereof at any time within a period of two (2) years after November 6, 2018.

SECTION 5. This resolution shall be published once a week for at least three (3) consecutive weeks in *The Hattiesburg Post*, a newspaper published in and having general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented from time to time. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein, and the last publication shall be made not more than seven (7) days prior to such date.

SECTION 6. The City Clerk of the Governing Body shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 4 hereof.

SECTION 7. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds and/or the City Bond which it intends to reimburse with the proceeds of the Bonds and/or the City Bond upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds and/or the City Bond in anticipation of the issuance of the Bonds and/or the City Bond is made pursuant to the Reimbursement Regulations. The Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the Project is the amount herein set forth.

SECTION 8. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

[Remainder of page left blank intentionally]

The above and foregoing resolution, after having been first reduced to writing, was introduced by Council Vice President Dryden, seconded by Council Member George and was adopted by the following roll call vote, to wit:

YEAS:	NAYS:	ABSENT:
George	None	None
Delgado		
Carroll		
Dryden		
Brown		

The President thereby declared the motion carried and the resolution adopted this the 2nd day of **October, 2018**.

(SEAL)

ATTEST: **ADOPTED:**

Ronda S. Cook

CLERK OF COUNCIL **PRESIDENT**

The above and foregoing resolution having been submitted to and approved by the Mayor, this the **2nd** day of **October, 2018.**

CITY CLERK **MAYOR**

Publish as a legal notice for four (4) consecutive weeks on October 11, 18, 25 and November 1, 2018.

The PineBelt NEWS

(formerly The Lamar Times, The Petal News, The Hattiesburg Post)

103 N. 40th Ave. • Hattiesburg, MS 39401
(601) 268-2331 tel • (601) 268-2965 fax

Proof of Publication

THE STATE OF MISSISSIPPI, LAMAR COUNTY, FORREST COUNTY
Personally appeared before me, the undersigned Legal Advertising Clerk for The PINE BELT NEWS, a weekly newspaper published in Lamar County and Forrest County, Mississippi, who, being duly sworn, says that the notice, a true copy of which is hereto annexed, appeared in the issues of said newspaper as follows:

Total # of Words: 1,975 Published 4 times

Date 1st Published: 10.11.18 Amt: 237.00

Date 2nd Published: 10.18.18 Amt: 197.50

Date 3rd Published: 10.25.18 Amt: 197.50

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Date 5th Published: ____________ Amt: ________

Subtotal Printer's Fee: 829.50

Proof of Publication Fee: 3.00

TOTAL: 832.50

(signed) ______________________
The PINE BELT NEWS

Sworn to and subscribed before me in my Presence, this 1st day of November, 2018, a Notary Public in and for the County of Lamar, State of Mississippi:

(signed) ______________________

NOTARY PUBLIC ... GUSTAFSON ... Commission Expires Oct 4, 2019 ... LAMAR COUNTY

FOR OFFICE USE ONLY:

- ☐ Em P: 10.05.18
- ☐ App:
- ☐ File Title
- ☐ Invoice #: 92376
- ☒ Inv. Crt/Mld:
- ☐ Pymt Rec.d:
- ☐ POP sent:

NOTICE OF RESOLUTION OF INTENT

The Mayor and the City Council of the City of Hattiesburg, Mississippi (the "Governing Body"), acting for and on behalf of the City of Hattiesburg, Mississippi (the "City") took up for consideration the matter of providing financing for certain capital improvements of the City, and after a discussion of the subject matter, the following resolution was presented for consideration:

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY AND/OR A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FORTY-FIVE MILLION DOLLARS ($45,000,000) TO RAISE MONEY FOR THE PURPOSE OF (I) CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; (II) ERECTING, REPAIRING, IMPROVING, ADORNING, EQUIPPING AND FURNISHING MUNICIPAL BUILDINGS, AND PURCHASING BUILDINGS AND LAND THEREFOR; (III) PROTECTING A MUNICIPALITY, ITS STREETS AND SIDEWALKS FROM OVERFLOW, CAVING BANKS AND OTHER LIKE DANGERS; (IV) CONSTRUCTING BRIDGES AND CULVERTS; AND (V) FOR OTHER AUTHORIZED PURPOSES UNDER MISSISSIPPI CODE ANN. SECTIONS 21-33-301 ET SEQ., AND SECTIONS 31-25-1 ET SEQ. AS AMENDED AND SUPPLEMENTED FROM TIME TO TIME, INCLUDING FUNDING CAPITALIZED INTEREST, IF APPLICABLE AND PAYING THE COSTS OF BORROWING, INCLUDING ANY COSTS FOR BOND INSURANCE PREMIUM, IF APPLICABLE; DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES.

