

**September 24, 2020
CALL FOR SPECIAL MEETING**

WHEREAS, there exist certain matters which the below signed Mayor and Council Members of the City of Gautier desire to handle prior to the next regular meeting; and

NOW, THEREFORE, the undersigned Mayor and Council Members of the City of Gautier hereby call for a Special Meeting of the Mayor and Council of the City of Gautier, said meeting to be held in the Gautier Municipal Building, 3330 HWY 90, Gautier, Mississippi, on September 24, 2020 at 12:30 PM. This Special Meeting is called in accordance with Section 21-9-39, Mississippi Code of 1972.

The agenda of said Special Meeting shall be as follows:

**AGENDA
CITY OF GAUTIER
September 24, 2020
12:30 PM**

- I. Call to Order**
- II. Agenda Order Approval**
- III. Business Agenda**
 - 1. Approval of a resolution requesting the Department of Finance and administration to adopt a resolution to declare the necessity for issuance of state general obligation bonds**
 - 2. Approval of FY 2020 Final Budget Amendments**

Adjourn until October 6, 2020 at 6:30pm
www.gautier-ms.gov

/s/ Phil Torjusen
Phil Torjusen, Mayor

/s/ Adam Colledge
Adam Colledge

/s/ Rusty Anderson
Rusty Anderson

/s/ Mary Martin
Mary Martin

/s/ Casey Vaughan
Casey Vaughan

/s/ Richard Jackson
Richard Jackson

/s/ Cameron George
Cameron George

**CITY OF GAUTIER
Business Agenda Item #1
Fact Sheet**

Council Meeting:

September 24, 2020

Title:

**Approval of a resolution requesting the
Department of Finance and Administration to
adopt a resolution to declare the necessity for
issuance of State General Obligation Bonds**

Introduced by:

Contact Person/Telephone

Teresa Montgomery 497-8000

Summary Explanation: Resolution of the City of Gautier requesting the Department of Finance and Administration to adopt a Resolution to declare the necessity for issuance of \$1,500,000.00 in State General Obligation Bonds

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Torjusen	☐	Martin	☐	George	☐	Jackson	☐	Vaughan	☐	Anderson	☐	Colledge	☐
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Second Made by:

Torjusen	☐	Martin	☐	George	☐	Jackson	☐	Vaughan	☐	Anderson	☐	Colledge	☐
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Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Torjusen	☐	☐	☐	☐
At Large	Martin	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Vaughan	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Colledge	☐	☐	☐	☐

Action Taken:

**RESOLUTION OF THE CITY OF GAUTIER REQUESTING THE DEPARTMENT OF
FINANCE AND ADMINISTRATION TO ADOPT A RESOLUTION TO DECLARE THE
NECESSITY FOR ISSUANCE OF STATE GENERAL OBLIGATION BONDS**

RESOLUTION NUMBER 000-2020

WHEREAS, the City of Gautier has undertaken a project as defined in Section 88 of House Bill 1730, 2020 Regular Legislative Session, to assist in paying costs associated with the purchase of land located between US Highway 90 and Dolphin Boulevard in the City of Gautier (hereinafter “the Project”), with an anticipated completion date of May 15, 2021; and

WHEREAS, during the 2020 Regular Legislative Session, House Bill 1730 was approved and sent to the Governor; and

WHEREAS, Section 88 of House Bill 1730, 2020 Regular Legislative Session, authorizes the issuance of State General Obligation Bonds, in an amount not to exceed \$1,500,000.00 to provide funding to assist the City of Gautier with the Project; and

WHEREAS, the City of Gautier has now determined that there is a necessity to request that these bonds be issued and the proceeds thereof disbursed to the City of Gautier.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GAUTIER, pursuant to Section 88 of House Bill 1730, 2020 Regular Legislative Session, the Department of Finance and Administration will adopt a resolution to be resented to the State Bond Commission declaring the necessity for the issuance of \$1,500,000.00 in General Obligation Bonds to assist the City of Gautier with the Project for the purpose as stated in paragraph one; and

BE IT FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

Phil Torjusen, Mayor

ATTEST:

Teresa Montgomery, City Clerk

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of September 24, 2020.

