

**AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
October 15, 2024 @ 6:30 PM**

I. Call to Order

- 1. Prayer**
- 2. Pledge of Allegiance**

II. Agenda Order Approval

III. Announcements

- 1. Outdoor Movie Night, featuring Teenage Mutant Ninja Turtles: Mutant Mayhem, will be October 18th starting at 6:30pm at the City of Gautier's Sportsplex.**
- 2. Gautier Mullet & Music Festival will be October 19th, from 9am until 6pm, at the former Singing River Mall Property.**
- 3. Tasty Thursday will be October 24th, starting at 11am at the former Singing River Mall Property.**

IV. Presentation Agenda

- 1. Wounded Warrior Project Update**

V. Business Agenda

- 1. Resolution authorizing the issuance of Combined Utility System Revenue Bonds, Series 2024, in the total amount not to exceed \$5,300,000 to finance the City's water and sewer system improvements, and other related purposes**

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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- 2. Approve renewal of Cyber Security Agreement with Coalition**

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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- 3. Consideration for a Property Owner initiated Rezoning of Property from R-1 Low Density Single Family Residential to MURC-2 Mixed Use Recreation Commercial-2, located on John Dailey Drive (GPC #24-37-RZ)**

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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4. Consider a request for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-family Residential, located at 6208 Old Spanish Trail (GPC #24-38-VAR)

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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5. Consider a request for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial, located at 2012 Highway 90 (GPC #24-39-VAR)

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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6. Approval of the Docket of Claims

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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VI. Consent Agenda **(All items approved in one motion)**

1. Approval of Minutes from Regular Council Meeting held October 1, 2024
2. Receive September 2024 Privilege License Reports
3. Receive July 2024 Finance Reports
4. Approval of a Business Services Agreement Renewal with Sparklight for the City of Gautier's Maintenance Garage
5. Approval of Supplemental Agreement No. 1 to the construction, engineering, and inspection contract with Michael Baker International for the Martin Bluff Roadway Improvements Project
6. Approval of a Memorandum of Understanding (MOU) with the Jackson County Emergency Communications District
7. Authorization to enter into a Contract Agreement with Pyro Shows
8. Resolution directing the placement of liens on properties located in Gautier, Mississippi, for fees and charges incurred by the City of Gautier to abate the unsafe conditions of vacant structures, pursuant to Mississippi Code Section 21-19-11

VII. STUDY AGENDA

1. Discuss Citizen Comments
2. Discuss Council Comments

3. Discuss City Manager Comments
4. Discuss City Clerk Comments
5. Discuss City Attorney Comments

Recess until October 22, 2024 at 11:30am
www.gautier-ms.gov

**CITY OF GAUTIER, MISSISSIPPI
ANNOUNCEMENT AGENDA
October 15, 2024**

ITEM DESCRIPTION:

ANNOUNCEMENTS

1. Outdoor Movie Night, featuring Teenage Mutant Ninja Turtles: Mutant Mayhem, will be October 18th, starting at 6:30pm at the City of Gautier's Sportsplex.
2. Gautier Mullet & Music Festival will be October 19th, from 9am until 6pm, at the former Singing River Mall Property.
3. Tasty Thursday will be October 24th, starting at 11am at the former Singing River Mall Property.

NOTES:



GAUTIER PRESENTS

TASTY

THURSDAY!

4TH

THUR.

11 AM



**GOOD EATS
FROM AWESOME
FOOD TRUCKS**

SINGING RIVER MALL PROPERTY
2800 HWY 90 GAUTIER, MS

**CITY OF GAUTIER, MISSISSIPPI
PRESENTATION AGENDA
October 15, 2024**

ITEM DESCRIPTION:

PRESENTATION AGENDA

None

NOTES:

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

Council Meeting:
Title:

October 15, 2024
Resolution authorizing the issuance of Combined Utility System Revenue Bonds, Series 2024, in the total amount not to exceed \$5,300,000 to finance the City's water and sewer system improvements, and other related purposes

Introduced by:
Contact Person/Telephone

Paula Yancey 497-8000

Summary Explanation: Resolution authorizing the issuance of Combined Utility System Revenue Bonds, Series 2024, in the total amount not to exceed \$5,300,000 to finance the City's water and sewer system improvements. The funds will be allocated towards acquiring, constructing, and enhancing the city's water and sewer system, establishing a debt service reserve fund, and covering the issuance costs associated with the bonds.

EXHIBITS FOR REVIEW

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

Staff Recommendation:
Approval

Motion Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
								Anderson	☐
									Elbin
									☐

Second Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
								Anderson	☐
									Elbin
									☐

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

Action Taken:

There came on for consideration the matter of the issuance of combined utility system revenue bonds of the City of Gautier, Mississippi and, after a discussion of the subject matter, Councilman _____ offered and moved the adoption of the following resolution:

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI AUTHORIZING AND DIRECTING THE ISSUANCE OF CITY OF GAUTIER, MISSISSIPPI COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2024 IN THE AGGREGATE PRINCIPAL AMOUNT OF FIVE MILLION THREE HUNDRED THOUSAND DOLLARS (\$5,300,000) TO RAISE MONEY FOR THE PURPOSE OF (A) ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, REPAIRING AND/OR EXTENDING THE COMBINED WATERWORKS AND SEWER SYSTEM OF SAID CITY, (B) FUNDING A DEBT SERVICE RESERVE FUND FOR SAID REVENUE BONDS, INCLUDING THE PREMIUM FOR A SURETY BOND, IF ANY, AND (C) PAYING THE COSTS OF ISSUANCE OF SAID REVENUE BONDS, INCLUDING THE PREMIUM FOR A MUNICIPAL BOND INSURANCE POLICY, IF ANY; PRESCRIBING THE FORM AND DETAILS OF SAID REVENUE BONDS; PROVIDING CERTAIN COVENANTS OF SAID CITY IN CONNECTION WITH SAID REVENUE BONDS; PROVIDING FOR THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES TO BE DERIVED FROM THE OPERATION OF SAID SYSTEM IN AN AMOUNT SUFFICIENT TO PAY THE COST OF THE OPERATION AND MAINTENANCE THEREOF AND TO PAY THE PRINCIPAL OF AND INTEREST ON SAID REVENUE BONDS; MAKING PROVISION FOR CERTAIN FUNDS IN CONNECTION WITH SAID SYSTEM AND SAID REVENUE BONDS; MAKING PROVISION FOR MAINTAINING THE TAX-EXEMPT STATUS OF SAID REVENUE BONDS; PROVIDING THE FORM OF AND AUTHORIZING THE PUBLICATION OF A NOTICE OF BOND SALE OF SAID REVENUE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH SAID REVENUE BONDS; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Gautier, Mississippi (the "Governing Body"), acting for and on behalf of the City of Gautier, Mississippi (the "City"), is authorized under the provisions of Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Utility Act"), to issue revenue bonds of the City in such amounts as it may find necessary and proper and for the purposes set forth in the Utility Act, including, but not limited to, (a) the acquisition, construction, enlargement, improvement, repair and/or extension of the City's combined waterworks, water supply, sewerage and sewer disposal facilities (the "System"), (b) funding a debt service reserve fund for such revenue bonds, including the premium for a surety bond, if any, and (c) paying the costs of issuance of such revenue bonds, including the premium for a municipal bond insurance policy, if any (the "Project"); and

WHEREAS, the Governing Body has previously caused an estimate to be made of the costs of the Project by competent engineers employed by the City from which estimates the Governing Body finds and determines that the contemplated costs thereof will not exceed Five Million Three Hundred Thousand Dollars (\$5,300,000); and

WHEREAS, as a result of the findings in the study of such competent engineers, the Project and the costs thereof are economically feasible; and

WHEREAS, the Project is to be done substantially in accordance with plans and specifications prepared by such competent engineers and approved by the Governing Body; and

WHEREAS, as a result of a study done by such competent engineers, the Governing Body finds and determines that the estimated life of the Project will be at least twenty-five (25) years; and

WHEREAS, the Project is in accordance with the provisions of the Utility Act; and

WHEREAS, on September 3, 2024, the Governing Body adopted a resolution (the "Intent Resolution") declaring its intention to, among other things, issue and sell revenue bonds of the City pursuant to the Utility Act in a total aggregate principal amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000) for the purpose of providing financing for the Project; and

WHEREAS, as required by the Intent Resolution and the Utility Act, a Notice of Resolution of Intent (the "Notice of Intent") was published in the *Sun Herald*, a newspaper having a general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented, on September 4, 11 and 18, 2024, said publication being for three (3) consecutive weeks, with the last publication being made more than ten (10) days prior to October 1, 2024; and

WHEREAS, as of the hour of 6:30 p.m. on October 1, 2024, no qualified elector of the City had filed a written protest or objection of any kind or character against the Project or the sale and issuance of such revenue bonds with the Clerk of the City (the "City Clerk") or any member of the Governing Body; and

WHEREAS, on October 1, 2024, the Governing Body adopted a resolution (the "No Protest Resolution") finding and determining that the Notice of Intent was duly published as required by law and that no written protest or other objection of any kind or character against the issuance of such revenue bonds was presented and that the Governing Body is now authorized and empowered to issue such revenue bonds without an election on the question thereof; and

WHEREAS, pursuant to the No Protest Resolution, the Governing Body authorized and approved the issuance of such revenue bonds of the City, in one or more taxable or tax-exempt series, in an amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000), to raise money for the Project, in accordance with the Utility Act and Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented (the "Infrastructure Modernization Act" and together with the Utility Act, the "Act"); and

WHEREAS, the Governing Body has determined that it is necessary for the health and well-being of the citizens of the City that the City issue its revenue bonds to be designated as the City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024 in the aggregate principal amount of Five Million Three Hundred Thousand Dollars (\$5,300,000) (the "Series 2024 Bonds"), for the purpose of providing financing for the Project; and

WHEREAS, the Series 2024 Bonds will be payable solely from the Net Revenues (as hereinafter defined) of the System and from of the infrastructure modernization use tax revenues (the "Use Tax Revenues") received by the City pursuant to the Infrastructure Modernization Act and are secured by a lien on the Net Revenues and a pledge of fifty percent (50%) of the City's Use Tax Revenues; and

WHEREAS, the Series 2024 Bonds will be issued on a parity as to Net Revenues with the City's outstanding \$4,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018, the City's outstanding \$6,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019, and the City's outstanding \$2,579,000 (original principal amount) Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020 (collectively, the "Utility Bonds") and any Additional Bonds (as hereinafter defined), which are also secured by the Net Revenues of the System; and

WHEREAS, it is necessary, proper and economically feasible that the City issue the Series 2024 Bonds pursuant to the Act for the purposes herein stated and under the procedures hereinafter set forth and as provided by law; and

WHEREAS, the Governing Body is now authorized and empowered by the provisions of the Act to issue the Series 2024 Bonds without an election on the question thereof for the purposes herein stated; and

WHEREAS, the Governing Body is further authorized by the Act to, among other things, sell the Series 2024 Bonds at a public sale (which sale shall be on such terms and in such manner as the Governing shall determine to be in the City's best interest) and to make such other arrangements relating to the Series 2024 Bonds; and

WHEREAS, the issuance of the Series 2024 Bonds does not exceed any statutory or constitutional limitation; and

WHEREAS, there are no other available funds on hand or from regular sources of income for such purposes; and

WHEREAS, there has been prepared and submitted to this meeting the following documents:

- (a) a Notice of Bond Sale (the "Notice of Sale") providing for the sale of the Series 2024 Bonds,
- (b) an Official Bid Form (the "Bid Form") in connection with the sale of the Series 2024 Bonds, and

- (c) a preliminary official statement (the "Preliminary Official Statement") describing the Series 2024 Bonds, the sale of the Series 2024 Bonds, the City, the System and other related matters; and

WHEREAS, it appears that each of such documents, which are now before the Governing Body, is in appropriate form and is an appropriate document for the purposes identified; and

WHEREAS, it is necessary and advisable and in the best interest of the City for the Governing Body, acting for and on behalf of the City, to issue the Series 2024 Bonds as hereinafter provided.

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

SECTION 1. Each and all of the facts and findings set forth in the premises clauses of this Resolution are hereby found and determined to be true and accurate and are incorporated herein by this reference thereto as though set forth again in words and figures.

SECTION 2. In addition to any words and terms elsewhere defined herein, the following words and terms shall have the following meanings, unless some other meaning is plainly intended:

"Act" shall mean the Utility Act and the Infrastructure Modernization Act.

"Additional Bonds" shall mean additional bonds issued hereafter on parity with the Series 2024 Bonds and the Utility Bonds as to the Net Revenues of the System.

"Agent" shall mean any Paying Agent or Transfer Agent, whether serving in either or both capacities, designated by the Governing Body unless otherwise provided herein, and whose duties and responsibilities shall be as further limited or set forth in the form of the Series 2024 Bonds and this Resolution.

"Bonds" shall mean the Series 2024 Bonds, the Utility Bonds and any Additional Bonds issued on parity with the Series 2024 Bonds and the Utility Bonds as to the Net Revenues of the System.

"Bond Counsel" shall mean Butler Snow LLP, Ridgeland, Mississippi.

"Bond Year" shall mean the one-year period beginning on the day after the expiration of the preceding Bond Year. The first Bond Year shall begin on the date of issue of the Series 2024 Bonds and shall end on the date selected by the City, with the consent of the Registered Owner, provided that such Bond Year shall not exceed one calendar year. The last Bond Year shall end on the date of retirement of the last Series 2024 Bond.

"Business Day" shall mean any day other than (a) a Saturday, (b) a Sunday, (c) any other day on which banking institutions in New York, New York or Gautier, Mississippi, are

authorized or required not to be open for the transaction of regular banking business, (d) any day the City Hall in Gautier, Mississippi is closed, or (e) a day on which the New York Stock Exchange is closed.

"City" shall mean the City of Gautier, Mississippi.

"City Clerk" shall mean the City Clerk of the City.

"City Counsel" shall mean Bordis Danos Pierce, Ocean Springs, Mississippi.

"Closing" shall mean the date of the delivery of the Series 2024 Bonds.

"Code" shall mean the Internal Revenue Code of 1986, as amended, supplemented or superseded, and the Regulations promulgated thereunder.

"Consulting Engineers" shall mean any engineer or engineering firm employed by the City in connection with the System or for the purposes set out in this Resolution.

"Contingent Fund" shall mean the fund or funds created under the Prior Bond Resolutions for the purpose of paying the costs of unforeseen contingencies arising in the operation and maintenance of the System.

"Costs of the Project" shall mean the costs of the acquisition, construction and equipping of the Project and, without intending thereby to limit or restrict any proper definition of such term under the provisions of the Act or this Resolution, shall include the following:

(a) obligations incurred for labor and materials, for contractors, builders and materialmen in connection with construction, for machinery and equipment, for the restoration or relocation of property damaged or destroyed in connection with such construction, for the removal or relocation of structures and for the clearing of lands;

(b) the cost of acquiring by purchase, if such purchase shall be deemed expedient, and the amount of any deposit in court or award or final judgment in or any settlement or compromise of any proceeding to acquire by eminent domain, lands, property, property rights, rights-of-way, easements, franchises, licenses, options and partial payments thereon, the cost of demolishing or removing or relocating any buildings or structures on land so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved, and the amount of any damages incident to or consequent upon the construction and operation of the Project;

(c) taxes or other municipal or governmental charges lawfully levied or assessed during construction upon the Project, or any property acquired therefor, and premiums on insurance (if any) in connection with the Project during construction;

(d) the cost of borings and other preliminary investigations to determine foundation or other conditions, expenses necessary or incident to determining the feasibility or practicability of constructing the Project, and fees and expenses of engineers for making surveys and estimates of costs and of revenues and other estimates and for preparing plans and specifications and

supervising construction, as well as for the performance of all other duties of engineers set forth in this Resolution in relation to the construction of the Project and the issuance of the Series 2024 Bonds;

(e) expenses of administration properly chargeable to the Project, expenses of officers of the City in connection with the Series 2024 Bonds, legal expenses and fees, fees and expenses of any financial advisor or consultant, financing charges, capitalized interest, premium for a bond insurance policy or surety bond, if any, costs of audits and of preparing and issuing the Series 2024 Bonds, payments in connection with a reserve for debt service and all other items of expense reasonably incurred incident to the acquisition, construction and equipping of the Project, the financing thereof, the placing of the same in operation (including the initial premiums on any insurance required or obtained under the provisions of this Resolution) and the acquisition of franchises and interest therefor, including abstracts of title, title insurance, costs of surveys and other expenses in connection with such acquisition; and

(f) any obligation or expense heretofore or hereafter incurred and any amount heretofore or hereafter advanced by the City for any of the foregoing purposes.

"Current Expenses" shall mean the reasonable and necessary current expenses of maintenance, repair and operation of the System and shall include, without limiting the generality of the foregoing, expenses not annually recurring, premiums for insurance, administrative and engineering expenses relating to maintenance, repair and operation, fees and expenses of the Agent, legal expenses, taxes lawfully imposed on the System, reasonable payments to pension or retirement funds for employees of the System, General Fund Administration Charges and any other expenses of the System required or permitted to be paid by the City under the provisions of this Resolution or by law, but shall not include any allowance for depreciation or deposits or transfers to the credit of the funds and accounts created for the Series 2024 Bonds.

"Debt Service Reserve Fund Requirement" shall mean the lesser of the following: (i) the maximum amount of principal and interest becoming due in the current or any future Bond Year, on all Series 2024 Bonds then outstanding; (ii) 125% of average annual debt service on the Series 2024 Bonds; or (iii) 10% of the stated principal amount of the Series 2024 Bonds, or if the Series 2024 Bonds have more than a de minimis amount (as defined in Section 1.148-1(b) of the Treasury Regulations) of original issue discount or premium, 10% of the issue price (as defined in Section 1.148-1(b) of the Treasury Regulations) of the Series 2024 Bonds), which Debt Service Reserve Fund Requirement may be funded with cash or a Reserve Fund Credit Facility; provided, however, that if the amount of the Debt Service Reserve Fund Requirement should at any time equal an amount in excess of the lesser of (i), (ii) and (iii) above, the funds held in the 2024 Debt Service Reserve Fund will not be invested at a yield in excess of the yield on the Series 2024 Bonds. The initial deposit into the 2024 Debt Service Reserve Fund may be funded with a Surety Bond.