WHEREAS, the Governing Body, acting for and on behalf of the City, hereby finds, determines, adjudicates and declares as follows:

The City is authorized by Sections 21-33-301 et seq., Mississippi Code of 1972, as amended and/or supplemented from time to time (the "City Bond Act") to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (i) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; (ii) erecting, repairing, improving, adorning, equipping and furnishing municipal buildings, and purchasing buildings and land therefor; (iii) protecting a municipality, its streets and sidewalks from overflow, caving banks and other like dangers; (iv) constructing bridges and culverts; and (v) for other authorized purposes under the City Bond Act and Sections 31-25-1 et seq., Mississippi Code of 1972, as amended and supplemented from time to time (the "Bank Act" and together with the City Bond Act, the "Act"), including funding capitalized interest, if applicable and paying the costs of borrowing, including any costs for bond insurance premium, if applicable (the "Project").

The Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and the Bank Act, and other applicable laws of the State of Mississippi (the "State"), to issue a general obligation bond of the City to be sold to the Mississippi Development Bank (the "Bank") to finance the costs of the Project.

The Project is in accordance with and in furtherance of the provisions of the Act.

The Governing Body is authorized to provide financing for the costs of the Project (a) through the issuance of general obligation bonds of the City, in one or more series, (the "Bonds") pursuant to the City Bond Act, and/or (b) through the issuance of a general obligation bond of the City, in one or more series, to be sold to the Bank (the "City Bond") pursuant to the Act, all in a total aggregate principal amount of not to exceed Forty-Five Million Dollars ($45,000,000).

As of October 2, 2018, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, is $481,363,557, and the City has outstanding bonded indebtedness as subject to the fifteen percent (15%) debt limit prescribed by Section 21 33 303 of the City Bond Act, in the amount of $13,955,000, and outstanding bonded and floating indebtedness as subject to the twenty percent (20%) debt limit prescribed by Section 21 33 303 of the City Bond Act (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of $13,955,000.

The Bonds and/or the City Bond, when added to the outstanding bonded indebtedness of the City, including any indebtedness of the City issued subsequent to the adoption of this resolution but prior to the issuance of the Bonds and/or the City Bond will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of all taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of all taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

There has been no increase in said bonded and floating general obligation indebtedness of the City since October 2, 2018.

It is necessary for the health and well-being of the citizens of the City and it would be in the best interest of the City for the Governing Body to provide financing for the costs of the Project by borrowing money through the issuance of the Bonds and/or the City Bond, all in accordance with the City Bond Act and/or the Bank Act.

The Governing Body is authorized and

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Butler Snow, LLC

empowered by the City Bond Act and/or the Bank Act to issue the Bonds and/or the City Bond for the purposes as hereinafter set forth and there are no other available funds on hand or available from regular sources of income for such purposes.

The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds and/or the City Bond which it intends to reimburse with the proceeds of the Bonds and/or the City Bond upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds and/or the City Bond in anticipation of the issuance of the Bonds and/or the City Bond is made pursuant to Department of Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations"). The Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the Project is the amount herein set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

The Governing Body, acting for and on behalf of the City, hereby declares its intention to issue and sell the Bonds and/or the City Bond, in one or more series, in the total principal amount not to exceed Forty-Five Million Dollars ($45,000,000).

The Bonds and/or the City Bond are to be issued to raise money for the purpose of financing the Project in accordance with the Act.

The Bonds and/or the City Bond may be issued in one or more series and, if issued, will be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate, or amount upon all the taxable property within the geographical limits of the City; provided, however, that such tax levy for any year shall be abated pro tanto to the extent the City on or prior to September 1 of that year has transferred money to the bond fund of the Bonds and/or the City Bond, as applicable, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds and/or the City Bond, as applicable, due during the ensuing fiscal year of the City, in accordance with the provisions of the bond resolution adopted by the Governing Body in connection with the issuance of the Bonds and/or the City Bond.