*Mayor
Phil Forjusen*

City of Gautier

Gautier, Mississippi

*City Manager
Paula Yancey*

*City Clerk
Teresa Montgomery*

*Council
At Large Mary F. Martin
Ward 1 Cameron George
Ward 2 Richard "DJ" Jackson
Ward 3 Casey Vaughan
Ward 4 Rusty Anderson
Ward 5 Adam D. Colledge*



*3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov*

September 17, 2020

Gilda Reyes, Director
Bond Advisory Division
MS Department of Finance and Administration
Post Office Box 267
Jackson, Mississippi 39205-0267

Re: Declaration of necessity to issue bonds

Dear Mrs. Reyes:

Section 88 of House Bill 1730, 2020 Regular Legislative Session, (hereinafter "the Project"), authorizes the issuance of \$1,500,000 in State General Obligation Bonds to provide funds to assist the City of Gautier in paying the costs associated with the Project.

By this letter, we are declaring the necessity for the issuance of said bonds, and thus, request that you include the \$1,500,000 in the Resolution of the Department of Finance and Administration ("DFA") for the bond sale. Additionally, enclosed is a resolution adopted by the City of Gautier and a completed W-9 Form.

We understand that once the bonds are issued and the proceeds are available, we will execute a Funding Grant Agreement ("FGA") between us and the DFA detailing the specific requirements for expenditure as authorized by the legislation, in addition to submitting a letter requesting the transfer of proceeds, both of which documents will be provided to us by the DFA.

Should you need additional information, please contact Teresa Montgomery at 228-497-8000 or via email at tmontgomery@gautier-ms.gov.

Sincerely,



Paula Yancey, City Manager



MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION

DATE: 09/18/2020

PROJECT NAME: City of Gautier

MAILING
ADDRESS: P O Box 670

Gautier MS 39553



CONTACT UPDATE LIST

PROVIDE 3 FORMS OF CONTACT INCLUDING: EMAIL ADDRESS AND PHONE NUMBER
FOR EACH PERSON

(BE SURE TO UPDATE THIS FORM EACH TIME YOU HAVE CHANGES IN PERSONNEL)

Name	Phone Number	Email Address
Paula Yancey, City Manager	(228) 497-8000	pyancey@gautier-ms.gov
Teresa L Montgomery, City Clerk	(228) 497-8000	tmontgomery@gautier-ms.gov
Emily Cumbest, Deputy City Clerk	(228) 497-8000	ecumbest@gautier-ms.gov


AUTHORIZED PERSONNEL SIGNATURE

DFA USE ONLY
COMPLIANCE OFFICER
INITIAL: _____



STATE OF MISSISSIPPI
GOVERNOR TATE REEVES

DEPARTMENT OF FINANCE AND ADMINISTRATION
LIZ WELCH
EXECUTIVE DIRECTOR

Please provide the following information as listed below and return this form, along with the requested information, to the Bond Advisory Division of the Department of Finance and Administration via email to BondAdvisory@dfa.ms.gov no later than September 30, 2020.

Contact Information:

Legal Name of Organization: City of Gautier

DBA Name of Organization (if applicable): N/A

Form of Organization (ex. 501(c)(3), governmental, etc.): Governmental

Governing Authority (ex. board of supervisors): City Council

Primary Contact:

Name: Paula Yancey

Job Title: City Manager

Mailing Address: 3330 Hwy. 90

Gautier, MS 39553

Phone Number: 228-497-8000

Email: pyancey@gautier-ms.gov

Secondary Contact:

Name: Teresa Montgomery

Job Title: City Clerk/Comptroller

Mailing Address: 3330 Hwy. 90

Gautier, MS 39553

Phone Number: 228-497-8000

Email: tmontgomery@gautier-ms.gov

Project Information:

Location of Project (i.e. Address and/or parcel #):

2800 Hwy. 90

Gautier, MS 39553

Legal Owner of Property: Singing River, LLC.

Start Date of Project (actual or projected): 12/01/2020

Completion Date of Project (actual or projected): 05/15/2021

Estimated Useful Life of Completed Asset: Unlimited

Project Information (Continued):

Project Description: (Attach additional pages if necessary.)