"Depreciation Fund" shall mean the fund or funds created under the Prior Bond Resolutions for the purpose of paying the replacement costs of the System.

"DTC" shall mean The Depository Trust Company, New York, New York.

"DTC Participant" shall mean any participant for whom DTC is a Securities Depository Nominee.

"Fiscal Year" shall mean the period commencing on the first day of October of any year and ending on the last day of September of the following year.

"General Fund Administration Charges" shall mean charges to the System for its pro rata share of general City support services, including but not limited to, personnel, data processing, finance, accounting and other generally applicable services.

"Governing Body" shall mean the Mayor and City Council of the City.

"Infrastructure Modernization Act" shall mean together Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented.

"Interest Payment Date" shall mean any date on which interest is payable on the Series 2024 Bonds, being each May 1 and November 1, commencing November 1, 2025.

"Mayor" shall mean the Mayor of the City.

"Municipal Advisor" shall mean Government Consultants, Inc., Madison, Mississippi, the Independent Registered Municipal Advisor to the City in connection with the sale and issuance of the Series 2024 Bonds.

"Net Revenues" shall mean all Revenues remaining after payment of Current Expenses and debt service on the SRF Loans.

"Notice of Sale" shall mean the Notice of Bond Sale for the Series 2024 Bonds in the form attached hereto as Exhibit A.

"Official Bid Form" shall mean the Official Bid Form for the Series 2024 Bonds in the form attached hereto as Exhibit A.

"Operation and Maintenance Fund" shall mean the fund by that name held by the City for the operation and maintenance of the System.

"Paying Agent" shall mean the City Clerk or any bank, trust company or other financial institution designated by the Governing Body to make payments of the principal of and interest on the Series 2024 Bonds, and to serve as registrar and transfer agent for the registration of owners of the Series 2024 Bonds, and for the performance of other duties as may be specified by the Governing Body.

"Person" shall mean an individual, partnership, corporation, limited liability company, trust or unincorporated organization and a government or agency or political subdivision thereof.

"Principal and Interest Requirements" for any Bond Year shall mean the sums sufficient for the payment of the principal of and interest on the Series 2024 Bonds, the Utility Bonds and any Additional Bonds which will mature and accrue during such period.

"Prior Bond Resolutions" shall collectively mean the 2018 Bond Resolution, the 2019 Bond Resolution and the 2020 Bond Resolution.

"Purchaser" shall mean the purchaser of the Series 2024 Bonds.

"Record Date" shall mean, as to interest payments, the 15th day of the month preceding the dates set for payment of interest on the Series 2024 Bonds and, as to payments of principal, the 15th day of the month preceding the maturity date thereof.

"Redemption Date" shall mean the date on which any Series 2024 Bonds are called for redemption.

"Registered Owner" shall mean the person whose name shall appear in the Registration Records.

"Registration Records" shall mean the records maintained by the Paying Agent on behalf of the City for the registration and transfer of the Series 2024 Bonds.

"Reserve Fund Credit Facility" if applicable, shall mean an irrevocable and unconditional letter of credit, insurance policy or surety bond, the terms of which have been approved by the City, issued by a bank or other financial institution, which is acceptable to the City.

"Resolution" shall mean this sales parameter resolution authorizing and directing the issuance of the Series 2024 Bonds.

"Revenue Fund" shall mean the fund by that name held by the City for the deposit of Revenues of the System.

"Revenues" shall mean all payments, proceeds, fees, charges, rents and all other income derived by or for the account of the City from its ownership and operation of the System, excluding all acreage, front-footage, assessment and similar fees and charges derived by the City in connection with the provision of or payment for capital improvements constituting a part of the System.

"Securities Depository" shall mean The Depository Trust Company and any substitute for or successor to such securities depository selected by the City to act as the securities depository maintaining a book-entry transfer system for the Series 2024 Bonds.

"Securities Depository Nominee" shall mean the Securities Depository or the nominee of such Securities Depository in whose name there shall be registered on the registration records the Series 2024 Bonds to be delivered to such Securities Depository during the continuation with such Securities Depository of participation in its Book-Entry System.

"Series 2018 Bonds" shall mean the \$4,000,000 (original principal amount) City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018.

"Series 2019 Bonds" shall mean the \$6,000,000 City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019.

"Series 2020 Bonds" shall mean the \$2,579,000 (original principal amount) City of Gautier, Mississippi Taxable Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020.

"Series 2024 Bonds" shall mean the Combined Utility System Revenue Bonds, Series 2024, of the City in the aggregate principal amount of \$5,300,000, to be dated the date of delivery thereof.

"SRF Loans" shall mean the State Revolving Fund Loans, existing on the date of issuance of the Series 2024 Bonds, from the State to the City under Sections 49-17-81 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time, and Sections 41-3-16 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time, which SRF Loans have a lien on Revenues of the System; provided, however, the debt service for the SRF Loans is collected by the Mississippi Department of Revenue by diverting sales tax collections prior to remittance of the sales tax to the City and then subsequently reimbursed to the City from the Revenues of the System.

"State" shall mean the State of Mississippi and its agencies.

"Surety Bond," if applicable, shall mean the Reserve Fund Credit Facility issued by the Surety Bond Provider guaranteeing certain payments into the 2024 Debt Service Reserve Fund with respect to the Series 2024 Bonds as provided therein and subject to the limitations set forth therein.

"Surety Bond Provider," if applicable, shall mean the provider of a Surety Bond to fund the 2024 Debt Service Reserve Fund.

"System" shall mean the combined waterworks, water supply, sewerage, and sewer disposal facilities of the City, including any enlargement and extension thereof.

"Transfer Agent" shall mean the City Clerk or any bank, trust company or other financial institution designated by the Governing Body for the registration of owners of the Series 2024 Bonds and for the performance of such other duties as may be hereafter specified by the Governing Body.

"2018 Bond Resolution" shall mean the resolution adopted by the Governing Body on April 3, 2018, authorizing and directing the issuance of the Series 2018 Bonds.

"2018 Debt Service Fund" shall mean the fund created and established under the 2018 Bond Resolution for the Series 2018 Bonds and bonds issued on parity therewith.

"2019 Bond Resolution" shall mean the resolution adopted by the Governing Body on December 3, 2019, authorizing and directing the issuance of the Series 2019 Bonds.

"2019 Debt Service Fund" shall mean the fund created and established under the 2019 Bond Resolution for the Series 2019 Bonds and bonds issued on parity therewith.

"2020 Bond Resolution" shall mean the resolution adopted by the Governing Body on November 17, 2020, authorizing and directing the issuance of the Series 2020 Bonds.

"2020 Debt Service Fund" the debt service fund created and established under the 2020 Bond Resolution for the Series 2020 Bonds and bonds issued on parity therewith.

"2024 Debt Service Fund" the debt service fund provided for in Section 15 of this Resolution.

"2024 Debt Service Reserve Fund" shall mean the debt service reserve fund provided for in Section 15 of this Resolution.

"Use Tax Revenues" shall mean the infrastructure modernization use tax revenues payable to the City by the State pursuant to the Infrastructure Modernization Act.

"Utility Act" shall mean Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time.

"Utility Bonds" shall mean the Series 2018 Bonds, the Series 2019 Bonds and the Series 2020 Bonds.

Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders, and words importing persons shall include firms, partnerships, corporations, trusts and unincorporated organizations. Unless the context shall otherwise indicate, words and terms herein defined shall be equally applicable to the plural as well as the singular form of any of such words and terms.

SECTION 3. The Governing Body does hereby authorize and direct the sale and issuance of Five Million Three Hundred Thousand Dollars (\$5,300,000) aggregate principal amount Combined Utility System Revenue Bonds, Series 2024 of the City to raise money for the purpose of providing financing for the Project, including funding of all or a portion of the 2024 Debt Service Reserve Fund, including, the premium for a Surety Bond, if deemed necessary, and paying the costs incident to the sale and issuance of the Series 2024 Bonds, including the premium for a bond insurance policy, if deemed necessary.

SECTION 4. The Series 2024 Bonds shall be secured by a lien on the Net Revenues of the System and fifty percent (50%) of the City's Use Tax Revenues and shall be payable from such Net Revenues, Use Tax Revenues and any other security pledged for the Series 2024 Bonds. The Series 2024 Bonds shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory restriction, limitation or provision, and the taxing power of the City is not pledged to the payment of the Series 2024 Bonds, either as to principal or interest. The Series 2024 Bonds are issued on parity with respect to Net Revenues with the Utility Bonds and satisfy the requirements for the issuance of Additional Bonds under the Prior Bond Resolutions. Pursuant to the provisions of this Resolution, Additional Bonds may be issued on parity with respect to Net Revenues with the Series 2024 Bonds and the Utility Bonds.

SECTION 5. The Project shall be accomplished in general accordance with the plans and specifications therefor prepared and recommended by the engineer or engineering firm or firms employed by the City in connection with the Project.

SECTION 6. (a) The Series 2024 Bonds shall be registered as to both principal and interest; shall be dated the date of delivery thereof; shall be issued in the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity; shall be numbered from one upward in the order of issuance; shall bear interest from the date thereof at a rate or rates of interest not to exceed thirteen percent (13%) per annum, computed on the basis of a three hundred sixty (360) day year of twelve (12), thirty (30) day months and payable semiannually on May 1 and November 1 of each year, commencing November 1, 2025; and shall mature and become due and payable, with option of prior payment, on November 1 in the years and principal amounts as follows:

Year	Principal Amount
2025	\$335,000
2026	355,000
2027	370,000
2028	390,000
2029	405,000
2030	425,000
2031	445,000
2032	465,000
2033	490,000
2034	515,000
2035	540,000
2036	565,000

(b) The Series 2024 Bonds maturing November 1, 2032 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2031, either in whole or in part on any date, as selected by the City among maturities, and by lot within each maturity, at the principal amount thereof, together with accrued interest to the date fixed for redemption and without premium.

Notice of each such redemption, which may be conditional, shall be mailed, postage prepaid, not less than thirty (30) days prior to the Redemption Date, to all Registered Owners of the Series 2024 Bonds to be redeemed at their addresses as they appear on the registration books of the City kept by the Paying Agent.

On the Redemption Date, notice having been mailed to the Registered Owners of the Series 2024 Bonds to be redeemed as provided in the second paragraph of this subparagraph (b), and monies sufficient for the payment of the redemption price of said Series 2024 Bonds being held by the Paying Agent or an escrow agent, the Series 2024 Bonds so called for redemption shall become due and payable at the redemption price provided for the redemption of such Series 2024 Bonds on such date, interest on such Series 2024 Bonds shall cease to accrue, such Series 2024 Bonds shall cease to be entitled to any lien, benefit or security under this Resolution and

shall no longer be deemed to be outstanding hereunder, and the Registered Owners shall have no rights in respect thereof except to receive payment of the redemption price thereof (including interest accrued to such Redemption Date) from the funds held for that purpose.

SECTION 7. (a) Notwithstanding anything to the contrary in this Resolution, so long as the Series 2024 Bonds are being held under a book-entry system, transfers of beneficial ownership of the Series 2024 Bonds will be affected pursuant to rules and procedures established by the Securities Depository. For the purposes of this Resolution, "Securities Depository" shall mean a recognized securities depository (or its successor or substitute) selected by the City to act as the securities depository maintaining a book-entry transfer system for the Series 2024 Bonds.

(b) As long as a book-entry system is in effect for the Series 2024 Bonds, the Securities Depository Nominee will be recognized as the Registered Owner of the Series 2024 Bonds for the purposes of (1) paying the principal of or interest on such Series 2024 Bonds, (2) giving any notice permitted or required to be given to Registered Owners under this Resolution, (3) registering the transfer of such Series 2024 Bonds, and (4) requesting any consent or other action to be taken by the Registered Owners of such Series 2024 Bonds, and for all other purposes whatsoever, and neither the City nor the Agent shall be affected by any notice to the contrary. For the purposes of this Resolution, "Securities Depository Nominee" shall mean, with respect to the Series 2024 Bonds and as to any Securities Depository, such Securities Depository or the nominee of such Securities Depository in whose name the Series 2024 Bonds shall be registered on the registration books of the City maintained by the Agent during the time such Series 2024 Bonds are held under a book-entry system through such Securities Depository.

(c) Neither the City nor the Agent shall have any responsibility or obligation to any participant, any beneficial owner or any other person claiming a beneficial ownership in any Series 2024 Bonds which are registered to a Securities Depository Nominee under or through the Securities Depository with respect to any action taken by the Securities Depository as Registered Owner of such Series 2024 Bonds.

(d) The Paying Agent shall pay all principal of and interest on the Series 2024 Bonds issued under a book-entry system, only to the Securities Depository, or the Securities Depository Nominee, as the case may be, for such Series 2024 Bonds, and all such payments shall be valid and effectual to fully satisfy and discharge the obligations with respect to the principal of and interest on such Series 2024 Bonds.

(e) In the event that the City determines that it is in the best interest of the City to discontinue the book-entry system of transfer for the Series 2024 Bonds, or that the interests of the beneficial owners of the Series 2024 Bonds may be adversely affected if the book-entry system is continued, then the City shall notify the Securities Depository and the Agent of such determination. In such event, the City shall execute, and the Agent shall, pursuant to subsequent resolution of the City, authenticate, register and deliver physical certificates for the Series 2024 Bonds in exchange for the Series 2024 Bonds registered in the name of the Securities Depository Nominee. Such certificates shall be in fully registered form and transferable only upon the registration books of the City maintained by the Agent, by the Registered Owner thereof or by his attorney, duly authorized in writing, upon surrender thereof, together with a written

instrument of transfer satisfactory to the Agent, duly executed by the Registered Owner or his duly authorized attorney in accordance with this Resolution.

(f) In the event that the Securities Depository for the Series 2024 Bonds discontinues providing its services, the City shall either engage the services of another Securities Depository or deliver physical certificates in the manner described in subparagraph (e) above.

(g) In connection with any notice or other communication to be provided to the Registered Owners of the Series 2024 Bonds by the City or by the Agent with respect to any consent or other action to be taken by the Registered Owners, the City or the Agent, as the case may be, shall establish a record date for such consent or other action and give the Securities Depository Nominee notice of such record date not less than fifteen (15) days in advance of such record date to the extent possible.

(h) The Series 2024 Bonds shall be issued initially under the book-entry system maintained by DTC, and shall be registered in the name of Cede & Co., as the initial Securities Depository Nominee for the Series 2024 Bonds. As long as the Series 2024 Bonds are maintained by DTC under its book-entry system, all payments with respect to the principal of and interest on the Series 2024 Bonds and notices shall be made and given, respectively, to DTC.

(i) As long as the book-entry-only system is used for the Series 2024 Bonds, any notice of redemption or any other notices required to be given to Registered Owners will be given only to DTC. Any failure of DTC to advise any DTC participant ("DTC Participant"), or of any DTC Participant to notify any indirect participant ("Indirect Participant"), or of any DTC Participant or Indirect Participant to notify any purchaser of a beneficial ownership interest in the Series 2024 Bonds ("Beneficial Owner"), of any such notice and its content or effect will not affect the validity of the redemption of the Series 2024 Bonds called for redemption or of any other action premised on such notice. Conveyance of notices and other communications by DTC to DTC Participants, by DTC Participants to Indirect Participants and by DTC Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory and regulatory requirements as may be in effect from time to time. Beneficial Owners may desire to make arrangements with a DTC Participant or Indirect Participant so that all notices of redemption or other communications to DTC which affect such Beneficial Owners will be forwarded in writing by such DTC Participant or Indirect Participant.

SECTION 8. Subject to the provisions of Section 7 hereof, principal of the Series 2024 Bonds shall be payable in lawful money of the United States of America upon presentation and surrender thereof as the same shall become due at the corporate trust office of the Paying Agent (the "Principal Office") and interest will be payable by check or draft drawn upon the Paying Agent, made payable to the Registered Owner named in, and mailed to the address of the Registered Owner as it shall appear on the Registration Records of the City for the Series 2024 Bonds as of the close of business on the date which shall be the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date, which Registration Records shall be held by the Paying Agent.

SECTION 9. (a) When the Series 2024 Bonds shall have been validated and executed as herein provided, they shall be registered as an obligation of the City in the office of the City

Clerk in records maintained for that purpose, and the City Clerk shall cause to be imprinted upon the reverse side of each of the Series 2024 Bonds, over her manual or facsimile signature and manual or facsimile seal, her certificate in substantially the form set out in Section 10.

(b) The Series 2024 Bonds shall be executed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the City Clerk, with the seal of the City imprinted or affixed thereto; provided, however, all signatures and seals appearing on the Series 2024 Bonds, other than the signatures of an authorized officer of the Paying Agent hereafter provided for, may be facsimile and shall have the same force and effect as if manually signed or impressed. In case any official of the City whose signature or a facsimile of whose signature shall appear on the Series 2024 Bonds shall cease to be such official before the delivery or reissuance thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such official had remained in office until delivery or reissuance.

(c) Pursuant to the authority granted by the Act and the Registered Bond Act, being Sections 31-21-1 *et seq.*, Mississippi Code of 1972, as amended (the "Registered Bond Act"), the Series 2024 Bonds shall be delivered to the Purchaser upon payment of the purchase price therefor in accordance with the terms and conditions of the Notice of Sale for the Series 2024 Bonds and this Resolution together with a complete certified transcript of the proceedings had and done in the matter of the authorization, issuance, sale and validation of the Series 2024 Bonds, and the final, unqualified approving opinion of Bond Counsel.