The Governing Body proposes to direct the issuance of all or any portion of the Bonds and/or the City Bond in the amount and for the purposes and secured as aforesaid at a meeting of the Governing Body to be held at its usual meeting in City Hall, located at 200 Forrest Street, Hattiesburg, Mississippi, at the hour of 6:00 o'clock p.m. on November 6, 2018, or at some meeting or meetings subsequent thereto; provided, however, that if ten percent (10%) of the qualified electors of the City or fifteen hundred (1,500), whichever is less, shall file a written protest with the City Clerk of the City (the "City Clerk") in his office located in City Hall, against the issuance of the Bonds and/or the City Bond on or before 4:00 o'clock p.m. on November 6, 2018, then the Bonds and/or the City Bond shall not be issued unless approved at an election on the question thereof called and held as is provided by law; provided, further that if no protest is filed, then the Bonds and/or the City Bond may be issued and sold in one or more series without an election on the question of the issuance thereof at any time within a period of two (2) years after November 6, 2018.

This resolution shall be published once a week for at least three (3) consecutive weeks in The Hattiesburg Post, a newspaper published in and having general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented from time to time. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein, and the last publication shall be made not more than seven (7) days prior to such date.

The City Clerk of the Governing Body shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 4 hereof.

The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds and/or the City Bond which it intends to reimburse with the proceeds of the Bonds and/or the City Bond upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds and/or the City Bond in anticipation of the issuance of the Bonds and/or the City Bond is made pursuant to the Reimbursement Regulations. The Project for which such expenditures are made is the same as described herein. The maximum principal amount of debt expected to be issued for the Project is the amount herein set forth.

If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilperson Dryden, seconded by Councilperson George and was adopted by the following roll call vote, to wit:

YEAS:
Councilperson Jeffrey George
Councilperson Deborah Delgado
Councilperson Carter Carroll
Councilperson Mary Dryden
Councilperson Nicholas Brown
NAYS:
ABSENT:

The President thereby declared the motion carried and the Intent Resolution adopted this the 2nd day of October, 2018.

(SEAL)
ATTEST:
/s/ Ronda S. Cole
CLERK OF COUNCIL

ADOPTED:
/s/ Carter Carroll
PRESIDENT

The above and foregoing Intent Resolution having been submitted to and approved by the Mayor, this the 2nd day of October, 2018.

/s/ Kermas Eaton
CITY CLERK
/s/ Toby Barker
MAYOR

Published on Oct 11th, Oct 18th, Oct 25th and Nov 1st, 2018.

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

City of Hattiesburg, MS

Master

File Number: 2018-837

File ID:	2018-837	**Type:**	Regular Agenda Item	**Status:**	Routine Agenda
Version:	1	**Reference:**		**In Control:**	City Council
Requester:				**File Created:**	10/01/2018
Brief Title:	Ratification of amended Memorandum of Understanding between the Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) and Hattiesburg Police Department - to be made a part of the minutes.			**Final Action:**	
				Minute Book Number:	MB 2018-249

Title:

Ratification of amended Memorandum of Understanding between the Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) and Hattiesburg Police Department - to be made a part of the minutes.

Notes:			
		Agenda Date:	10/02/2018
Indexes:		**Agenda Number:**	VI.-15
Sponsors:		**Enactment Date:**	
Attachments:	MOU with ATF and HPD - revised	**Enactment Number:**	
Contact:		**Meeting Date:**	10/02/2018
Drafter:		**Effective Date:**	

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Agenda Review	10/01/2018					
	Action Text: Following discussion of agenda items, Council President Carroll closed the Agenda Review.						
1	City Council	10/02/2018					

Text of Legislative File 2018-837

Title

Ratification of amended Memorandum of Understanding between the Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) and Hattiesburg Police Department - to be made a part of the minutes.

Summary
[Enter Summary Here Without Parentheses]

Budget Information
[Enter Budget Information Here Without Parentheses. Example: Cost Center Line Item, Amount]

Expenditure Type
[Enter Expenditure Type Here Without Parentheses. Example: Regular Budget Item, Grant, Lease Purchase, etc.]