This project includes the purchase and redevelopment of the former Singing River Mall property, a 55-acre parcel that was demolished in February 2014. The old Singing River Mall parcel is located on the northeast corner of the U.S. 90/Dolphin Road intersection, where more than 36,000 vehicles pass each day. Redevelopment of the old mall site has been stifled for years due to the large size of the parcel, as well as a changing retail environment (more online sales, closing of brick and mortar locations, etc.). Developers found they could not carry an expensive note on such a large piece of property, given that the property must likely be developed in phases. The city has an option to purchase the property for \$5.5 million, and the city has been actively marketing the property to developers.

In April 2019, House Bill 1724 was passed to approve Local and Private Legislation to allow the city to acquire the mall property and lease the land to a developer at less than fair market value in order to incentivize the development of retail on the property. Without this legislation, it is impossible to compete with surrounding states for retail and commercial development, given the limited incentives available through state statute.

The \$5.5 million land purchase will be accomplished through this \$1.5 million state bond bill, a \$3.5 million Gulf Coast Restoration Fund grant through the Mississippi Development Authority, and \$500,000 in City of Gautier funds.

Private Activity Use Test:

Is the project being funded by State bond proceeds going to be used for public use? ☒ Yes ☐ No

Will any of the State bond proceeds be used for any private business use? ☐ Yes ☒ No

Will the payment of the principal of, or the interest on the State bond proceeds either directly or indirectly:

(A) be secured by an interest in:

(i) the property used or to be used for a private business use? ☐ Yes ☒ No

(ii) payments in respect of such property? ☐ Yes ☒ No

--OR--

(B) be derived from payments in respect of property, or borrowed money, used or to be used for a private business use? ☐ Yes ☒ No

Will the State bond proceeds be used (directly or indirectly) to make or finance loans to persons other than governmental units? ☐ Yes ☒ No

NOTE: For the purposes of this form, and the section titled "Private Activity Use Test", all terms will be construed to have the same meaning as defined in 26 U.S. Code § 141, et. seq. (Subpart A - Private Activity Bonds).

Project Information (Continued)**Project Finances:**

Total Estimated Project Cost: \$ 5,500,000.00

Funding Source	Amount	Funds Received
State Bond Bill	\$ 1,500,000.00	No
Gulf Coast Restoration Fund/MDA	\$ 3,500,000.00	No
City of Gautier	\$ 500,000.00	No
		No
		No
		No
		No
		No
		No
		No
		No
		No
		No
		No
Total Project Funding	\$ 5,500,000.00	

Other Funding Sources:

Other than the funding sources listed above, have any other sources of funding for this project been considered, including but not limited to the following: **(Check all that apply)**

- ☐ Local government bonds;
☐ Tax increases or implementation;
☐ Grants (Federal);
☐ Grants (State);
☐ Grants (Other);
☐ Loans (including but not limited to sources such as the MS Development Bank, MS Development Authority, the MS Department of Environmental Quality, USDA Rural Development, etc.);
☐ Direct appropriation;
☐ Private funding; and/or
☒ Other Considered USDA Loan - didn't qualify. Considered govt bond, but SMPDD loan was better option
☐ No other funding sources have been actively pursued.

In the chart below, provide the requested information related to each box checked above. If more space is needed, please attach an additional page to this form.

Other Funding Source	Type of Funds	Amount of Request	Date of Request	Status of Request
	Local government bonds			Denied
	Local government bonds			Denied
	Local government bonds			Denied
	Local government bonds			Denied
	Local government bonds			Denied
	Local government bonds			Denied

Project Information (Continued)

Expense Reimbursement and Recurring Expenses:

Will any project expenses be incurred prior to the receipt of these State bond proceeds?

☐ Yes ☒ No

If yes, will the State bond proceeds be used to pay for project expenses that were incurred prior to the receipt of the State bond proceeds? ☐ Yes ☐ No

If yes, have you previously obtained a Declaration of Intent to Issue the Bonds from the State Bond Commission? ☐ Yes ☐ No

If yes, provide the date of such Declaration of Intent_____.

Will any of the State bond proceeds be used to pay recurring operational expenses (ex. salaries)? ☐ Yes ☒ No

NOTE: The information requested above is basic project information that will be compiled for further review by the State of Mississippi's Bond Commission members and their respective staffs. Commission members may request additional information at any time throughout the pre-issuance and post-issuance process. When such information is requested, your organization will be expected to provide the information in a manner that is timely and satisfactory to the Commission.