(d) Prior to or simultaneously with the delivery by the Paying Agent of the Series 2024 Bonds, the City shall file with the Paying Agent:

(i) a copy, certified by the City Clerk, of the transcript of proceedings of the Governing Body in connection with the authorization, issuance, sale and validation of the Series 2024 Bonds; and

(ii) an authorization to the Paying Agent, signed by the Mayor and the City Clerk, to authenticate and deliver the Series 2024 Bonds to the Purchaser.

(e) The Paying Agent shall authenticate the Series 2024 Bonds and deliver them to the Purchaser upon payment of the purchase price of the Series 2024 Bonds to the City.

(f) If the Series 2024 Bonds are no longer being held under a book-entry system as provided in Section 7 hereof, Series 2024 Bonds, blank as to denominations, rate of interest, date of maturity and CUSIP number and sufficient in quantity in the judgment of the City to meet the reasonable transfer and reissuance needs on the Series 2024 Bonds, shall be printed and delivered to the Paying Agent in generally-accepted format, and held by the Paying Agent until needed for transfer or reissuance, whereupon the Paying Agent shall imprint the appropriate information as to denomination, rate of interest, date of maturity and CUSIP number prior to the registration, authentication and delivery thereof to the transferee. Subject to the approval of the Governing Body, the Paying Agent is hereby authorized to have printed from time to time as necessary additional Series 2024 Bonds bearing the facsimile seal of the City and facsimile

signatures of the Persons who were the officials of the Governing Body as of the date of original issue of the Series 2024 Bonds.

(g) (i) So long as any of the Series 2024 Bonds shall remain outstanding, the City shall maintain with the Paying Agent records for the registration and transfer of the Series 2024 Bonds. The Paying Agent is hereby appointed registrar for the Series 2024 Bonds, in which capacity the Paying Agent shall register in such records and permit to be transferred thereon, under such reasonable regulations as may be prescribed, any of the Series 2024 Bonds entitled to registration or transfer.

(ii) The City shall pay or reimburse the Paying Agent reasonable fees for the performance of the services normally rendered and the incurring of normal expenses reasonably and necessarily paid as are customarily paid to paying agents, transfer agents and bond registrars, subject to agreement between the City and the Paying Agent. Fees and reimbursements for extraordinary services and expenses, so long as not occasioned by the negligence, misconduct or willful default of the Paying Agent, shall be made by the City on a case-by case basis, subject, where not prevented by emergency or other exigent circumstances, to the prior written approval of the Governing Body.

(iii) (A) A Paying Agent may at any time resign and be discharged of its duties and obligations as Paying Agent by giving at least sixty (60) days written notice to the City and may be removed as Paying Agent at any time by resolution of the Governing Body delivered to the Paying Agent. Such resolution shall specify the date on which such removal shall take effect and the name and address of the successor Paying Agent and shall be transmitted to the Paying Agent being removed within a reasonable time prior to the effective date thereof; provided, however, that no resignation or removal of a Paying Agent shall become effective until a successor Paying Agent has been appointed pursuant to this Resolution.

(B) Upon receiving notice of the resignation of a Paying Agent, the City shall promptly appoint a successor Paying Agent by resolution of the Governing Body. Any appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent. If no successor Paying Agent shall have been so appointed and have accepted appointment within thirty (30) days after the notice of resignation, the resigning Paying Agent may petition any court of competent jurisdiction for the appointment of a successor Paying Agent, which court may thereupon, after such notice as it may deem appropriate, appoint a successor Paying Agent.

(C) In the event of a change of Paying Agents, the predecessor Paying Agent shall cease to be custodian of any funds held pursuant to this Resolution in connection with its role as such Paying Agent, and the successor Paying Agent shall become such custodian; provided, however, that before any such delivery is required to be made, all fees, advances and expenses of the retiring or removed Paying Agent shall be fully paid. Every predecessor Paying Agent shall deliver to its successor Paying Agent all records of account, registration records, lists of

Registered Owners and all other records, documents and instruments relating to its duties as such Paying Agent.

(D) Any successor Paying Agent appointed under the provisions hereof shall be the City Clerk or a banking corporation, trust company or national banking association having Federal Deposit Insurance Corporation insurance of its accounts, duly authorized to exercise corporate trust powers and subject to examination by and in good standing with the federal and/or state regulatory authorities under the jurisdiction of which it falls.

(E) Every successor Paying Agent appointed hereunder shall execute, acknowledge and deliver to its predecessor Paying Agent and to the City an instrument in writing accepting such appointment hereunder, and thereupon such successor Paying Agent, without any further act, shall become fully vested with all the rights, immunities and powers, and subject to all the duties and obligations, of its predecessor.

(F) Should any transfer, assignment or instrument in writing be required by any successor Paying Agent from the City to more fully and certainly vest in such successor Paying Agent the estates, rights, powers and duties hereby vested or intended to be vested in the predecessor Paying Agent, any such transfer, assignment and written instrument shall, on request, be executed, acknowledged and delivered by the City.

(G) The City will provide any successor Paying Agent with certified copies of all resolutions, orders and other proceedings adopted by the Governing Body relating to the Series 2024 Bonds.

(H) All duties and obligations imposed hereby on a Paying Agent or successor Paying Agent shall terminate upon the accomplishment of all duties, obligations and responsibilities imposed by law or required to be performed by this Resolution.

(iv) Any corporation or association into which a Paying Agent may be converted or merged, or with which it may be consolidated or to which it may sell or transfer its assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, shall be and become successor Paying Agent hereunder and vested with all the powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of either the City or the successor Paying Agent, anything herein to the contrary notwithstanding, provided only that such successor Paying Agent shall be satisfactory to the City and eligible under the provisions of this Section 9(g)(iii)(D) hereof.

SECTION 10. The Series 2024 Bonds shall be in substantially the following form, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution:

[SERIES 2024 BOND FORM]

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO THE PAYING AGENT FOR REGISTRATION OF TRANSFER, EXCHANGE, OR PAYMENT, AND ANY BOND ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

UNITED STATES OF AMERICA

STATE OF MISSISSIPPI

**CITY OF GAUTIER, MISSISSIPPI
COMBINED UTILITY SYSTEM REVENUE BOND,
SERIES 2024**

No. R-_____

\$_____

Interest Rate	Maturity Date	Date of Original Issue	CUSIP
	November ____, 20__	_____, 2024	

Registered Owner: Cede & Co.

Principal Amount:

The City of Gautier, Mississippi (the "City"), a body politic existing under the Constitution and laws of the State of Mississippi, acknowledges itself to owe and for value received, promises to pay in lawful money of the United States of America to the Registered Owner identified above, upon the presentation and surrender of this Bond, at the principal office of _____, _____, _____, or its successor, as paying agent (the "Paying

Agent") for the Combined Utility System Revenue Bonds, Series 2024, of the City (the "Bonds"), on the maturity date identified above, the principal amount identified above. Payment of the principal amount of this Bond shall be made to the Registered Owner hereof whose name shall appear in the registration records of the City (the "Registration Records") maintained by the Paying Agent, which shall also serve as registrar and transfer agent, as of the 15th day of the calendar month preceding the maturity date hereof.

The City further promises to pay interest (calculated on the basis of a year of 360 days and twelve 30-day months) on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid at the rate of interest per annum set forth above semiannually on May 1 and November 1 of each year (each an "Interest Payment Date"), commencing November 1, 2025, until said principal sum is paid, to the Registered Owner hereof whose name shall appear in the Registration Records of the City maintained by the Paying Agent as of the 15th day of the calendar month preceding the applicable Interest Payment Date (the "Record Date").

Payments of principal of and interest on this Bond shall be made by check or draft (or by wire transfer if requested by the Registered Owner) mailed on the Interest Payment Date to such Registered Owner at his address as it appears on such Registration Records. The Registered Owner hereof may change such address by written notice to the Paying Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Paying Agent, such notice to be received by the Paying Agent not later than the Record Date.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to denomination, number, rate of interest and date of maturity, issued in the aggregate authorized principal amount of Five Million Three Hundred Thousand Dollars (\$5,300,000) to raise money for the purpose of financing (a) the acquisition, construction, enlargement, improvement, repair and/or extension of the City's combined waterworks, water supply, sewerage and sewer disposal facilities (the "System"), (b) funding a debt service reserve fund for the Bonds, including the premium for a surety bond, and (c) paying the costs of issuance of the Bonds, including the premium for a bond insurance policy.

This Bond is issued under the authority of the Constitution and statutes of the State of Mississippi, including the provisions of Section 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented, and Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented, and by the further authority of proceedings duly had by the Mayor and City Council of the City, including a resolution adopted on October 15, 2024 (the "Bond Resolution"). Terms capitalized herein shall have the same meaning as set forth in the Bond Resolution, unless otherwise expressly provided herein.

The principal of and interest on the Bonds shall be payable from the gross revenues derived from the operation of the System, subject to the prior payment of the reasonable and necessary expenses of operating and maintaining the System and debt service on any outstanding loans to the City from the State's revolving loan fund (the "SRF Loans") under Sections 49-17-81 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time, and Sections 41-3-16 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "Net Revenues"), and from the modernization use tax revenues payable to the City by the State

pursuant to Section 27-67-35, Mississippi Code of 1972, as amended and supplemented (the "Use Tax Revenues"). The Bonds are secured by a lien on Net Revenues of the System and fifty percent (50%) of the City's Use Tax Revenues. The Bonds do not constitute an indebtedness of the City within the meaning of any constitutional or statutory restriction, limitation or provision, and the full faith, credit and taxing power of the City is not pledged to the payment of the Bonds, either as to principal or interest. The Bonds are being issued on parity as to Net Revenues with the City's outstanding \$4,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018, the City's outstanding \$6,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019, and the City's outstanding \$2,579,000 (original principal amount) Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020 (collectively, the "Utility Bonds").

THE BOND RESOLUTION PROVIDES THAT UNDER CERTAIN CIRCUMSTANCES, ADDITIONAL BONDS MAY BE ISSUED BY THE CITY ON PARITY AS TO NET REVENUES WITH THE BONDS AND THE UTILITY BONDS AND SECURED BY A PARITY LIEN ON NET REVENUES OF THE SYSTEM AND PAYABLE RATABLY FROM SUCH NET REVENUES ALONG WITH THE BONDS AND THE UTILITY BONDS.

The Bonds are registered as to both principal and interest and are to be issued or reissued in the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity.

The Bonds maturing November 1, 2032 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2031, either in whole or in part on any date (as selected by the City among maturities and by lot within each maturity), at the principal amount thereof, together with the interest accrued thereon to the date fixed for redemption and without premium.

Notice of each such redemption, which may be conditional, shall be mailed, postage prepaid, not less than thirty (30) days prior to the Redemption Date, to all Registered Owners of the Bonds to be redeemed at their addresses as they appear on the Registration Records of the City kept by the Paying Agent.

On the date so designated for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds so called for redemption shall become due and payable at the price provided for redemption of such Bonds on such date, and, if moneys for payment of such redemption price are held in a separate account by the Paying Agent for the Record Date Registered Owners of the Bonds to be redeemed, as provided in the Bond Resolution, interest on the Bond so called for redemption shall cease to accrue, such Bonds shall cease to be entitled to any benefit or security under the Bond Resolution, and the Record Date Registered Owners of such Bonds shall have no rights in respect thereof except to receive payment of the redemption price thereof.

Bonds for the payment of which sufficient moneys, or, to the extent permitted by the laws of the State, (a) direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America or any of its agencies

("Government Obligations"), or (b) certificates of deposit or municipal obligations fully secured by Government Obligations, or (c) evidences of ownership of proportionate interests in future interest or principal payments on Government Obligations held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the Government Obligations and which Government Obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated, or (d) municipal obligations, the payment of the principal of, interest and redemption premium, if any, on which are irrevocably secured by Government Obligations and which Government Obligations are not subject to redemption prior to the date on which the proceeds attributable to the principal of such obligations are to be used and have been deposited in an escrow account which is irrevocably pledged to the payment of the principal of and interest and redemption premium, if any, on such municipal obligations (all of which collectively, with Government Obligations, "Defeasance Securities"), shall have been deposited with an escrow agent appointed for such purpose, which may be the Paying Agent, all to the extent provided in the Bond Resolution, shall be deemed to have been paid, shall cease to be entitled to any lien, benefit or security under the Bond Resolution and shall no longer be deemed to be outstanding thereunder, and the Registered Owners shall have no rights in respect thereof except to receive payment of the principal of and interest on such Bonds from the funds held for that purpose. Defeasance Securities shall be considered sufficient under the Bond Resolution if said investments, with interest, mature and bear interest in such amounts and at such times as will assure sufficient cash to pay currently maturing interest and to pay principal when due on such Bonds.

This Bond may be transferred or exchanged by the Registered Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent, but only in the manner, subject to the limitations in the Bond Resolution, and upon surrender and cancellation of this Bond. Upon such transfer or exchange, a new Bond or Bonds of like aggregate principal amount in authorized denominations of the same maturity will be issued.

The City and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

The City covenants and agrees that it will perform all duties required by law and by the Bond Resolution; that it will apply the proceeds of this Bond to the purposes above set forth; that, as long as this Bond is outstanding, it will operate and maintain the System; that it will fix and maintain rates and make and collect charges for the services of the System, without regard to the user thereof, sufficient to provide for the operation and maintenance of the System in good repair and working order, to provide for the payment of the principal of and interest on this Bond as same shall mature and accrue, and to provide for a reserve fund as set forth in the Bond Resolution; and that the Net Revenues and fifty percent (50%) of the City's Use Tax Revenues are hereby irrevocably pledged to said purpose.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all conditions, acts and things required by law to exist, to have happened and to have been performed precedent to and in the issuance of this Bond, in order to make the same a legal and binding obligation of

the City, according to the terms hereof, do exist, have happened and have been performed in regular and due time, form and manner as required by law.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Resolution until the certificate of registration and authentication hereon shall have been signed by the Paying Agent.

IN WITNESS WHEREOF, the City has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the City, countersigned by the manual or facsimile signature of the Clerk of the City, under the manual or facsimile seal of the City, which said manual or facsimile signatures and seal said officials adopt as and for their own proper signatures and seal, all as of the ___ day of November, 2024.

(SEAL)

CITY OF GAUTIER, MISSISSIPPI

Mayor

ATTEST:

City Clerk

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of the Combined Utility System Revenue Bonds, Series 2024 of the City of Gautier, Mississippi.

_____, as Paying Agent

By _____
Authorized Officer

Date of Authentication: _____

REGISTRATION AND VALIDATION CERTIFICATE

STATE OF MISSISSIPPI

JACKSON COUNTY

I, the undersigned Clerk of the City of Gautier, Mississippi, do hereby certify that the within Bond has been duly registered by me as an obligation of said City pursuant to law in a record kept in my office for that purpose, and has been validated and confirmed by Decree of the Chancery Court of Jackson County, Mississippi, rendered on the __ day of ____, 2024.

(SEAL)

City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____ as registrar and transfer agent to transfer the said Bond on the records kept for registration thereof with full power of substitution in the premises.

Signature guaranteed:

(Bank, Trust Company or Paying Agent)

(Authorized Officer)

Date of Assignment: _____

Insert Social Security Number or other Tax
Identification Number of Assignee

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without any alteration whatever, and must be guaranteed by a commercial bank or trust company or a member of a national securities exchange who is a member of a Medallion Signature Guarantee Program.

[END OF SERIES 2024 BOND FORM]

SECTION 11. In case any Series 2024 Bond shall become mutilated or be stolen, destroyed or lost, the City shall, if not then prohibited by law, cause to be authenticated and delivered a new Series 2024 Bond of like date, number, maturity and tenor in exchange and substitution for and upon cancellation of such mutilated Series 2024 Bond, or in lieu of and in substitution for such Series 2024 Bond stolen, destroyed or lost, upon the Registered Owner's paying the reasonable expenses and charges of the City in connection therewith, and in case of a

Series 2024 Bond stolen, destroyed or lost, his filing with the City or Paying Agent evidence satisfactory to them that such Series 2024 Bond was stolen, destroyed or lost, and of his ownership thereof, and furnishing the City or Paying Agent with such security or indemnity as may be required by law or by them to save each of them harmless from all risks, however remote.

SECTION 12. Only such of the Series 2024 Bonds as shall have endorsed thereon a certificate of authentication in substantially the form hereinabove set forth in Section 10, duly executed by the Paying Agent, shall be entitled to the rights, benefits and security of this Resolution. No such Series 2024 Bond shall be valid or obligatory for any purpose unless and until such certificate of authentication shall have been duly executed by the Paying Agent, which executed certificate shall be conclusive evidence of registration, authentication and delivery under this Resolution. The Paying Agent's certificate of authentication on any such Series 2024 Bond shall be deemed to have been duly executed if signed by an authorized officer of the Paying Agent, but it shall not be necessary that the same officer sign said certificate on all of the Series 2024 Bonds that may be issued hereunder at any one time.

SECTION 13. (a) In the event the Purchaser shall fail to designate the names, addresses and social security or tax identification numbers of the Registered Owners of the Series 2024 Bonds within thirty (30) days of the date of sale, or at such other earlier date as may be designated by the City, one Series 2024 Bond registered in the name of the Purchaser may be issued in the full amount for each maturity. Ownership of the Series 2024 Bonds shall be in the Purchaser until the initial Registered Owner has made timely payment and, upon request of the Purchaser within a reasonable time of the initial delivery of the Series 2024 Bonds, the Paying Agent shall re-register any such Series 2024 Bond upon its records in the name of the Registered Owner to be designated by the Purchaser in the event timely payment has not been made by the initial Registered Owner.