Purchasing Item
[Enter Purchasing Item Here Without Parentheses. Example: Sealed Bid, State Contract, Unadvertised Bid, Regular Purchase.]

Publication Information
[Please enter publication sites and dates]

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF),

AND

HATTIESBURG POLICE DEPARTMENT
(HPD)

This Memorandum of Understanding ("MOU") is entered into by and between the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and the Hattiesburg **Police Department** (HPD) ("participating agencies") as it relates to the ATF Frontline Initiative and Criminal Gangs Task Force (herein referred to as Task Force/Project "A.R.E.S." (Armed-Offender Reduction & Enforcement Strategy)

- The parties signing this memorandum of understanding hereto agree that it is to their mutual benefit to cooperate in eliminating the illegal flow of firearms to the criminal element. The cooperation will involve the investigation and prosecution of those individuals, groups or gangs misusing firearms to commit violent crime and illegally trafficking firearms enable others to commit violent crime.

BACKGROUND

Firearms-related violence is one of this Nation's primary concerns. Firearms-related violence, spurred by an indifference to human life, is depleting the cultural and economic resources of our society and is eroding the basic quality of life for many Americans.

Despite the diligent efforts of law enforcement, illicit sources of firearms continue to be available to the criminal element. Some licensed firearms dealers are engaged in unlawful diversion and distribution of firearms. Other unlicensed individuals legitimately or, through the use of fraudulent identification or straw purchases or theft, illegitimately acquire firearms and illegally supply them to the criminal elements. As the number of violent crimes committed with firearms continues to increase nationwide, Federal, State, and local law enforcement officials must work together to effectively develop and implement enforcement strategies to combat this dangerous trend. Each party to this agreement recognizes that one of the most effective methods to identify illegal sources of firearms is through the systematic tracing of all recovered crime related firearms.

AUTHORITIES

Offenses investigated and enforced pursuant to this MOU are those falling within ATF's jurisdiction 28 U.S.C. § 599A; 27 CFR § 0.130 and specifically, the Gun Control Act of 1968, 18 U.S.C. §§ 921 et seq., 3051 and the National Firearms Act, 26 U.S.C. §§ 5861 et

seq. **PURPOSE**

The Task Force will perform the activities and duties described below:

a. Investigate firearms trafficking
b. Investigate firearms related violent crime to include drug trafficking
c. Gather and report intelligence data relating to trafficking in firearms
d. Conduct undercover operations where appropriate and engage in other traditional methods of proactive investigation in order that the Task Force's activities will result in effective prosecution of firearms related offenses before the courts of the United States and the State of Mississippi.
e. Conduct street level gun and drug interdiction.
f. Investigate all firearm offenses within the task forces area of responsibility.
g. Proactive enforcement in targeted areas.

MEASUREMENT OF SUCCESS

The success of this initiative will be measured by the participating agencies willingness to share certain information. (i.e. crime statistics) for the purpose of measuring the success of the task force as well as its performance.

Enforce Federal firearms laws in order to remove violent offenders from our communities, and keep firearms out of the hands of those prohibited by law from possessing them.

Performance Indicator:	Percent change in violent firearms crime in metropolitan areas with a substantial ATF presence (as compared with similar areas) as well as seizure of illegal firearms.
Performance Indicator:	Percentage of high-crime cities with an ATF presence demonstrating a reduction in violent firearms crime when compared to the national average.

SUPERVISION AND CONTROL

The day-to-day supervision and administrative control of designated special deputies (SD's) will continue to be the responsibility of the sponsoring agency (HPD), with the ATF Special Agent in Charge or his/her designee having operational control over all direct enforcement operations related to this Task Force.

Each SD shall remain subject to their respective agencies' policies, and shall report to their respective agencies regarding all matters unrelated to this agreement/taskforce. With regard to matters mutually deemed related to the function of this Task Force, SD's will be subject to Federal law and Department of Justice (DOJ) and ATF orders, regulations and policy, including those related to standards of conduct, sexual harassment, equal opportunity issues and Federal disclosure laws. Failure to comply with this paragraph could result in a SD's dismissal from the Task Force.