The submission of this project information should not be construed as approval of the State bond funds. The State Bond Commission must approve all funding before State bonds will become available. It is strongly advised that no reliance should be made on the receipt of State bonds until the Bond Commission has approved the bond funding during a public meeting.

(Remainder of page left blank intentionally.)

Under penalty of perjury, I, the undersigned authority, swear and affirm that the above information is true and correct to the best of my knowledge.

Paula Yancey
Signature of Applicant

Paula Yancey

Printed Name

City Manager

Title

9/22/20

Date

Sworn to and subscribed before me this 22 day of September, 2020.

State of Mississippi

County of: Jackson

Notary Public

Lekeisha S. Hill

My Commission Expires:

Jan. 20, 2023



Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

CITY OF GAUTIER MISSISSIPPI

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☒ Other (see instructions) ► **MUNICIPALITY - DIVISION OF STATE OF MISSISSIPPI**

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) **3**

Exemption from FATCA reporting code (if any) **C**

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

P O BOX 670

6 City, state, and ZIP code

GAUTIER MS 39553-0670

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

- -

or

Employer identification number

6 4 - 0 7 3 2 3 6 9

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Jeresa L Montgomery

Date ►

9/18/20

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

**CITY OF GAUTIER
Business Agenda Item #2
Fact Sheet**

Council Meeting:

September 24, 2020

Title:

Approval of FY 2020 Final Budget Amendments

Introduced by:

Contact Person/Telephone

Teresa Montgomery 497-8000

Summary Explanation: Resolution approving Final Budget Amendments for FY 2020.

EXHIBITS FOR REVIEW

Resolution	☒
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☐
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Torjusen	☐	Martin	☐	George	☐	Jackson	☐	Vaughan	☐	Anderson	☐	Colledge	☐
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Second Made by:

Torjusen	☐	Martin	☐	George	☐	Jackson	☐	Vaughan	☐	Anderson	☐	Colledge	☐
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Voted as follows:		AYES	NAYS	Abstained	Absent
Mayor	Torjusen	☐	☐	☐	☐
At Large	Martin	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Vaughan	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Colledge	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

RESOLUTION NUMBER 000-2020

WHEREAS, pursuant to Miss. Code Ann. 21-35-25, the City is authorized to revise its budget from time to time as it deems necessary to meet the requirements of Mississippi law; and

WHEREAS, the Mayor and Members of the City Council hereby find that amendment of the current budget as presented is in the best interests of the City;

BE IT RESOLVED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the attached Final Year End Budget Amendments for FY 2020 are hereby approved.

BE IT FURTHER RESOLVED, that the City Manager or City Clerk is authorized to execute any and all documents necessary.

This resolution shall take effect and be in full force on September 24, 2020.

Motion made by **BLANK**, seconded by **BLANK** and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of September 24, 2020.

**FY 2020
YEAR END
BUDGET AMENDMENTS**

GENERAL FUND: FUND 001	Budget	Amendment	New Budget
EXPENDITURES			
CITY CLERK			
Other Services & Charges	21,900.00	4,500.00	26,400.00
GENERAL EXPENSES & FACILITIES			
Other Services & Charges	572,600.00	(4,500.00)	568,100.00

Reallocate funds to cover end of year and budget publication expense increases.

FUND 172: LIBRARY SUPPORT FUND	Budget	Amendment	New Budget
REVENUES			
Amount Raised by Tax Levy	111,724.00	<u>9,770.00</u>	121,494.00
		9,770.00	
EXPENDITURES			
Other Services & Charges	111,724.00	<u>9,770.00</u>	121,494.00
		9,770.00	

Budget additional millage received on Automobiles.

FUND 354: ROBINSON STILL RD UTILITY EXTENSION	Budget	Amendment	New Budget
EXPENDITURES			
Water Lines: Other Services & Charges	10,175.00	575.00	10,750.00
Water Lines: Capital Outlay	158,724.50	1,200.00	159,924.50
Sewer Lines: Other Services & Charges	5,912.00	5,912.00	11,824.00
Transfers Out	320,899.00	<u>(7,687.00)</u>	313,212.00
		0.00	

Adjust final costs and actual overage transferred to Fund 352.