(b) Except as hereinabove provided, the Person in whose name any of the Series 2024 Bonds shall be registered in the Registration Record may be deemed the absolute owner thereof for all purposes, and payment of or on account of the principal of or interest on any of the Series 2024 Bonds shall be made only to or upon the order of the Registered Owner thereof, or his legal representative, but such registration may be changed as hereinafter provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon any of the Series 2024 Bonds to the extent of the sum or sums so paid.

SECTION 14. The System shall be operated on a Fiscal Year basis, commencing on the first day of October, and ending on the last day of September in the following year; provided, however, that the Fiscal Year may be changed upon written notice to the Registered Owners.

SECTION 15. All Revenues shall be set aside as collected and shall be deposited into the Revenue Fund. Moneys in said fund shall not be subject to lien or attachment by any creditor of the City and shall be set aside for, allocated to and deposited by the City Clerk to the extent available in the following order of preference in the following separate and special funds, hereby created, without further direction of or action by the Governing Body or other authority of the City:

(a) On the first Business Day of each month, commencing in the first month after delivery of the Series 2024 Bonds, there shall be deposited into the Operation and Maintenance Fund an amount which will provide for the payment of the Current Expenses to be paid during such calendar month, and, in the event that the aggregate amounts deposited into such fund pursuant to this Resolution and the Prior Bond Resolutions during the preceding months shall have been insufficient to pay all such expenses, an amount sufficient to repay such deficiencies.

(b) To the City such amount necessary to reimburse the general fund of the City for debt service due on the SRF Loans deducted by the Mississippi Department of Revenue from the sales tax rebate to the City.

(c) On the first Business Day of each month, commencing in the first month after the delivery of the Series 2024 Bonds, in addition to amounts being transferred to the 2018 Debt Service Fund, the 2019 Debt Service Fund and the 2020 Debt Service Fund, there shall be deposited into the 2024 Debt Service Fund, which is hereby established as a fund separate and apart from other funds of the City, an amount which, together with equal subsequent monthly transfers on the first Business Day of each successive month, will provide a sum equal to the amount necessary to pay interest and principal due and payable through the date on which the next installment of principal on the Series 2024 Bonds is due. Accrued interest, if any, on the Series 2024 Bonds received from the Purchaser shall be deposited into the 2024 Debt Service Fund at Closing. Such transfers are on parity with the amounts to be transferred to the 2018 Debt Service Fund pursuant to the 2018 Bond Resolution, to the 2019 Debt Service Fund pursuant to the 2019 Bond Resolution and to the 2020 Debt Service Fund pursuant to the 2020 Bond Resolution for the purpose of paying debt service on the Series 2018 Bonds, the Series 2019 Bonds and the Series 2020 Bonds. If in any month, the Net Revenues are insufficient to provide for the total amount of principal and interest to be set aside as required by this Resolution and the Prior Bond Resolutions, such Net Revenues shall be divided on a pro rata basis among each outstanding series of Bonds. Any deficiency in the debt service funds for the Bonds shall be funded in subsequent months. Notwithstanding anything herein to the contrary, the City may elect to provide for the payment of principal of and interest on the Series 2024 Bonds either from Net Revenues or the City's Use Tax Revenues or both. In the event that the City elects to pay all or a portion of the principal of and interest on the Series 2024 Bonds from its Use Tax Revenues, it shall deposit into the 2024 Debt Service Fund on before February 1 and August 1, such portion of the Use Tax Revenues as shall be necessary to provide for the payment of principal of and interest on the Series 2024 Bonds coming due on the next payment date, taking into account the amounts on deposit in the 2024 Debt Service Fund.

(i) In addition to the moneys hereby required to be paid into the 2024 Debt Service Fund, the 2024 Debt Service Reserve Fund, which is hereby established as a fund separate and apart from other funds of the City, shall be maintained in order to meet any deficiency therein in future years. In order to fully fund the 2024 Debt Service Reserve Fund, the Clerk shall immediately upon delivery of the Series 2024 Bonds deposit an amount which will be equal to the Debt Service Reserve Fund Requirement, at which amount the 2024 Debt Service Reserve Fund shall thereafter be maintained by such future payments as may be necessary for that purpose. A portion of the proceeds of the Series 2024 Bonds may be used to fund the 2024 Debt Service Reserve Fund. Notwithstanding any other provision contained herein, upon the determination of any deficiency in the total amount in the 2024 Debt Service Reserve Fund, the

full amount of such deficiency shall be fully funded within one (1) year of such determination. The 2024 Debt Service Reserve Fund shall be used only to pay maturing principal and accruing interest, or both, on the Series 2024 Bonds and only whenever and to the extent that funds otherwise available in the 2024 Debt Service Fund are insufficient for that purpose. No funds paid into the 2024 Debt Service Reserve Fund shall be used to prepay the principal unless such prepayment is for the entire balance of the principal amount of the Series 2024 Bonds or the amount remaining in the 2024 Debt Service Reserve Fund is equal to the Debt Service Reserve Requirement for the Series 2024 Bonds which remain outstanding. If the amount on deposit in the 2024 Debt Service Reserve Fund as valued on the last day of any Bond Year is more than the Debt Service Reserve Fund Requirement, the amount of such excess shall be transferred to the 2024 Debt Service Fund. The 2024 Debt Service Reserve Fund may be funded with a Surety Bond equal to the Debt Service Reserve Fund Requirement which shall meet the requirements of the Reserve Fund Credit Facility.

(d) Pursuant to the Prior Bond Resolutions, the City has created and funded the Depreciation Fund for the purpose of paying the costs of replacing such parts of the System as may need replacement in order to keep the System operating in an economical and efficient manner upon written certification by the Consulting Engineers to the Governing Body certifying the necessity for such expenditure and concurring in the necessity for such expenditure from the Depreciation Fund.

(e) Pursuant to the Prior Bond Resolutions, the City has created and funded the Contingent Fund for the purpose of paying the costs of unforeseen contingencies arising in the operation and maintenance of the System, including the construction of reasonable and proper improvements, betterments, and extensions thereto upon written certification by the Consulting Engineers to the Governing Body certifying the necessity for such expenditure and concurring in the necessity for such expenditure from the Contingent Fund.

(f) The moneys in the foregoing funds shall be held separate and apart from all other funds of the City and shall be applied in the manner provided, and, except for moneys in the Operation and Maintenance Fund, pending such application, shall be subject to a lien and charge in favor and for the security of Registered Owners of the Bonds until paid out or transferred as herein provided. Any surplus Revenues remaining after all deposits and transfers required or allowed by this Resolution and the Prior Bond Resolutions shall be used solely for purposes pertaining to the System or as otherwise allowed by the Act. Any Revenues of the System collected prior to the Closing by the City may be used by the City to fund all or a portion of the foregoing funds and accounts.

SECTION 16. If Revenues shall be insufficient at any time to make the payments or deposits required by Section 15 hereof, the deficiency shall be made good by additional payments to be made out of the first available Revenues received during any succeeding month or months in the order listed in Section 15 until such deficiency is cured. Whenever and as long as sums actually on deposit in the 2024 Debt Service Fund and the 2024 Debt Service Reserve Fund shall equal the outstanding principal amount of the Series 2024 Bonds, plus the amount of all interest due thereon until the respective maturity dates of the Series 2024 Bonds, no further deposits need be made into said funds.

SECTION 17. All sums in the funds referred to in Section 15 hereof shall be kept on deposit in bank accounts separate from all other bank accounts of the City in a bank or banks having Federal Deposit Insurance Corporation insurance of its accounts and at all times shall be continuously secured as provided by the laws of the State for other funds of the City, or, in the discretion of the Governing Body, may be invested as directed in this Resolution in investments authorized under the laws of the State as may now be or hereafter become applicable. Such investments shall mature or be redeemable prior to the time the funds so invested will be needed for expenditure. Any interest or other income received from investments shall accrue to and be deposited in the fund which generated such income or to which such income is attributable. Provided, however, that the Governing Body shall transfer to the 2024 Debt Fund any such income in excess of the aggregate amount required by this Resolution to be maintained in any other fund or account.

SECTION 18. (a) Proceeds received from the sale of the Series 2024 Bonds, less amounts deposited to the 2024 Debt Service Reserve Fund, if applicable, or used to pay the premium for the Surety Bond, if applicable, shall be deposited in a special fund separate and apart from other funds of the City hereby created by this Resolution and designated as the 2024 Construction Fund and shall be applied solely and only for the purpose for which the Series 2024 Bonds are herein directed to be issued for the Project, including, but not limited to, the payment of all fees and expenses related to the Closing including those of Bond Counsel, City Counsel, the Municipal Advisor, surety bond and bond insurance premiums, commissions and all other fees and expenses incurred by the City in connection with the authorization, issuance, sale, validation and delivery of the Series 2024 Bonds.

(b) Said proceeds deposited into the 2024 Construction Fund shall be disbursed only upon proper warrant issued pursuant to certification by the Consulting Engineers stating that:

(i) the purpose for which the payment is to be made is a Cost of the Project within the scope of the work contemplated by this Resolution;

(ii) the work done is, or the materials furnished are, in accordance with the contract therefor (if such work is done or such materials are furnished under a contract), or such work is or that such materials are suitable for the intended purpose (if such payments are not covered by an express contract); and

(iii) the amount of such payment is in accordance with the contract or is reasonable.

Nothing herein shall be construed to prohibit the payment from the 2024 Construction Fund without such a certificate of a portion or all of the expenses necessarily incident to the costs of issuance and sale of the Series 2024 Bonds. Said costs of issuance expenses are hereby authorized to be paid after the Closing with the approval of the Governing Body.

(c) Any balance remaining in the 2024 Construction Fund after the Project has been completed, and all related costs and expenses paid, shall be deposited into the 2024 Debt Service Fund and expended in accordance with State and federal law and this Resolution.

SECTION 19. The City covenants and agrees with the Registered Owners that it will perform, or cause to be performed, all duties with respect to the operation and maintenance of the System and with respect to the fixing, maintaining and collecting of the rates, fees and charges for the services thereof, the establishing of the funds herein referred to, and all other matters and things required by law and by this Resolution, and that it will do or cause to be done, in apt time and season, each and every official act necessary for the payment of the principal of and the interest on the Series 2024 Bonds as the same shall mature and accrue.

SECTION 20. The City further covenants with the Registered Owners as follows:

(a) As long as any of the Series 2024 Bonds are outstanding and unpaid, it will operate and maintain the System, or cause the System to be operated and maintained.

(b) As long as any of the Series 2024 Bonds are outstanding and unpaid, it will fix and maintain rates and make and collect charges for the use and service of the System which will at all times be sufficient: (i) to pay the Current Expenses of the System and the debt service on the SRF Loans, (ii) to provide one hundred twenty percent (120%) of the amount of the maximum Principal and Interest Requirements for the current Bond Year on account of the Series 2024 Bonds then outstanding, and (iii) to fund the 2024 Debt Service Reserve Fund as provided in Section 15 hereof.

(c) The rates, fees and charges for the use and service of the System at the Closing will be sufficient to satisfy the requirements of the preceding paragraph.

(d) If the Revenues in any Fiscal Year as shown by the City's audit are less than the total amount set forth in subsection (b) of this Section, then it shall, as promptly as possible, request the Consulting Engineers to make recommendations as to a revision of such rates, fees and charges or methods of operating the System which will result in producing the required amount in the following Fiscal Year. Upon receipt of such recommendations the City shall, subject to applicable requirements imposed by law, immediately revise such rates, fees and charges and take such other actions respecting the methods of operation of the System as shall in its discretion be deemed necessary. Failure to implement the recommendation of the Consulting Engineer or if coverage is less than one hundred twenty percent (120%) of the maximum Principal and Interest Requirements and the payment required to be made to the credit of the 2024 Debt Service Reserve Fund shall be a breach of the City's covenants under this Resolution.

(e) As long as any of the Series 2024 Bonds shall remain outstanding and unpaid, the City shall carry and maintain all risk insurance upon all the properties forming a part of the System which may be of an insurable nature, such insurance to be of the type and kind and for such amount or amounts as carried and maintained by other municipalities rendering services of a similar character in similar communities. The proceeds of all such insurance shall be used only for the maintenance and restoration of the System, or for the payment of the principal of and the interest on the Series 2024 Bonds.

(f) The City shall set up and maintain a proper system of accounts showing the amount of Revenues received from the System and the application thereof. Such accounts shall be separate and distinct from the other accounts of the City, and at least once a year shall be

properly audited by independent auditors who shall be certified public accountants. The report of such audit shall be open to the public and to all Registered Owners upon reasonable request.

(g) The Registered Owner of any of the Series 2024 Bonds shall be permitted, at all reasonable times, to inspect the System and all records, accounts and data relating thereto, and shall be timely furnished all data and information relating to the System or other financial information of the City which may be reasonably requested.

(h) Except as provided for in Section 22(b) of this Resolution, the City will not create or permit to be created any charge or lien on Net Revenues ranking equal or prior to the charge or lien of the Series 2024 Bonds.

SECTION 21. Prior to the commencement of each Fiscal Year, the Governing Body shall cause to be prepared a budget setting out the estimated receipts and expenditures of the System for the then ensuing Fiscal Year. This budget shall contain:

(a) An estimate of the receipts expected to be derived from the operation of the System;

(b) A statement of the estimated cost of operating the System during the next ensuing Fiscal Year;

(c) A statement of the amount of principal and interest due during the ensuing Bond Year;

(d) A statement of what replacements to the System may be anticipated and the estimated cost thereof;

(e) A statement of the total amount anticipated to be payable from Revenues during the next ensuing Fiscal Year; and

(f) A statement of the amount on deposit in each of the funds and accounts referred to in Section 15 of this Resolution.

SECTION 22. (a) Except as hereafter set forth in subparagraph (b) below, from and after the issuance of the Series 2024 Bonds, no Additional Bonds shall be issued or obligations incurred by the City which are payable in whole or in part from or chargeable to Net Revenues (except obligations incurred in the operation and maintenance of the System), unless such Additional Bonds or obligations are in all respects junior and subordinate to the Series 2024 Bonds.

(b) The City shall have the right to issue one or more series of Additional Bonds to be secured by a parity lien on and ratably payable from Net Revenues and any other security pledged to the Series 2024 Bonds, provided in each instance that:

(i) the Net Revenues available for payments of principal of and interest on the Series 2024 Bonds for a period of 12 consecutive months during the 18 months preceding the month in which such Additional Bonds are issued must be certified by an accountant to have been at least

equal to 120% of the highest annual debt service payments in any succeeding Bond Year with respect to the Series 2024 Bonds and the Additional Bonds proposed to be issued; or in lieu of the foregoing formula, if a new schedule of rates, fees and charges for the services, facilities and commodities of the System shall have been adopted, then the Revenues available for debt service payments (taking into account such new rates) must be certified by an accountant to have been at least equal to 120% of the highest annual debt service payments in any succeeding Bond Year with respect to the Series 2024 Bonds and the Additional Bonds proposed to be issued during the period set forth above;

(ii) the pledge of and lien on the Net Revenues and amounts on deposit from time to time in the 2024 Debt Service Fund shall be extended for the benefit of the Registered Owners of the Additional Bonds;

(iii) the resolution under which the proposed bonds are being issued shall provide for the funding of a separate debt service reserve fund or an increase in the 2024 Debt Service Reserve Fund resulting from the issuance of such Additional Bonds from the proceeds of such Additional Bonds or as otherwise allowed by Section 15 hereof; and

(iv) There has been no event of default in connection with the Bonds.

(c) The City hereby covenants and agrees that in the event Additional Bonds in one or more series are issued on parity with the Bonds, it shall:

(i) Adjust the deposits into the 2024 Debt Service Fund in the following manner: On the first Business Day of each month, commencing in the first month after the delivery of the Additional Bonds, there shall be deposited into the 2024 Debt Service Fund an amount which, after taking into account any amounts already on deposit and equal subsequent monthly deposits on the first Business Day of each successive month, will provide a sum equal to the amount necessary to pay interest and principal due and payable through the date on which the next installment of principal on the Bonds and the Additional Bonds is due.

(ii) Adjust the amount on deposit in the 2024 Debt Service Reserve Fund to a sum equal to the Debt Service Reserve Fund Requirement as calculated for the Bonds and such Additional Bonds. The additional funds required in the immediately preceding sentence shall be funded from the proceeds of the Additional Bonds or as otherwise allowed by Section 15 hereof.

(iii) Adjust the maximum amounts to be deposited annually into the Depreciation Fund and the Contingent Fund or provide new depreciation and contingent funds, taking into account the future replacement cost of the facilities and equipment to be constructed or acquired with the proceeds of such Additional Bonds, by depositing into said funds on the first Business Day of each month, commencing in the first month after the delivery of such Additional Bonds, such amount, if any, of the balance remaining after making the deposits under clauses (i) and (ii) above (or the entire balance if less than the required amount) as is required by the resolution under which such Additional Bonds are issued.

(iv) Notwithstanding the provisions of subparagraphs (i) and (ii) above, the City may provide separate funds and accounts for the payment of principal and interest on such Additional Bonds and the provision of a debt service reserve fund for such Additional Bonds.

(d) The City shall have the right to call, subject to the call provisions of the respective Bond series, any or all outstanding Bonds which may be called at par prior to calling any Bonds that are callable at a premium. If it is provided in any subsequently issued series of Additional Bonds secured by a parity lien on Net Revenues that excess moneys in the 2024 Debt Service Fund shall be used to redeem bonds in advance of scheduled maturity or if the City, at its option, undertakes to redeem outstanding Bonds in advance of scheduled maturity, it is agreed and understood that:

(i) calls of or prepayment on Bonds will apply to each series of Bonds on an equal pro rata basis (reflecting the proportion of the original amount of each series of Bonds outstanding at the time of such call); and

(ii) calls of Bonds for each Bond series will be in accordance with the call provisions of the respective Bond series.