PERSONNEL, RESOURCES AND SUPERVISION

To accomplish the objectives of the Task Force, ATF will assign Special Agents to the Task Force. ATF will also, subject to the availability of funds, provide necessary funds and equipment to support the activities of the ATF Special Agents and officers assigned to the Task Force. This support may include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training and other support items.

Each participating agency agrees to make available to their assigned task members any equipment ordinarily assigned for use by that agency. In the event ATF supplies equipment (which may include vehicles, weapons or radios); SD's must abide by any applicable ATF property orders or policy, and may be required to enter into a separate agreement for their use.

To accomplish the objectives of the Task Force, the **Hattiesburg Police Department** agrees to detail two (2) part time Special Deputies to the Task Force for a period of not less than two (2) years. This term may be amended will the approval of both agencies, or in the circumstance that the agencies mutually agree to designate one or both of these SD's as a Task Force Officer.

All SD's shall qualify with their respective firearms by complying with ATF's Firearms and Weapons Policy.

SECURITY CLEARANCES

All SD's will undergo a security clearance and background investigation and ATF shall bear the costs associated with those investigations. SD's must not be the subject of any ongoing investigation by their department or any other law enforcement agency, and past behavior or punishment, disciplinary, punitive or otherwise, may disqualify one from eligibility to join the Task Force. ATF has final authority as to the suitability of SD's for inclusion on the Task Force.

DEPUTIZATION

ATF, as the sponsoring Federal law enforcement agency, may request at its sole discretion that the participating agency's SD's be deputized by the U.S. Marshals Service to extend their jurisdiction, to include applying for and executing Federal search and arrest warrants, and requesting and executing Federal grand jury subpoenas for records and evidence involving violations of Federal laws. Such requests will be made on an individual basis as determined by ATF.

The participating agencies agree that any Federal authority that may be conferred by a deputation is limited to activities supervised by ATF and will terminate when this MOU is terminated or when the Special Deputies leave the Task Force, or at the discretion of ATF.

ASSIGNMENTS, REPORTS AND INFORMATION SHARING

An ATF supervisor or designee will be empowered with designated oversight for investigative and personnel matters related to the Task Force and will be responsible for opening, monitoring, directing and closing Task Force investigations in accordance with ATF policy and the applicable United States Attorney General's Guidelines.

Assignments will be based on, but not limited to, experience, training and performance, in addition to the discretion of the ATF supervisor.

All investigative reports will be prepared utilizing ATF's investigative case management system, (N-Force) utilizing ATF case report numbers. The participating agency will share investigative reports, findings, intelligence, etc., in furtherance of the mission of this agreement, to the fullest extent allowed by law. For the purposes of uniformity, there will be no duplication of reports, but rather a single report prepared by a designated individual which can be duplicated as necessary. Every effort should be made to document investigative activity on ATF Reports of Investigation (ROI), unless otherwise agreed to by ATF and the participating agency(ies). This section does not preclude the necessity of individual TFO/TFAs to complete forms required by their employing agency.

Information will be freely shared among the TFO/TFAs and ATF personnel with the understanding that all investigative information will be kept strictly confidential and will only be used in furtherance of criminal investigations. No information gathered during the course of the Task Force, to include informal communications between TFO/TFAs and ATF personnel, may be disseminated to any third party, not-task force member by any task force member without the express permission of the ATF Special Agent in Charge of his/her designee.

Any public request for access to the records or any disclosures of information obtained by task force members during Task Force investigations will be handled in accordance with applicable statutes, regulations and policies pursuant to the Freedom of Information Act and the Privacy Act and other applicable federal and/or state statutes and regulations.

INVESTIGATIVE METHODS

The parties agree to utilize Federal standards pertaining to evidence handling and electronic surveillance activities to the greatest extent possible. However, in situations where state or local laws are more restrictive than comparable Federal law, investigative methods employed by state and local law enforcement agencies shall conform to those requirements, pending a decision as to a venue for prosecution.

The use of other investigative methods (search warrants. interceptions of oral communications, etc.) and reporting procedures in connection therewith will be consistent with the policy and procedures of ATF. All Task Force operations will be conducted and reviewed in accordance with applicable ATF and Department of Justice policy and guidelines.

INFORMANTS

ATF and HPD guidelines and policy regarding the operation of informants and cooperating witnesses will apply to all informants and cooperating witnesses in the performance of this Task Force.