(e) The City may issue bonds junior and subordinate to the Bonds at any time, provided that the issuance of such bonds does not violate any covenant of the City concerning any of its then outstanding Bonds.

SECTION 23. (a) The provisions of this Resolution shall constitute a contract between the City and the Registered Owners from time to time of the Series 2024 Bonds, and after the issuance of the Series 2024 Bonds no material modification or amendment to this Resolution or of any resolution amendatory hereof or supplemental hereto shall be made in any manner except upon written consent of the Registered Owners of at least sixty-five percent (65%) in principal amount of the Series 2024 Bonds then outstanding.

(b) Any and all modification or alterations made in the manner hereinabove provided shall not become effective until the required consents shall have been filed with the City Clerk.

(c) No modifications or alterations to this Resolution shall extend the maturity of or reduce the interest rate on or otherwise alter or impair the obligation to pay the principal of or the interest on any of the Series 2024 Bonds at the time and place and at the rate and in the currency as provided herein, without the express consent of the Registered Owner of any of such Series 2024 Bonds, nor reduce the percentage of the Series 2024 Bonds required for the affirmative vote or written consent to a modification or alteration, nor alter or impair the covenants set forth in Sections 19 and 20 hereof.

SECTION 24. The Series 2024 Bonds shall be payable equally and ratably, without regard to the date when the Series 2024 Bonds actually shall be delivered and shall enjoy parity of lien, one with the other, upon Net Revenues and with the Utility Bonds and any Additional Bonds.

SECTION 25. (a) The Registered Owner of any of the Series 2024 Bonds may, by suit, action, mandamus or other proceedings at law or in equity, enforce and compel performance by the appropriate official or officials of the City of any or all acts and duties to be performed by the City under the provisions of the Act and of this Resolution.

(b) Each of the following constitutes an event of default under this Resolution:

(i) failure by the City to pay any installment of principal of any Series 2024 Bond at the time required;

(ii) failure by the City to pay any installment of interest on any Series 2024 Bond at the time required;

(iii) failure by the City to perform or observe any other covenant, agreement or condition on its part contained in this Resolution or in the Series 2024 Bonds, and the continuance thereof for a period of thirty (30) days after written notice thereof to the City by the Registered Owners of not less than ten percent (10%) in principal amount of the then outstanding Series 2024 Bonds; or

(iv) filing by the City of a petition seeking a composition of indebtedness under the federal bankruptcy laws, or under any other applicable federal or state law.

(c) If there be any default in the payment of the principal of and interest on the Series 2024 Bonds, any court having jurisdiction in the proper action may, upon petition of the Registered Owners of a majority in principal amount of the Series 2024 Bonds then outstanding, appoint a receiver to administer and operate the System with power to fix rates and collect charges sufficient to provide for the payment of the Series 2024 Bonds and to pay the expense of operating and maintaining the System in conformity with the provisions of the Act and of this Resolution.

SECTION 26. At least five (5) days prior to the due date thereof, the City Clerk shall remit to the Paying Agent the sum or sums then becoming due as interest, or principal and interest, on the Series 2024 Bonds, plus the sum then due as the charges of the Paying Agent for its services and responsibilities under the terms of this Resolution, which charges shall be expenses of operation and shall be charged to and payable from the Operation and Maintenance Fund referred to in Section 15 of this Resolution.

SECTION 27. As authorized by the Act, the Series 2024 Bonds may be submitted to validation in the Chancery Court of Jackson County, Mississippi, in the manner and with the force and effect provided by Sections 31-13-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented, and to that end a certified transcript of all proceedings and other documents relating to the sale and issuance of the Series 2024 Bonds forthwith shall be prepared and forwarded to the State's Bond Attorney by Bond Counsel and the City Clerk.

SECTION 28. (a) If the City shall pay or cause to be paid to the Registered Owners of the Series 2024 Bonds the principal of, premium, if any, and interest to become due with respect thereto at the times and in the manner stipulated therein and herein, and if the City shall keep, perform and observe all and singular the covenants and promises in the Series 2024 Bonds and in

this Resolution expressed as to be kept, performed and observed by it or on its part and shall pay or cause to be paid to the Paying Agent all sums of money due or to become due according to the provisions hereof, then the rights of the Registered Owners under this Resolution shall cease, determine and be void, and thereupon the lien of this Resolution on Net Revenues shall be defeased, cancelled and discharged.

(b) All Series 2024 Bonds for the payment or redemption of which sufficient monies, or, to the extent permitted by the laws of the State, (a) direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America ("Government Obligations"), or (b) certificates of deposit or other securities fully secured by Government Obligations, or (c) evidences of ownership of proportionate interests in future interest or principal payments on Government Obligations held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the Government Obligations and which Government Obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated, or (d) municipal obligations, the payment of the principal of, interest and premium, if any, on which are irrevocably secured by Government Obligations and which Government Obligations are not subject to redemption prior to the date on which the proceeds attributable to the principal of such obligations are to be used and have been deposited in an escrow account which is irrevocably pledged to the payment of the principal of and interest and on such municipal obligations (all of which collectively, with Government Obligations, are hereinafter called "Defeasance Securities"), shall have been deposited with an escrow agent appointed for the purpose in trust for the owners thereof, which may be the Agent, (whether upon or prior to the maturity of such Series 2024 Bonds) shall be deemed to have been paid within the meaning of this Section, shall cease to be entitled to any lien, benefit or security under this Resolution and shall no longer be deemed to be outstanding hereunder and the Registered Owners shall have no rights in respect thereof except to receive payment of principal of and interest on such Series 2024 Bonds from the funds held for that purpose; provided, however, that if such Series 2021 Series 2024 Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been duly given as provided herein or arrangements shall have been made for the giving thereof. Defeasance Securities will be considered sufficient if said investments, with interest, mature and bear interest in such amounts and at such times as will assure sufficient cash to pay currently maturing interest and to pay principal when due on the Series 2024 Bonds. For the purpose of this Section, Defeasance Securities shall mean and include only (a) such Defeasance Securities which shall not be subject to redemption prior to their maturity other than at the option of the holder thereof or (b) Defeasance Securities which, if subject to redemption shall, nevertheless, in all events, regardless of when redeemed, provide sufficient and timely funds for payment of the principal of and interest on the Series 2024 Bonds to be paid thereby.

SECTION 29. The City shall not hereafter construct, acquire or operate, or permit, or, to the extent permitted by law, consent to the construction , acquisition or operation of, any plants, structures, facilities or properties which may compete or tend to compete with the System; except that nothing in this Resolution contained shall prevent the City from giving its permission or consent to the construction, acquisition or preparation in the area serviced by the System by a Person or facilities for the provision of electric services which the City shall determine are not economically feasible for it to construct or acquire at such time, but which, if

constructed or acquired by the City, would carry out the purposes of the City and its System under the Act and such facilities pursuant to the terms of such permission or consent will become a part of the System upon notice to such person by the City, either (a) without any cost to or payment by the City, or (b) upon payment of such amount or cost as the City shall determine to be proper in the circumstances.

SECTION 30. The City covenants that it will (a) diligently enforce and collect all fees, rental or other charges for the services and facilities of the System, and take all steps, actions and proceedings for the enforcement and collection of such fees, rentals or other charges which shall become delinquent to the full extent permitted or authorized by the laws of the State, and (b) to the full extent permitted by law, under reasonable rules and regulations, shut off and discontinue the supplying of the services and facilities of the System for the non-payment of fees, rentals or other charges for said water services, and will not restore said water services until all delinquent charges, together with interest and reasonable penalties, have been paid in full.

SECTION 31. The City covenants that it will not provide free service to any user of the System unless permitted by State statute.

SECTION 32. (a) The City covenants and certifies to and for the benefit of the Registered Owners of the Series 2024 Bonds that it will neither take any action nor omit to take any action nor make any investment or use of the proceeds from the issue and sale of the Series 2024 Bonds, including amounts treated as proceeds, if any, which will cause the Series 2024 Bonds to be classified as "arbitrage bonds" within the meaning of Section 148 of the Code, and the regulations thereunder as such may be applicable to the Series 2024 Bonds at the time of such action, investment or use. In addition, the City further covenants to maintain the excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes under the Code, and in furtherance thereof, to comply with the covenants concerning arbitrage rebate contained in a certificate of the City to be executed and delivered concurrently with the issuance and delivery of the Series 2024 Bonds, or such other covenants as may, from time to time, be required to be complied with in order to maintain such excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes. Notwithstanding any other provisions to the contrary, so long as necessary in order to maintain such excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes under the Code, the covenants contained in this Section 32 shall survive the payment of the Series 2024 Bonds and the interest thereon, including any payment or defeasance thereof.

(b) The Mayor or the City Clerk is hereby authorized to sign and file or cause to be filed a completed I.R.S. Form 8038-G "Information Return for Governmental Obligations" in connection with the Series 2024 Bonds as required by Section 149(e) of the Code.

(c) The Mayor or the City Clerk is hereby authorized to execute a non-arbitrage certification in connection with the Series 2024 Bonds to comply with Section 148 of the Code.

(d) The Governing Body, acting for and on behalf of the City, hereby designates the Series 2024 Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City (including any subordinate entity or entities issuing tax exempt obligations on behalf of the City within the meaning of Section 265(b)(3) of the Code) has not issued, and does

not reasonably expect to issue, tax exempt obligations within calendar year 2024 which, together with the Series 2024 Bonds, will exceed \$10,000,000.

(e) Pursuant to the Act, interest on the Series 2024 Bonds is exempt from State income taxes.

SECTION 33. The Mayor and the City Clerk (together, the "Representatives"), Bond Counsel, City Counsel and the Municipal Advisor are hereby authorized and directed to carry out their respective responsibilities as set forth in this Resolution.

SECTION 34. The Series 2024 Bonds shall be offered for sale on sealed bids pursuant to the Notice of Sale and the Official Bid Form, in the forms attached hereto as Exhibit A, and shall be sold pursuant to a subsequent resolution of the Governing Body. In no event shall the Series 2024 Bonds be issued at a rate of interest in excess of that allowed under the Act and the Series 2024 Bonds and bids therefore shall in all other respects comply with the requirements of the Act.

SECTION 35. The Representatives are hereby authorized and directed (a) to take such actions and do such things as they shall deem appropriate and lawful to expedite the sale and issuance of the Series 2024 Bonds, (b) to authorize Bond Counsel, City Counsel and the Municipal Advisor to take such actions and do such things the Representatives shall deem appropriate and lawful to expedite the sale of the Series 2024 Bonds, and (c) to take such actions and do such things as the Representatives shall deem appropriate to comply with the applicable requirements of the Act.

SECTION 36. Bond Counsel is hereby authorized and directed to cause the Notice of Sale to be published at least two (2) times, the first of which shall not be less than ten (10) days prior to the date of the sale of the Series 2024 Bonds, in the *Sun Herald*, a newspaper having a general circulation in the City.

SECTION 37. The City Clerk shall obtain from the publisher of the aforesaid newspaper the customary publisher's affidavit proving publication of said Notice of Sale for the time and in the manner required by law, and such proof of publication shall be filed in the City Clerk's office and exhibited before the Governing Body on the date fixed for the receipt of bids for the purchase of the Series 2024 Bonds.

SECTION 38. Pursuant to SEC Rule 15c2-12(b)(5), the City covenants and agrees to provide to the Purchaser, if required, a continuing disclosure agreement dated the date of issuance and delivery of the Series 2024 Bonds, setting forth the City's agreement with regard to continuing disclosure (the "Continuing Disclosure Agreement"), and to comply with the covenants set forth therein and carry out all of the provisions of the Continuing Disclosure Agreement. In the event the City fails to comply with the provisions of the Continuing Disclosure Agreement, any Registered Owner may take such actions as may be necessary and appropriate, including mandamus or specific performance by court order, to cause the City to comply with its obligations set forth in the Continuing Disclosure Agreement and this Section.

SECTION 39. The Preliminary Official Statement in the form attached hereto as Exhibit B, is hereby approved in substantially said form. The Representatives are hereby

authorized and directed to make all final determinations necessary to prepare the Preliminary Official Statement for distribution and to distribute and furnish to prospective bidders for the Series 2024 Bonds, and to other interested persons, the Preliminary Official Statement and such other materials and information convenient to the public advertising of the sale and the sale of the Series 2024 Bonds and, to the Purchaser for the Series 2024 Bonds, a final Official Statement relating to the Series 2024 Bonds. The City deems the Preliminary Official Statement to be "final" as described in SEC Rule 15c2 12(b)(1) for the purposes of such rule.

SECTION 40. If deemed in the best interest of the City and the marketing of the Series 2024 Bonds by the Mayor with the advice of the Municipal Advisor, the Mayor is hereby authorized to execute and deliver or cause the execution and delivery of a commitment for the provision of a municipal bond insurance policy (the "Policy") in order to provide credit enhancement in connection with the issuance of the Series 2024 Bonds, and/or a Surety Bond in connection with the sale and issuance of the Series 2024 Bonds and any additional documents and certificates which are required by the provider thereof (the "Bond Insurer"). Any changes, insertions and omissions as may be required by the Bond Insurer as conditions to the issuance of the Policy or the Surety Bond to the Preliminary Official Statement are to be approved by the Mayor, the execution of the commitment for the Policy and/or the Surety Bond being conclusive evidence of such approval. The Mayor is hereby authorized and directed to execute and deliver such other documents as may be necessary or appropriate to meet the requirements of the Bond Insurer under the Policy and/or the Surety Bond.

SECTION 41. The Mayor, upon the advice of Bond Counsel, City Counsel and the Municipal Advisor, is hereby authorized and directed to make all final determinations necessary to prepare (a) the Notice of Sale for publication, including the date of sale, the dated date of the Series 2024 Bonds, the maturity schedule relating to the Series 2024 Bonds, the redemption terms of the Series 2024 Bonds and any other terms thereof, including the addition of any terms necessary to comply with changes to State law, and (b) the Official Bid Form; provided, however, that such determinations shall be subject to ratification by the Governing Body.

SECTION 42. The proper officers and members of the Governing Body are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of this Resolution and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable in connection with the issuance of the Series 2024 Bonds, the Preliminary Official Statement, a final Official Statement or other documents necessary to conclude the sale and issuance of the Series 2024 Bonds and to document the City's compliance with the Act and the Code.

SECTION 43. All acts and doings of the officers and members of the Governing Body which are in conformity with the purposes and intents of this Resolution and in furtherance of the sale and issuance of the Series 2024 Bonds and the execution, delivery and performance of the Official Statement, shall be, and the same hereby are, in all respects approved and confirmed.

SECTION 44. The Series 2024 Bonds shall be sold and issued pursuant to this and subsequent resolutions of the Governing Body.

SECTION 45. In the event that any scrivener's errors shall be discovered in this Resolution after the adoption hereof, but prior to the issuance of the Series 2024 Bonds, the Governing Body hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Resolution prior to the issuance of the Series 2024 Bonds.

SECTION 46. All resolutions or parts thereof in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 47. This Resolution shall become effective immediately upon the adoption hereof.

SECTION 48. 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.

Councilman _____ seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Mayor Casey Vaughan voted:	_____
Councilman Adam Colledge voted:	_____
Councilman Cameron B. George voted:	_____
Councilman Richard "DJ" Jackson voted:	_____
Councilman Gordon T. Gollott voted:	_____
Councilman Rusty Anderson voted:	_____
Councilman Dante Elbin voted:	_____

The motion having received the affirmative vote of a majority of the members of the Mayor and City Council present, being a quorum of said City Council, the Mayor declared the motion carried and the resolution adopted this 15th day of October, 2024

(SEAL)

CITY OF GAUTIER, MISSISSIPPI

By _____
Mayor

Attest:

City Clerk

89646956.v1

EXHIBIT A

FORMS OF NOTICE OF BOND SALE AND OFFICIAL BID FORM

NOTICE OF BOND SALE

\$5,300,000

CITY OF GAUTIER, MISSISSIPPI COMBINED UTILITY SYSTEM REVENUE BONDS, SERIES 2024

NOTICE IS HEREBY GIVEN that the Mayor and City Council (the "Governing Body") of the City of Gautier, Mississippi (the "City") will receive sealed bids, either electronically, in the manner described herein below, or by hand delivery, in the Office of the City Clerk in the City Hall of the City located at 3330 US Highway 90 in the City until the hour of _____.m. on November ____, 2024, at which time said bids will be publicly opened by the City Clerk and read for the purchase at not less than par plus accrued interest, if any, to the date of delivery of \$5,300,000 aggregate principal amount City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024 (the "Bonds"). Bids will be considered by the Governing Body at their meeting to be held on Tuesday, November ____, 2024 at 6:30 p.m.

THE BONDS: The Bonds will be dated the date of delivery thereof; will be delivered in definitive form as registered Bonds; will be in the denominations of \$5,000 or any integral multiple thereof; will be numbered from one upward in the order of issuance; will be payable as to principal at a bank or banks to be designated by the City to serve as paying and transfer agent for the Bonds (the "Paying Agent"); and will bear interest, payable semiannually on May 1 and November 1 of each year, commencing November 1, 2025, at the rate or rates of interest specified in the bid submitted by the successful bidder in accordance with this Notice of Bond Sale.

The Bonds will be issued in registered, book-entry-only form and all bidders for the Bonds must be participants of The Depository Trust Company, New York, New York ("DTC"), or affiliated with its participants. The Bond certificates will be deposited with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants and for the transfer of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of the individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any multiple thereof through book entries made on the books and records of DTC and its participants. Unless the book-entry-only system is discontinued, Bond principal and interest payments will be made by the City to DTC through the Paying Agent. DTC will then be responsible for distributing such payments to DTC participants for subsequent remittance to the owners of beneficial interests in the Bonds. Payment of principal and interest on the Bonds to DTC is the responsibility of the City, disbursement of such payments to DTC participants shall be the responsibility of DTC, and disbursements of such payments to the owners of beneficial interests shall be the responsibility of DTC participants and not the responsibility of the City. The City will have no responsibility or obligation to DTC participants or owners of beneficial interests in the Bonds, with respect to the payment by DTC or any DTC participants, of the principal of or interest on the Bonds or the providing of notice to DTC participants or owners of beneficial interests in the Bonds or with respect to: (a) the accuracy of any records maintained by DTC or any DTC participant; or (b) any consent given or other action taken by DTC as owner of the Bonds.

MATURITIES: The Bonds will mature on November 1 in the years and in the principal amounts shown below:

Year	Principal Amount
2025	\$335,000
2026	355,000
2027	370,000
2028	390,000
2029	405,000
2030	425,000
2031	445,000
2032	465,000
2033	490,000
2034	515,000
2035	540,000
2036	565,000

REDEMPTION: The Bonds maturing November 1, 2032 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2031, either in whole or in part on any date, as selected by the City among maturities, and by lot within each maturity, at the principal amount thereof, together with accrued interest to the date fixed for redemption and without premium.

AUTHORITY AND SECURITY: The Bonds will be issued pursuant to the provisions of Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented, and Section 27-67-35, Mississippi Code of 1972, as amended and supplemented (collectively, the "Act"). The Bonds are payable from the revenues derived and to be derived from the operation of the combined waterworks, water supply, sewerage and sewer disposal facilities of the City (the "System") after payment of the reasonable and necessary expense of operating and maintaining the System and the debt service on any State Revolving Fund Loans existing on the date of issuance of the Bonds (the "Net Revenues"), from the infrastructure modernization use tax revenues received by the City from the State of Mississippi pursuant to Section 27-67-35, Mississippi Code of 1972, as amended and supplemented (the "Use Tax Revenues"), and from other security pledged for the Bonds. The Bonds will be secured by a lien on the Net Revenues and 50% of the City's Use Tax Revenues. The Bonds are not general obligations of the City and the full faith, credit and taxing power of the City are not being pledged to the payment of the Bonds or interest thereon. The Bonds are being issued on parity with the City's outstanding \$4,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018, the City's outstanding \$6,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019, and the City's outstanding \$2,579,000 (original principal amount) Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020 (the "Utility Bonds").

The resolution under which the Bonds are being issued allows under certain circumstances for Additional Bonds to be issued by the City on parity with the Bonds and the

Utility Bonds and secured by a parity lien on such Net Revenues and such Additional Bonds would be payable ratably from such Net Revenues along with the Bonds and the Utility Bonds.

PURPOSE: The Bonds are being issued to provide funds for the purpose of the improvement, repair, and extension of the System, funding a debt service reserve fund for the Bonds and paying the costs of the sale and issuance of the Bonds.

FORM OF BIDS: All hand delivered bids must be on the Official Bid Form prepared by the City and enclosed in a sealed envelope and should be addressed to the Governing Body, at their offices located at City Hall, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 attention: Ms. Teresa Montgomery, City Clerk, City of Gautier, and worded on the outside, in substance, "Bid for City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024."

All electronic bids must be submitted to PARITY® via the BiDCOMP Competitive Bidding System. Each prospective electronic bidder shall be solely responsible to register to bid via PARITY® and may contact PARITY® at (212)849-5021. Each qualified prospective electronic bidder shall be solely responsible to make necessary arrangements to access PARITY® for the purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice. Neither the City nor PARITY® shall have any duty or obligation to provide or assure access to PARITY® to any prospective bidder, and neither the City nor PARITY® shall be responsible for a bidder's failure to register to bid or for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY®. The City is using PARITY® as a communication mechanism, and not as the City's agent, to conduct the electronic bidding for the Bonds. No other form of electronic bid or provider of electronic bidding services will be accepted. The City is not bound by any advice and determination of PARITY® to the effect that any particular bid complies with the terms of this Notice. An electronic bid made through the facilities of PARITY® shall be deemed an offer to purchase in response to this Notice and shall be binding upon the bidder as if made by a signed sealed written bid made to the City. To the extent any instructions or directions set forth in PARITY® conflict with the terms of this Notice, the terms of this Notice shall control. The City shall not be responsible for any malfunction or mistake made by or as a result of the use of electronic bidding facilities. The use of such facilities is at the sole risk of the bidders. **If the Bonds are awarded to a bidder submitting a bid via the facilities of PARITY®, then the successful bidder is required to provide the City with a copy of the successful bid on a fully completed and executed Official Bid Form no later than the next business day following the award.** Any bidder submitting its bid via PARITY® may, prior to the time set for the receipt of bids herein, (1) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn) constitute its bid for the Bonds, or (2) withdraw its proposed bid. Once the bids are communicated electronically via PARITY® to the City, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained on PARITY® shall constitute the official time. All costs and expenses incurred by prospective bidders in connection with their registration and submission of bids via PARITY® are the sole responsibility of the bidders; and the City is not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying or withdrawing a bid for the Bonds, he should telephone PARITY® at (212)849-5021 and notify the City's Municipal

Advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

Both written bids and electronic bids must be unconditional and received by the City and/or PARITY®, respectively, on or before _____.m., Mississippi Time, on November _____, 2024, as stated above. The City is not liable for any costs incurred in the preparation, delivery, acceptance, or rejection of any bid.

INTEREST RATE AND BID RESTRICTIONS: The Bonds shall be sold at par plus accrued interest and shall not bear a greater overall maximum interest rate to maturity than thirteen percent (13%) per annum, nor shall the interest rate for any one maturity exceed thirteen percent (13%) per annum. No Bond shall bear more than one (1) rate of interest; each Bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bid; all Bonds of the same maturity shall bear the same rate of interest from date to maturity; and the lowest interest rate specified shall not be less than seventy percent (70%) of the highest interest rate specified. Each interest rate specified in any bid must be a multiple of one-eighth of one percent (1/8 of 1%) or one-tenth of one percent (1/10 of 1%) and a zero rate of interest cannot be named. All bids must comply fully with the terms and provisions of the Act.

GOOD FAITH DEPOSIT: Each bidder must provide to the City as a good faith deposit a wire transfer, or proof thereof, or a certified check, cashier's check or exchange, payable to the order of the City, issued or certified by a bank located within or without the State of Mississippi, in the amount of One Hundred Six Thousand Dollars (\$106,000.00) as a guaranty that the bidder will carry out its contract and purchase the Bonds if its bid is accepted. No interest will be allowed on any good faith deposit. Bids will be accepted or rejected by the Governing Body on the date above shown for the sale of the Bonds. When a bid is rejected by the Governing Body, the good faith deposit accompanying said bid will be returned to the bidder. When a bid is accepted by the Governing Body, the good faith deposit accompanying said bid will be applied as part payment for the Bonds or, if the successful bidder fails to comply with this agreement to purchase the Bonds, will be retained as liquidated damages. Pending the application of the good faith deposit of the successful bidder as aforesaid, such deposit may be invested in direct obligations of, or obligations guaranteed by the United States of America or in repurchase agreements with banks fully secured by such obligations, and the City shall be entitled to any income from any such investment.

[BOND INSURANCE: The scheduled payment of principal of and interest on the Bonds when due will be guaranteed under a municipal bond insurance policy to be issued concurrently with the delivery of the Bonds by _____.]

AWARD OF BONDS: The award, if any, will be made to the bidder complying with the terms of sale and offering to purchase the Bonds at the lowest net interest cost to the City, which shall be determined by computing the aggregate interest on the Bonds over the life of the issue at the rate or rates of interest specified by the bidder, less premium offered, if any. It is requested that each bid be accompanied by a statement of the net interest cost (computed to six decimal places), but such statement will not be considered a part of the bid.

RIGHT OF REJECTION, CANCELLATION: The Governing Body reserves the right to reject any or all bids submitted, as well as to waive any irregularity or informality in any bid. The successful bidder shall have the right, at its option, to cancel its agreement to purchase the Bonds if the Bonds are not tendered for delivery within sixty (60) days from the date of sale thereof, and in such event the Governing Body shall return to said bidder its good faith deposit. The Governing Body shall have the right, at its option, to cancel its agreement to sell the Bonds if within five (5) days after the tender of the Bonds for delivery the successful bidder shall not have accepted delivery of and paid for the Bonds, and in such event the Governing Body shall retain the successful bidder's good faith deposit as liquidated damages as hereinabove provided.

PAYING AGENT, TRANSFER AGENT, AND REGISTRAR: The Governing Body will designate a bank or banks to serve as paying agent, transfer agent and registrar for the Bonds. The Paying Agent shall be subject to change by order of the Governing Body under the conditions and in the manner provided in the resolution under which the Bonds are issued. Both principal of and interest on the Bonds will be payable by check or draft mailed to registered owners of the Bonds as of the 15th day of the month preceding the maturity date for such principal or interest payment at the addresses appearing in the registration records of the City maintained by the Paying Agent. The Bonds will be transferable only upon the records of the Paying Agent, and the payment of principal at maturity shall be conditioned on the proper presentation and surrender of the Bonds to the Paying Agent.

PRELIMINARY OFFICIAL STATEMENT: Bidders must acknowledge in their respective bids that they have received and reviewed the City's preliminary official statement related to the issuance of the Bonds (the "Preliminary Official Statement"). The City deems the Preliminary Official Statement to be "final" as described in SEC Rule 15c2-12(b)(1) for the purposes of such Rule. Upon award of the Bonds to the successful bidder, the City will prepare a final official statement in connection with the Bonds (the "Official Statement") in substantially the form of the Preliminary Official Statement, subject to minor amendments and supplementations. A reasonably sufficient number of Official Statements will be made available to the successful bidder at the expense of the City within seven (7) business days of the award of the Bonds to such bidder. Copies of the Preliminary Official Statement may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000, or the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

The successful bidder must file the Official Statement with a nationally recognized municipal securities information repository (a "Repository") at the earliest practicable date after the date of delivery of the Bonds as required by SEC Rule 15c2-12 and must notify the City of the date which is the "end of the underwriting period" within the meaning of such SEC Rule 15c2-12.

In order to assist bidders in complying with SEC Rule 15c2-12(b)(5), the City, pursuant to a resolution of the Governing Body and a continuing disclosure agreement, will agree to provide annual reports and notices of certain events. A summary of the City's procedures with regard to continuing disclosure is set forth in the Preliminary Official Statement and will also be set forth in the Official Statement.

SUCCESSFUL BIDDERS: The successful bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at the closing for the Bonds an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, in a form reasonably required by the City and Bond Counsel.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

(a) the City shall disseminate this Notice of Bond Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

(b) all bidders shall have an equal opportunity to bid;

(c) the City may receive bids from at least three (3) underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(d) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Bond Sale.

Any bid submitted pursuant to this Notice of Bond Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

In the event that the competitive sale requirements are not satisfied, the City shall so advise the winning bidder. The City shall treat the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The City will not require bidders to comply with the "hold-the-offering-price rule" and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds.

If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing of the Bonds has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a

party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Bond Sale. Further, for purposes of this Notice of Bond Sale:

- (a) "public" means any person other than an underwriter or a related party,
- (b) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public),
- (c) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and
- (d) "sale date" means the date that the Bonds are awarded by the City to the winning bidder.

DELIVERY: The successful bidder must designate within five (5) days of the date of sale, or at such other later date as may be designated by the Governing Body, the names and addresses of the registered owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit such information within

the required time, one Bond may be issued for each maturity in the full amount maturing on that date registered in the name of the successful bidder. The Bonds will be delivered at a place to be designated by the purchaser and without cost to the purchaser, and payment therefor shall be made in immediately available funds.

CUSIP NUMBER: It is anticipated that CUSIP identification numbers will be secured and printed on the Bonds, but neither the failure to secure or print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with its agreement to purchase the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the City; provided, however, that the CUSIP Global Services charge for the assignment of said numbers shall be paid for by the successful bidder.

LEGAL OPINION; CLOSING DOCUMENTS, ETC.: In the opinion of Butler Snow LLP ("Bond Counsel"), assuming compliance by the City with certain tax covenants, under existing statutes, regulations, rulings and court decisions, interest on the Bonds is excludable from gross income for federal income tax purposes. Interest on the Bonds is not a specific preference item for purposes of the federal alternative minimum tax. Bond Counsel will express no other opinion regarding other federal tax consequences resulting from the ownership, receipt or accrual of interest on or disposition of the Bonds. In addition, Bond Counsel is further of the opinion that under and pursuant to the Act, the Bonds and interest thereon are exempt from income taxation in the State of Mississippi.

The final approving opinion of Bond Counsel, relating to the validity and tax exemption of the Bonds, together with a non-litigation certificate of the City dated the date of delivery of the Bonds, and a transcript of the proceedings relating to the Bonds will be delivered to the successful bidder without charge.

QUALIFIED TAX-EXEMPT OBLIGATIONS. The Bonds have been designated by the Governing Body as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended and supplemented.

FURTHER INFORMATION: Further information with respect to the Bonds may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 and the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

DATED: _____, 2024

CITY OF GAUTIER, MISSISSIPPI

By /s/Teresa Montgomery
City Clerk

OFFICIAL BID FORM

**\$5,300,000
CITY OF GAUTIER, MISSISSIPPI
COMBINED UTILITY SYSTEM REVENUE BONDS,
SERIES 2024**

November __, 2024

Mayor and City Council
City of Gautier
3330 US Highway 90
Gautier, Mississippi 39553

Ladies and Gentlemen:

For Five Million Three Hundred Thousand Dollars (\$5,300,000) aggregate principal amount of Combined Utility System Revenue Bonds, Series 2024 (the "Bonds") of the City of Gautier, Mississippi (the "City"), bearing interest at the rate or rates specified below, we will pay you the aggregate par value thereof of \$5,300,000 plus a premium of \$_____. The Bonds will be dated and bear interest from the date of delivery thereof and will mature on November 1 in the years set forth in the Notice of Bond Sale, dated _____, 2024, in connection with the Bonds (the "Notice of Bond Sale").

The Bonds maturing on November 1 in the years indicated shall bear interest at the rates set opposite each, as follows:

Year	Principal Amount	Interest Rate/ Coupon	Year	Principal Amount	Interest Rate/ Coupon
2025	\$335,000	_____	2031	\$445,000	_____
2026	355,000	_____	2032	465,000	_____
2027	370,000	_____	2033	490,000	_____
2028	390,000	_____	2034	515,000	_____
2029	405,000	_____	2035	540,000	_____
2030	425,000	_____	2036	565,000	_____

The following is a computation of the net interest cost and average annual net interest rate (calculated in accordance with the provisions of the Notice of Bond Sale), respectively, in the above bid and is submitted for information purposes only and is not a part of this bid unless it is in conformity with the above enumerated interest rates and premium, if any.

Gross Interest Cost	\$ _____
Less Premium.....	_____
Net Interest Cost	_____
Average Annual Net Interest Rate	_____ %

This bid is subject to all of the terms and conditions of the Notice of Bond Sale, which Notice of Bond Sale by this reference thereto is hereby made a part hereof.

We hereby acknowledge that we have received and reviewed the Preliminary Official Statement of the City, dated _____, 2024, prepared in connection with the Bonds.

A WIRE TRANSFER, OR PROOF THEREOF, OR A CERTIFIED CHECK, CASHIER'S CHECK OR EXCHANGE PAYABLE TO THE ORDER OF THE CITY OF GAUTIER, MISSISSIPPI, ISSUED OR CERTIFIED BY A BANK LOCATED WITHIN OR WITHOUT THE STATE OF MISSISSIPPI, IN THE AMOUNT OF ONE HUNDRED SIX THOUSAND DOLLARS (\$106,000.00) accompanies this bid as evidence of good faith and said good faith deposit shall be returned to the undersigned if this bid is not accepted, or if the City should fail to deliver said Bonds to the undersigned in accordance with the terms of the Notice of Bond Sale; otherwise said good faith deposit shall be held by the City and shall be applied as and when the Bonds are delivered and paid for under the terms of this bid, as part payment therefor, or be applied as and for liquidated damages in the event that the undersigned fails to take up and pay for the Bonds. Pending the application of the good faith deposit of the successful bidder as aforesaid, such deposit may be invested in direct obligations of, or obligations guaranteed by, the United States of America or in repurchase agreements with banks fully secured by such obligations, and the City shall be entitled to any income from any such investment.

This bid is for immediate acceptance.

Bidder ¹ _____

By _____
(Print Name)

(Signature)

Address _____

Telephone Number _____

(Note: No addition to or alteration in this bid is to be made, and any erasure may cause a rejection of this bid. Bids must be filed with the Mayor and City Council of the City of Gautier, Mississippi in the Office of the City Clerk in the City Hall located at 3330 US Highway 90, Gautier, Mississippi 39553, attention: Ms. Teresa Montgomery, City Clerk, sealed and worded on the outside, in substance, "Bid for City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024", before _____ o'clock p.m., Mississippi time, on _____, 2024. No interest will be allowed the bidder on the good faith deposit which accompanies this bid.)

ACCEPTANCE

The above bid accepted by the Mayor and City Council of the City of Gautier, Mississippi, this _____ day of _____, 2024, and receipt of the within mentioned check is hereby acknowledged.

CITY OF GAUTIER, MISSISSIPPI

By _____
Mayor

Attest:

City Clerk

Return of the good faith check is hereby acknowledged.
By _____

Title _____

¹ Please list on an exhibit all members, if any, of your syndicate.