Informants developed by SD's may be registered as informants of their respective agencies for administrative purposes and handling. The policies and procedures of the participating agency with regard to handling informants will apply to all informants that the participating agency registers. In addition, it will be incumbent upon the registering participating agency to maintain a file with respect to the performance of all informants or witnesses it registers. All information obtained from an informant and relevant to matters within the jurisdiction of this MOU will be shared with all parties to this MOU. The registering agency will pay all reasonable and necessary informant expenses for each informant that a participating agency registers.

DECONFLICTION

Each participating agency agrees that the deconfliction process requires the sharing of certain operational information with the Task Force, which, if disclosed to unauthorized persons, could endanger law enforcement personnel and the public. As a result of this concern, each participating agency agrees to adopt security measures set forth herein:

a. Each participating agency will assign primary and secondary points of contact.
b. Each participating agency agrees to keep its points of contact list updated.

The points of contact for this Task Force are:

ATF: RAC Jason Denham. S/A Michael Knoll.

Participating Agency: Anthony Parker (Chief HPD) & Brandon McLemore (HPD Captain).

EVIDENCE

All non-narcotics and firearms evidence will be maintained by the lead agency having jurisdiction in the court system intended for prosecution. All narcotics evidence will be processed and maintained by HPD/ATF in accordance with their respective policy. Any firearms related evidence that is anticipated to be used to charge a federal crime or further develop an investigation for federal prosecution will be maintained by ATF. All evidence generated from investigations initiated by a SD or ATF Special Agent assigned to this Task Force that is intended for Federal prosecution will be placed in the ATF designated vault, using the procedures found in ATF orders.

All firearms seized by a SD must be submitted for fingerprint analysis and for a National Integrated Ballistics Information Network (NIBIN) examination. Once all analyses are completed, all firearms seized under Federal law shall be placed into the ATF designated vault for proper storage. All firearms information/descriptions taken into ATF custody must be submitted to ATF's National Tracing Center.

JURISDICTION/PROSECUTIONS

Cases will be reviewed by the ATF Special Agent in Charge or his/her designee in consultation with the participating agency and the United States Attorney's Office and appropriate State's attorney offices, to determine whether cases will be referred for prosecution to the U.S. Attorney's Office or to the relevant State's attorney's office. This determination will be based upon which level of prosecution will best serve the interests of justice and the greatest overall benefit to the public. Any question that arises pertaining to prosecution will be resolved through discussion among the investigative agencies and prosecuting entities having an interest in the matter.

In the event that a state or local matter is developed that is outside the jurisdiction of ATF or it is decided that a case will be prosecuted on the state or local level, ATF will provide all relevant information to state and local authorities, subject to Federal law. Whether to continue investigation of state and local crimes is at the sole discretion of the state or local participating agency.

USE OF FORCE

All part time Special Deputies will fully comply with ATF and the Department of Justice's (DOJ's) use of force policies during Task Force affiliated enforcement activities, unless a TFO/TFAs agency's Use of Force policy is more restrictive, in which case the TFO/TFA may use their respective agency's use of force policy. TFO/TFAs must be briefed on ATF's and DOJ's use of force policy by an ATF official, and will be provided with a copy of such policy.

MEDIA

Media relations will be handled by ATF and the U.S. Attorney's Office's public information officers in coordination with each participating agency. Information for press releases will be reviewed and mutually agreed upon by all participating agencies, who will take part in press conferences. Assigned personnel will be informed not to give statements to the media Concerning any ongoing investigation or prosecution under this MOU without the concurrence of the other participants and, when appropriate, the relevant prosecutor's office.

All personnel from the participating agencies shall strictly adhere to the requirements of Title 26, U.S.C. § 6103. Disclosure of tax return information and tax information acquired during the course of investigations involving National Firearms Act (NFA) firearms as defined in 26 U.S.C. Chapter 53 shall not be made except as provided by law.

SALARY/OVERTIME COMPENSATION

During the period of the MOU, participating agencies will provide for the salary and employment benefits of their respective employees. All participating agencies will retain control over their employees work hours, including the approval of overtime.