EXHIBIT B

FORM OF PRELIMINARY OFFICIAL STATEMENT

This Preliminary Official Statement and certain of the information contained herein is in a form deemed final for purposes of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (except for the omission of certain information permitted to be omitted under Rule 15c2-12(b)(1)). This Preliminary Official Statement and the information contained herein are subject to revisions, completion or amendment in the final Official Statement. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

PRELIMINARY OFFICIAL STATEMENT
Dated October __, 2024

**ONE (1) NEW ISSUE
BOOK-ENTRY ONLY**

RATING: Insured -"A"
(See "RATING" herein)

In the opinion of Butler Snow LLP, Ridgeland, Mississippi ("Bond Counsel"), under existing statutes, regulations, published rulings and judicial decisions, interest on the Series 2024 Bonds described herein is excludable from gross income of the owners thereof for federal income tax purposes. Interest on the Series 2024 Bonds is not a separate tax preference item for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Internal Revenue Code of 1986, as amended (the "Code")) for the purpose of computing the alternative minimum tax imposed on corporations. See "TAX MATTERS" for information concerning assumptions as to compliance with the Code, upon which the foregoing opinions are based. Bond Counsel is further of the opinion that under existing laws, regulations, rulings and judicial decisions, interest on the Series 2024 Bonds is exempt from income taxation in the State (as defined herein). See "TAX MATTERS" herein and APPENDIX E - FORM OF OPINION OF BOND COUNSEL attached hereto.

\$5,300,000
CITY OF GAUTIER, MISSISSIPPI
COMBINED UTILITY SYSTEM REVENUE BONDS,
SERIES 2024

Dated: Date of Delivery

Due: November 1, as shown on the inside cover

Interest on the \$5,300,000 City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024 (the "Series 2024 Bonds") will be payable semiannually on May 1 and November 1 of each year, commencing November 1, 2025. The Series 2024 Bonds are being issued by the City of Gautier, Mississippi (the "City") to raise money for the purpose of (a) financing the cost of the improvement, repair, and extension of the City's combined waterworks, water supply, sewerage, and sewer disposal facilities (the "System"), (b) funding a debt service reserve fund for the Series 2024 Bonds, and (c) paying the costs of the sale and issuance of the Series 2024 Bonds. The Mayor and City Council of the City will designate a bank or banks to serve as paying agent, transfer agent and registrar of the Series 2024 Bonds (the "Paying Agent").

The Series 2024 Bonds will be issued as fully registered bonds in denominations of \$5,000 or any integral multiple thereof and registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository for the Series 2024 Bonds under a book-entry-only system, as described herein. So long as the Series 2024 Bonds are held in book-entry form, beneficial owners of Series 2024 Bonds will not receive physical delivery of bond certificates.

The principal of, and interest on, the Series 2024 Bonds will be payable by the Paying Agent to DTC, which will in turn remit such principal and interest to its Direct Participants (as defined herein) and Indirect Participants (as defined herein), which will in turn remit such principal, and interest to the beneficial owners of the Series 2024 Bonds. If the date for payment is not a business day, then the payment shall be made on the next succeeding business day with the same force and effect as if made on the payment date. See "DESCRIPTION OF THE SERIES 2024 BONDS – Book-Entry Only System" herein.

The Series 2024 Bonds will be special obligations of the City payable solely from the Net Revenues (as defined herein) as collected and received by the City from the operation and ownership of the System and from the City's infrastructure modernization use tax revenues received from the State pursuant to Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented (the "Use Tax Revenues"). The City has pledged to the payment of the Series 2024 bonds the Net Revenues of the System and 50% of the City's Use Tax Revenues. The Series 2024 Bonds are issued on parity as to Net Revenues with the Utility Bonds (as defined herein) and any Additional Bonds (as defined herein). The Series 2024 Bonds shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory restriction, limitation or provision, and the full faith, credit and taxing power of the City is not pledged to the payment of the Series 2024 Bonds, either as to principal or interest.

The scheduled payment of principal of and interest on the Series 2024 Bonds when due will be guaranteed under a municipal bond insurance policy to be issued concurrently with the delivery of the Series 2024 Bonds by _____.

The Series 2024 Bonds will be subject to redemption prior to maturity as provided herein. See "DESCRIPTION OF THE SERIES 2024 BONDS – Redemption Provisions."

The Series 2024 Bonds are being issued as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The Series 2024 Bonds are offered subject to the final approving opinion of Butler Snow LLP, Ridgeland, Mississippi, Bond Counsel. Certain legal matters will be passed upon for the City by its counsel, Bordis Danos Pierce, Ocean Springs, Mississippi. Government Consultants, Inc., Madison, Mississippi, serves as the Municipal Advisor to the City in connection with the sale and issuance of the Series 2024 Bonds. It is expected that delivery of the Series 2024 Bonds in definitive form will be made in New York, New York, on or about November __, 2024.

Dated: November __, 2024

\$5,300,000
CITY OF GAUTIER, MISSISSIPPI
COMBINED UTILITY SYSTEM REVENUE BONDS,
SERIES 2024

MATURITY SCHEDULE

Year (November 1)	Principal Amount	Interest Rate	Yield	CUSIPS¹
2025	\$335,000			
2026	355,000			
2027	370,000			
2028	390,000			
2029	405,000			
2030	425,000			
2031	445,000			
2032	465,000			
2033	490,000			
2034	515,000			
2035	540,000			
2036	565,000			

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CITY OF GAUTIER, MISSISSIPPI

MAYOR AND CITY COUNCIL

Casey Vaughan, Mayor
Adam Colledge, Councilman
Cameron B. George, Councilman
Richard Jackson, Councilman
Gordon T. Gollott, Councilman
Charles "Rusty" Anderson, Councilman
Dante Elbin, Councilman

CITY CLERK

Teresa Montgomery

GENERAL COUNSEL

Bordis Danos Pierce
Ocean Springs, Mississippi

MUNICIPAL ADVISOR

Government Consultants, Inc.
Madison, Mississippi

BOND COUNSEL

Butler Snow LLP
Ridgeland, Mississippi

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OFFICIAL STATEMENT SUMMARY

THE OFFERING

\$5,300,000
CITY OF GAUTIER, MISSISSIPPI
COMBINED UTILITY SYSTEM REVENUE BONDS,
SERIES 2024)

The Issuer	City of Gautier, Mississippi (the "City").
Issue and Date	\$5,300,000 City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024, dated the date of delivery thereof (the "Series 2024 Bonds").
Authority	Sections 21-27-11 <i>et seq.</i> , Mississippi Code of 1972, as amended and supplemented, and Section 27-67-35, Mississippi Code of 1972, as amended and supplemented (collectively, the "Act").
Use of Proceeds	The Series 2024 Bonds are being issued to raise money for the purpose of (a) financing the cost of the improvement, repair, and extension of the City's combined waterworks, water supply, sewerage, and sewer disposal facilities (the "System"), (b) funding a debt service reserve fund for the Series 2024 Bonds, and (c) paying the costs of the sale and issuance of the Series 2024 Bonds (see "DESCRIPTION OF THE PROJECT" herein).
Amounts and Maturities	The Series 2024 Bonds will mature on November 1 in the years and amounts as set forth on the inside cover page hereof.
Interest Payment Dates .	May 1 and November 1 of each year, commencing November 1, 2025.
Redemption Provisions .	The Series 2024 Bonds will be subject to redemption prior to maturity and without premium, at the option of the City, as provided herein (see "DESCRIPTION OF THE SERIES 2024 BONDS - Redemption Provisions" herein).
Security for Payment	Pursuant to the Act, the Series 2024 Bonds will be special obligations of the City payable solely from the Net Revenues (as defined herein) as collected and received by the City from the operation and ownership of the System (as defined herein), and from the City's Use Tax Revenues (as defined herein). The Series 2024 Bonds are secured by a lien on the Net Revenues and 50% of the City's Use Tax Revenues. The Series 2024 Bonds are issued on parity as to Net Revenues with the Utility Bonds (as defined herein) and any Additional Bonds (as defined herein). The Series 2024 Bonds shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory restriction, limitation or provision, and the full faith, credit and taxing power of the City is not pledged to the payment of the Series 2024 Bonds, either as to principal or interest (see "DESCRIPTION OF THE SERIES 2024 BONDS - Security" herein).
Tax Matters	In the opinion of Bond Counsel (as defined herein), assuming continuing compliance by the City with certain tax covenants, under existing statutes, regulations, published rulings and judicial decisions, interest on the Series 2024 Bonds described herein is excludable from gross income of the owners thereof for federal income tax purposes. Interest on the Series 2024 Bonds is not a separate tax preference item for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Internal Revenue Code of 1986, as amended) for the purpose of computing the alternative minimum tax imposed on corporations. See "TAX MATTERS" herein and APPENDIX E - FORM OF OPINION OF BOND COUNSEL attached hereto for a description of certain other federal tax consequences of ownership of the Series 2024 Bonds. Bond Counsel is further of the opinion that under and pursuant to the Act, the Series 2024 Bonds and interest thereon are exempt from all income taxes imposed by the State of Mississippi.
Disclosure Certificates	The original purchaser of the Series 2024 Bonds, concurrently with the delivery of the Series 2024 Bonds, shall receive a certificate signed by certain officials of the City regarding the adequacy of disclosure contained in this Official Statement (see "DOCUMENTS ACCOMPANYING DELIVERY OF THE SERIES 2024 BONDS" herein).

The above information is qualified in its entirety by the detailed information and financial information appearing elsewhere in this Official Statement, including the Appendices.

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No dealer, broker, sales representative or other person has been authorized by the City of Gautier, Mississippi (the "City") to give any information or to make any representations other than those contained herein and, if given or made, such other information or representation must not be relied upon as having been authorized by the City. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the Series 2024 Bonds by any person in any jurisdiction in which it is unlawful for such person to make such an offer, solicitation or sale. The information and expressions of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the City since the date hereof.

The prices at which the Series 2024 Bonds are offered to the public by the Purchaser (as defined herein) (and the yields resulting therefrom) may vary from the initial public offering prices or yields appearing on the inside cover page hereof. In addition, the Purchaser may allow concessions or discounts from such initial public offering prices to dealers and others. In order to facilitate distribution of the Series 2024 Bonds, the Purchaser may engage in transactions intended to stabilize the price of the Series 2024 Bonds at a level above that which might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

[The Bond Insurer (as defined herein) makes no representation regarding the Series 2024 Bonds or the advisability of investing in the Series 2024 Bonds. In addition, the Bond Insurer has not independently verified, makes no representation regarding, and does not accept any responsibility for the accuracy or completeness of this Official Statement or any information or disclosure contained herein, or omitted here from, other than with respect to the accuracy of the information regarding the Bond Insurer, supplied by the Bond Insurer and presented under the heading "Bond Insurance" and "APPENDIX ___ - Specimen Municipal Bond Insurance Policy."]

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OFFICIAL STATEMENT

\$5,300,000
CITY OF GAUTIER, MISSISSIPPI
COMBINED UTILITY SYSTEM REVENUE BONDS,
SERIES 2024)

November ____, 2024

INTRODUCTION

The purpose of this Official Statement, which includes the cover page, the inside cover page and the Appendices hereto, is to set forth certain information concerning the City of Gautier, Mississippi (the "City") and the City's \$5,300,000 Combined Utility System Revenue Bonds, Series 2024, dated the date of delivery thereof (the "Series 2024 Bonds").

Reference is made to the Act (as hereinafter defined), the Bond Resolution (as hereinafter defined) and any and all modifications and amendments thereof for a description of the nature and extent of the security of the Series 2024 Bonds. Certain provisions of the Bond Resolution are summarized herein. All summaries of the Bond Resolution do not purport to be complete statements and are subject to the provisions of the Bond Resolution. Capitalized terms used herein, but not defined herein, shall have the meanings ascribed thereto in APPENDIX D hereto.

DESCRIPTION OF THE SERIES 2024 BONDS

General

The Series 2024 Bonds will be issued pursuant to the provisions of Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Utility Act"), Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented (together, the "Infrastructure Modernization Act") and the resolution adopted by the Mayor and City Council of the City (the "Governing Body") on October 15, 2024 (the "Bond Resolution"). The Series 2024 Bonds are being issued (a) to raise money for the purpose of financing the costs of the improvement, repair, and extension of the City's combined waterworks, water supply, sewerage, and sewer disposal facilities (collectively, the "System"), (b) to fund the 2024 Debt Service Reserve Fund (as defined herein), and (c) to pay the costs of the sale and issuance of the Series 2024 Bonds (see "DESCRIPTION OF THE PROJECT" herein).

The Series 2024 Bonds will be dated the date of their delivery and will be issued as fully registered bonds in denominations of Five Thousand Dollars (\$5,000) or any integral multiple thereof, bearing interest at the rates per annum set forth on the inside cover page hereof, payable on May 1 and November 1 of each year, commencing on November 1, 2025. The City has designated _____, _____, Mississippi, to serve as paying agent, transfer agent and registrar of the Series 2024 Bonds (the "Paying Agent"). Interest will be payable by check or draft of the Paying Agent made payable to the registered owners of the Series 2024 Bonds named in, and mailed to the addresses appearing on, the registration records of the City kept and maintained by the Paying Agent as of the close of business on the date which shall be the 15th day (whether or not a business day) of the calendar month next preceding each interest payment date.

The principal of and interest on the Series 2024 Bonds shall be payable solely (a) from Revenues and shall be subject to the prior payment of Current Expenses and debt service on the SRF Loans (as hereinafter defined), and (b) from the City's Use Tax Revenues (as defined herein). The Series 2024 Bonds shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory restriction, limitation or provision, and the full faith, credit and taxing power of the City is not pledged to the payment of the Series 2024 Bonds, either as to principal or interest.

The Series 2024 Bonds will initially be held in a book-entry-only system administered by The Depository Trust Company, New York, New York ("DTC"). Principal of and interest on the Series 2024 Bonds held in book-entry form shall be payable as described herein under the heading "DESCRIPTION OF THE SERIES 2024 BONDS - Book-Entry-Only System."

The principal of and interest on, the Series 2024 Bonds will be payable by the Paying Agent to DTC, which will in turn remit such principal and interest to its Direct Participants (as hereinafter defined) and Indirect Participants (as hereinafter defined), which will in turn remit such principal and interest to the beneficial owners of the Series 2024 Bonds. If the date for payment is not a Business Day, then the payment shall be made on the next succeeding Business Day with the same force and effect as if made on the payment date. The record date for the payment of interest on the Series 2024 Bonds is the close of business on the date which shall be the 15th day (whether or not a Business Day) of the calendar month next preceding each interest payment date.

The Series 2024 Bonds will mature on November 1 in the years and in the amounts set forth on the inside cover page hereto.

Security

The Series 2024 Bonds will be special obligations of the City secured by a lien on the Net Revenues (as hereinafter defined) as collected and received by the City from the operation and ownership of the System, and 50% of the City's Use Tax Revenues. The Series 2024 Bonds are being issued on parity as to Net Revenues with the Utility Bonds (as hereinafter defined) and any Additional Bonds (as defined herein). The Series 2024 Bonds shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory restriction, limitation or provision, and the full faith, credit and taxing power of the City is not pledged to the payment of the Series 2024 Bonds, either as to principal or interest. See "SECURITY FOR THE SERIES 2024 BONDS" herein.

[Bond Insurance Policy

Concurrently with the issuance of the Series 2024 Bonds, _____ (the "Bond Insurer") will issue its Municipal Bond Insurance Policy for the Series 2024 Bonds (the "Bond Insurance Policy"). The Bond Insurance Policy guarantees the scheduled payment of principal of and interest on the Series 2024 Bonds when due as set forth in the form of the Bond Insurance Policy included as APPENDIX G to this Official Statement. See "BOND INSURANCE" and "APPENDIX G - SPECIMEN MUNICIPAL BOND INSURANCE POLICY."]

Redemption Provisions

The Series 2024 Bonds maturing November 1, 2032 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2031, either in whole or in part on any date (as selected by the City among maturities and by lot within each maturity), at the principal amount thereof, together with the interest accrued thereon to the date fixed for redemption and without premium.

Notice of each such redemption shall be mailed, postage prepaid, not less than 30 days prior to the redemption date, to all registered owners of the Series 2024 Bonds to be redeemed at their addresses as they appear on the records of the Paying Agent.

Defeasance of Series 2024 Bonds

Under the Resolution, Series 2024 Bonds for the payment of which sufficient moneys, or, to the extent permitted by the laws of the State of Mississippi (the "State"), (a) direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America ("Government Obligations"), or (b) certificates of deposit or municipal obligations fully secured by Government Obligations, or (c) evidences of ownership of proportionate interests in future interest or principal payments on Government Obligations held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the Government Obligations and which Government Obligations are not available to

satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated, or (d) municipal obligations, the payment of the principal of, interest and redemption premium, if any, on which are irrevocably secured by Government Obligations and which Government Obligations are not subject to redemption prior to the date on which the proceeds attributable to the principal of such obligations are to be used and have been deposited in an escrow account which is irrevocably pledged to the payment of the principal of and interest and redemption premium, if any, on such municipal obligations (all of which collectively, with Government Obligations, "Defeasance Securities"), shall have been deposited with an escrow agent appointed for such purpose, which may be the Paying Agent, all to the extent provided in the Resolution, shall be deemed to have been paid, shall cease to be entitled to any lien, benefit or security under the Resolution and shall no longer be deemed to be outstanding thereunder, and the registered owners shall have no rights in respect thereof except to receive payment of the principal of and interest on such Series 2024 Bonds from the funds held for that purpose. Defeasance Securities shall be considered sufficient under the Resolution if said investments, with interest, mature and bear interest in such amounts and at such times as will assure sufficient cash to pay currently maturing interest and to pay principal when due on such Series 2024 Bonds.

Ownership

The City, the Paying Agent, and any other person may treat the person in whose name any Series 2024 Bond is registered as the absolute owner of such Series 2024 Bond for the purpose of making payment of the principal thereof and premium, if any, thereon, and for the further purpose of making payment of the interest thereon, and for all other purposes, whether or not such Series 2024 Bond is overdue. Neither the City nor the Paying Agent shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the owner of any Series 2024 Bond in accordance with the Resolution shall be valid and effective and shall discharge the liability of the City and the Paying Agent for such Series 2024 Bond to the extent of the sums paid.