ATF may have funds available to reimburse overtime to the State and Local TFO/TFA's agency, subject to the guidelines of the Department of Justice Asset Forfeiture Fund. This funding would be available under the terms of a memorandum of agreement (MOA) established pursuant to the provisions of28 U.S.C. § 524. The participating agency agrees to abide by the applicable Federal law and policy with regard to the payment of overtime from the Department of Justice Asset Forfeiture Fund. The participating agency must be recognized under State law as a law enforcement agency and their officers/troopers/investigators as sworn law enforcement officers. If required or requested, the participating agency shall be responsible for demonstrating to the Department of Justice that its personnel are law enforcement officers for the purpose of overtime payment from the Department of Justice Asset Forfeiture Fund. This MOU is not a funding document.

In accordance with these provisions and any MOA on asset forfeiture, the ATF Special Agent in Charge or designee shall be responsible for certifying reimbursement requests for overtime expenses incurred as a result of this agreement.

AUDIT INFORMATION

Operations under this MOU are subject to audit by ATF, the Department of Justice's Office of the Inspector General, the Government Accountability Office, and other Government designated auditors. Participating agencies agree to permit such audits and to maintain all records relating to Department of Justice Asset Forfeiture Fund payments for expenses either incurred during the course of this Task Force or for a period of not less than three (3) years and, if an audit is being conducted, until such time that the audit is officially completed, whichever is greater.

FORFEITURES/SEIZURES

All assets seized for administrative forfeiture will be seized and forfeited in compliance with the rules and regulations set forth by the U.S Department of Justice Asset Forfeiture guidelines. When the size or composition of the item(s) seized make it impossible for ATF to store it, any of the participating agencies having the storage facilities to handle the seized property agree to store the property at no charge and to maintain the property in the same condition as when it was first taken into custody. The agency storing said seized property agrees not to dispose of the property until authorized to do so by ATF.

The MOU provides that proceeds from forfeitures will be shared, with sharing percentages based upon the U.S. Department of Justice Asset Forfeiture policies on equitable sharing of assets, such as determining the level of involvement by each participating agency.

DISPUTE RESOLUTION

In cases of overlapping jurisdiction, the participating agencies agree to work in concert to achieve the Task Force's goals and objectives. The parties to this MOU agree to attempt to resolve any disputes regarding jurisdiction, case assignments and workload at the lowest level possible.

LIABILITY

ATF acknowledges that the United States is liable for the wrongful or negligent acts or omissions of its officers and employees, including TFOs, while on duty and acting within the scope of their federal employment, to the extent permitted by the Federal Tort Claims Act.

Claims against the United States for injury or loss of property, personal injury, or death arising or resulting from the negligent or wrongful act or omission of any Federal employee while acting within the scope of his or her office or employment are governed by the Federal Tort Claims Act, 28 U.S.C. sections 1346(b), 2672-2680 (unless the claim arises from a violation of the Constitution of the United States, or a violation of a statute of the United States under which other recovery is authorized).

Except as otherwise provided, the parties agree to be solely responsible for the negligent or wrongful acts or omissions of their respective employees and will not seek financial contributions from the other for such acts or omissions. Legal representation by the United States is determined by the United States Department of Justice on a case-by-case basis. ATF cannot guarantee the United States will provide legal representation to any State or local law enforcement officer.

Liability for any negligent or willful acts of any agent or officer undertaken outside the terms of this MOU will be the sole responsibility of the respective agent or officer and agency involved.

DURATION

This MOU shall remain in effect until it is terminated in writing (to include electronic mail and facsimile). All participating agencies agree that no agency shall withdraw from the Task Force without providing ninety (90) days written notice to other participating agencies. If any participating agency withdraws from the Task Force prior to its termination, the remaining participating agencies shall determine the distributive share of assets for the withdrawing agency, in accordance with Department of Justice guidelines and directives.

The MOU shall be deemed terminated at the time all participating agencies withdraw and ATF elects not to replace such members, or in the event ATF unilaterally terminates the MOU upon 90 days written notice to all the remaining participating agencies.

MODIFICATIONS

This agreement may be modified at any time by written consent of all participating agencies. Modifications shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

SIGNATURES

Anthony Parker

Chief

Hattiesburg Police Department

9-28-18

Date

Dana Nichols

ATF, Special Agent in Charge

New Orleans Field Division

9/18/18

Date