Registration

Series 2024 Bonds Subject to the Book-Entry-Only System. For so long as DTC acts as securities depository for the Series 2024 Bonds, the registration and transfer of ownership interests in Series 2024 Bonds shall be accomplished by book entries made by DTC and the Direct Participants and, where appropriate, the Indirect Participants (as such terms are hereinafter defined), as described herein under the heading "DESCRIPTION OF THE SERIES 2024 BONDS-Book-Entry-Only System."

Series 2024 Bonds Not Subject to Book-Entry-Only System. Should the Series 2024 Bonds no longer be held in book-entry form, each Series 2024 Bond shall be thereafter evidenced by a bond certificate in fully registered form and transferable only upon the registration records of the City maintained by the Paying Agent, by the registered owner thereof or by his attorney, duly authorized in writing, upon surrender thereof, together with a written instrument of transfer satisfactory to the Paying Agent, duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any Series 2024 Bond, the City shall issue, in the name of the transferee, a new Series 2024 Bond or Series 2024 Bonds of the same interest rate and maturity of like tenor and effect in any authorized denomination equal to the unpaid principal amount of the surrendered Series 2024 Bond.

Series 2024 Bonds, upon surrender thereof at the office of the Paying Agent with a written instrument of transfer satisfactory to the Paying Agent duly executed by the registered owner or his duly authorized attorney, may be exchanged for a principal amount of Series 2024 Bonds of the same interest rate and maturity and of like tenor and effect in any authorized denomination equal to the unpaid principal amount of the surrendered Series 2024 Bonds. The Paying Agent will not be required to register the transfer of or exchange any Series 2024 Bond after the mailing of notice calling such Series 2024 Bond for redemption has been given as provided in the Resolution, nor during the period of 15 days next preceding the giving of such notice of redemption.

Book-Entry-Only System

The City has determined that it will be beneficial to have the Series 2024 Bonds held by a central depository system and to have transfers of the Series 2024 Bonds affected by book-entry on the books of

DTC as such central depository system. Accordingly, Beneficial Ownership interests in the Series 2024 Bonds will be available in book-entry-only form, in the principal amount of \$5,000 or integral multiples thereof. Purchasers of Beneficial Ownership interests in the Series 2024 Bonds (the "Beneficial Owners") will not receive certificates representing their interests in the Series 2024 Bonds purchased.

The information provided under this caption has been provided by DTC. No representation is made by the City, the Purchaser (as defined herein) or the Paying Agent as to the accuracy or adequacy of such information, or as to the absence of material adverse changes in such information subsequent to the date hereof.

DTC will act as securities depository for the Series 2024 Bonds. The Series 2024 Bonds will be initially issued as fully-registered Series 2024 Bonds registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by the authorized representative of DTC. One fully-registered Series 2024 Bond certificate for each maturity will be issued for the Series 2024 Bonds in the aggregate principal amount of each maturity and will be deposited with DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instrument from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions, in deposited securities through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has S&P's rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Series 2024 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for such Series 2024 Bonds on DTC's records. The ownership interest of each actual purchaser or Beneficial Owner of each Series 2024 Bond is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Series 2024 Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Series 2024 Bonds, except in the event that use of the book-entry system for the Series 2024 Bonds is discontinued.

To facilitate subsequent transfers, all Series 2024 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Series 2024 Bonds with DTC and their registration in the name of Cede & Co. or such other nominee do not affect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Series 2024 Bonds. DTC's records reflect only the identity of the Direct Participants to whose accounts such Series 2024 Bonds are credited, which may or may not be the Beneficial Owners. The Direct Participants and the Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Neither DTC nor Cede & Co. (nor such other DTC nominee) will consent or vote with respect to the Series 2024 Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an "Omnibus Proxy" to the Paying Agent as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Series 2024 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal payments and interest payments on the Series 2024 Bonds will be made to Cede & Co. or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the City or the Paying Agent, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC nor its nominee, the Paying Agent, or the City subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, principal payments and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the City or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Series 2024 Bonds at any time by giving reasonable notice to the City. Under such circumstances, and in the event that a successor depository is not obtained, bond certificates are required to be printed and delivered.

In addition, the City may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, bond certificates will be printed and delivered to DTC.

The information in this section and elsewhere in this Official Statement concerning DTC and DTC's book-entry system has been obtained from sources that the City believes to be reliable, but the City takes no responsibility for the accuracy thereof.

So long as Cede & Co. is the registered holder of the Series 2024 Bonds as nominee of DTC, references herein to the holders or registered owners of the Series 2024 Bonds mean Cede & Co. and not the Beneficial Owners of the Series 2024 Bonds.

THE CITY AND THE PAYING AGENT CANNOT AND DO NOT GIVE ANY ASSURANCES THAT THE DIRECT PARTICIPANTS OR THE INDIRECT PARTICIPANTS WILL DISTRIBUTE TO THE BENEFICIAL OWNERS OF THE SERIES 2024 BONDS (A) PAYMENTS OF PRINCIPAL OF OR INTEREST OR REDEMPTION PREMIUM, IF ANY, ON THE SERIES 2024 BONDS; (B) CERTIFICATES REPRESENTING AN OWNERSHIP INTEREST OR OTHER CONFIRMATION OF BENEFICIAL OWNERSHIP INTERESTS IN THE SERIES 2024 BONDS; OR (C) REDEMPTION OR OTHER NOTICES SENT TO DTC OR CEDE & CO., ITS NOMINEE, AS THE REGISTERED OWNERS OF THE SERIES 2024 BONDS, OR THAT THEY WILL DO SO ON A TIMELY BASIS OR THAT DTC OR DIRECT OR INDIRECT PARTICIPANTS WILL SERVE AND ACT IN THE MANNER DESCRIBED IN THIS OFFICIAL STATEMENT. THE CURRENT "RULES" APPLICABLE TO DTC ARE ON FILE WITH THE SECURITIES AND EXCHANGE COMMISSION AND THE CURRENT "PROCEDURES" OF DTC TO BE FOLLOWED IN DEALING WITH DIRECT OR INDIRECT PARTICIPANTS ARE ON FILE WITH DTC.

NEITHER THE CITY NOR THE PAYING AGENT WILL HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO SUCH DIRECT OR INDIRECT PARTICIPANTS OR THE BENEFICIAL OWNERS WITH RESPECT TO (A) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DIRECT

OR INDIRECT PARTICIPANT; (B) THE PAYMENT BY ANY DIRECT OR INDIRECT PARTICIPANT OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL AMOUNT OF OR INTEREST OR REDEMPTION PREMIUM, IF ANY, ON THE SERIES 2024 BONDS; (C) THE DELIVERY BY ANY DIRECT OR INDIRECT PARTICIPANT OF ANY NOTICE TO ANY BENEFICIAL OWNER WHICH IS REQUIRED OR PERMITTED UNDER THE TERMS OF THE RESOLUTION TO BE GIVEN TO BONDHOLDERS; (D) THE SELECTION OF THE BENEFICIAL OWNERS TO RECEIVE PAYMENT IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE SERIES 2024 BONDS; OR (E) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS BONDHOLDER.

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Debt Service Requirements for the Series 2024 Bonds and the Utility Bonds

The following table sets forth the estimated debt service requirements on the Series 2024 Bonds and the Utility Bonds:

Fiscal Year Ending September 30	Series 2018 Bonds Total Debt Service	Series 2019 Bonds Total Debt Service	Series 2020 Bonds Total Debt Service	Series 2024 Bonds Principal	Series 2024 Bonds Interest	Total Debt Service
2025				\$ 335,000.00		
2026				355,000.00		
2027				370,000.00		
2028				390,000.00		
2029				405,000.00		
2030				425,000.00		
2031				445,000.00		
2032				465,000.00		
2033				490,000.00		
2034				515,000.00		
2035				<u>540,000.00</u>		
2036						
2037						
2038						
2039						
TOTAL				<u>\$5,300,000.00</u>		

Additional Information

For additional details regarding the description of the Series 2024 Bonds, reference is made to the Notice of Bond Sale for the Series 2024 Bonds included in this Official Statement as APPENDIX A.

APPLICATION OF THE PROCEEDS OF THE SERIES 2024 BONDS

Estimated Sources of Funds

Par Amount of Series 2024 Bonds	\$5,300,000.00
[Plus Net Original Issue Premium]	
Total Sources of Funds	

Estimated Uses of Funds

Deposit to Construction Fund ¹
Total Uses of Funds

¹ Includes payments for costs of issuance, which include but are not limited to, legal fees and expenses, municipal advisory fees and expenses and the premium for the Bond Insurance Policy and the Surety Bond paid directly to the Bond Insurer.

DESCRIPTION OF THE PROJECT

The Series 2024 Bonds are being issued (a) to raise money for the purpose of financing the costs of the improvement, repair, and extension of the System, (b) to fund the 2024 Debt Service Reserve Fund, and (c) to pay the costs of the sale and issuance of the Series 2024 Bonds.

SECURITY FOR THE SERIES 2024 BONDS

The Series 2024 Bonds are special obligations of the City secured by a lien on (a) the Net Revenues as collected and received by the City from the operation and ownership of the System, and (b) 50% of the City's Use Tax Revenues. The Bond Resolution defines Net Revenues to mean the Revenues remaining after payment of Current Expenses and debt service on the SRF Loans. The Bond Resolution defines Use Tax Revenues to mean the infrastructure modernization use tax revenues received by the City from the State pursuant to the Infrastructure Modernization Act. See "THE SYSTEM" for a discussion of the System and the revenues collected. See "USE TAX REVENUES" for a discussion of the Use Tax Revenues collected by the City from the State.

The Series 2024 Bonds shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory restriction, limitation or provisions, and the full faith, credit and taxing power of the City is not pledged to the payment of the Series 2024 Bonds, either as to principal or interest.

The Series 2024 Bonds are being issued on parity as to Net Revenues with the City's outstanding \$4,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018, the City's outstanding \$6,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019, and the City's outstanding \$2,579,000 (original principal amount) Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020 (collectively, the "Utility Bonds") and any Additional Bonds issued pursuant to the Bond Resolution.

THE SYSTEM

General

The Gautier Utility District (the "District") was originally created in 1973 under the provisions of Senate Bill 2251, Local and Private Laws of Mississippi, Regular Session, 1966, as a combined water and sewer utility and a fire protection district. The District's service area was five miles west of the City of

Pascagoula, Mississippi, the county seat for Jackson County, Mississippi (the "County"), and 20 miles east of Biloxi, Mississippi.

On July 31, 2002, the City, through an annexation of the property within the District, assumed the operation and maintenance of the District and the System as well as the obligations of the District. The City's service area is bounded on the east by the West Pascagoula River, to the northwest by the Mississippi Sandhill Crane National Wildlife Refuge and to the south by the Gulf of Mexico (the "Service Area"). Opportunity for growth exists to the west, south of the refuge, and to the north. Nearly all of the densely populated areas within the Service Area are being served. The City continues to make a concerted effort to enhance the revenue potential of the System by improved internal control and customer additions.

The Water System

The City currently provides water service to approximately 7,035 customers. The Service Area's water supply source consists of nine ground wells located throughout the Service Area with a combined pumping capacity of 5,147 gallons per minute, the largest well delivering 1,102 gallons per minute. Treatment of the groundwater is accomplished at the well heads. As the City has developed, it has always utilized water wells for its water source. Currently, the wells supplying the Service Area are all in the Pascagoula Formations (depth 600' to 800'). The Service Area's groundwater sources are of such quality so as to only require chlorination prior to entering the System. Water storage is comprised of five elevated tanks with a capacity of 1,200,000 gallons. The largest storage tank holds 500,000 gallons. At present, the Service Area has approximately 120 miles of water lines in service. The overall condition of the water system is fair to good. The average daily consumption is approximately 3.3 million gallons.

The Sewer System

The City's sewer system is made up of approximately 13.5 miles of interceptors and 103 miles of collection lines. The City's sewer system is connected via two pump stations and a force main to the facilities of the Jackson County Utility Authority (the "Authority"), that, through a contractual arrangement, provides treatment of the collected wastewater. The City is a member of the joint venture of the Authority, which was established by an act of the State Legislature to design and implement a water pollution abatement plan. The Authority is responsible for the operations and maintenance of the wastewater treatment plants for the cities of Gautier, Moss Point, Ocean Springs and Pascagoula. The Authority enters into subscription agreements with each of the governing bodies and districts to fund its operations.

Currently, the City's average flow of wastewater to the Authority's treatment system is 1,700,000 gallons per day. The Authority has a design capacity of 4,000,000 gallons per day.

The City's monthly payment for wastewater treatment is established prior to the beginning of each fiscal year based on a formula used for projecting the City's expected wastewater flows. Because the amount of wastewater actually treated will differ from the amount estimated to be treated, the monthly fee paid to the Authority is further adjusted by the amount by which the City either overpaid or underpaid in the preceding year.

The City has taken various actions as a precaution to the possibility of volatile wastewater treatment costs in future fiscal years. The City has established a Rate Stabilization Fund. The amounts on hand in the Rate Stabilization Fund may be withdrawn by the City for the purpose of payment of any Current Expenses incurred including the payment of wastewater treatment costs.

Fire Protection

The fire protection facilities of the City include four fire stations. The four fire stations are located within the corporate limits of the City and are owned and operated by the City.

Mandatory Connections

On June 16, 1986, the Board of Supervisors of the County, having previously created the District on July 3, 1973, unanimously adopted a resolution requiring connection to the System of all dwellings and buildings in the Service Area of the District within reasonable proximity to the System. Refusal to connect to the System is a misdemeanor and subjects the offender to a fine not to exceed \$100 to be imposed by any court of competent jurisdiction, with each day that the subject dwelling or building is unconnected constituting a separate offense.

Utility Rate Schedule

The following table sets forth the current utility rate schedule for water and sewer customers in the City:

Service	Current Rates
Gallons	3,000
Water	
First 3,000 Gallons (Residential)	27.30
Over 3,000 Gallons (per 1,000 Gallons) (Residential)	9.10
First 3,000 Gallons (Commercial)	28.20
Over 3,000 Gallons (per 1,000 Gallons) (Commercial)	9.40
Sewer²	
First 3,000 Gallons (Residential)	16.05
Over 3,000 Gallons (per 1,000 Gallons) (Residential)	5.35
First 3,000 Gallons (Commercial)	24.45
Over 3,000 Gallons (per 1,000 Gallons) (Commercial)	8.15
Wastewater Treatment	
First 3,000 Gallons (Residential)	15.45
Over 3,000 Gallons (per 1,000 Gallons) (Commercial & Residential)	6.70
Garbage	
Monthly Charge	21.00
Minimum Average Bill	75.00

¹ The City bills their citizens/customers separately for wastewater treatment. Fire protection is provided through the City's general fund budget.

² Sewer only monthly charge is \$100.00 for commercial and \$42.00 for residential.

In the event that the anticipated increase in revenues attributable to the increased customer base and rate schedule is insufficient to pay the capitalization and operating costs of the System in future years, the City is committed to increasing water and sewer rates to the extent necessary to meet any such shortfalls in revenue that may occur.

Management of the System

The System is a division of the City and is operated and maintained by the City. The System is governed by the Governing Body and administered by the Grants & Projects Department under supervision of the City Manager. The daily operations of the System are performed by Clearwater Solutions LLC consisting of a division head and 24 employees. The City prepares financial statements for the System.

Establishment of Rates

Rates for water and sewer services are established by the Governing Body. The City's current rate schedule was adopted by the Governing Body on September 19, 2023. Newly adopted rates become effective as to each user one month after they have been adopted by the Governing Body provided however, that such newly adopted rates may become effective immediately upon the unanimous approval of the Governing Body based on a finding of good cause and a statement in the adopting ordinance of the reason why it is necessary that the new rate become effective immediately.

Customers Served by the City

The following table shows the number of customers served by the City from 2019 to 2023:

FY Ending September 30	Customers
2023 ¹	7,035 (Metered Accounts)
2022	7,189 (Metered Accounts)
2021	7,182 (Metered Accounts)
2020	7,257 (Metered Accounts)
2019	7,361 (Metered Accounts)

¹ For Fiscal Year 2023 the decrease in metered accounts is due to 2 large customers consolidating numerous individual site meters into 2 master meters.

Ten Largest Water System Users

The below table shows the ten largest water system users in the Service Area for the fiscal year ended September 30, 2023:

TEN LARGEST USERS	TOTAL WATER CHARGES
A-Strategy X LLC	\$108,713.52
IOP Community LLC	71,943.54
Bayou Village Apartments	70,903.64
Singing River LLC	65,784.85
Forest City Southern Group	59,332.04
Gautier Holdings LLC	56,434.91
River Bend Condo Inc	55,356.36
Forest City Southern Group	55,056.28
Indian Point	44,149.83
Gautier High School	41,957.12

System Capacity

The current capacity of the City's water system is as follows:

Current Water System	Number of Gallons per day
Capacity	2,996,400 customer only
Peak daily load	14,063,040 mgd
Average daily usage	3.3 mgd

The current capacity of the City's sewer system is as follows:

Current Sewer System	Number of Gallons per day
Capacity	4,000,000
Peak Daily load	3,500,000
Average daily usage	1,700,000

Revenues Available for Debt Service

The following schedules, based on projections and information supplied by the City, set forth the actual and projected Net Revenues of the System for the period of Fiscal Years 2019 to 2029. Rates for the System until October 2023 are based on a rate schedule adopted by the Governing Body on October 3, 2017. Thereafter, rates for the System are based on a rate schedule adopted by the Governing Body on September 19, 2023. See "THE SYSTEM – Establishment of Rates" herein. Historical calculations for the combined utility system of the City were based on actual data in the City's annual audits (Fiscal Years 2019–2022); End of year data for Fiscal Year 2023 and Fiscal Year 2024. Fiscal Years 2025-2028 projections for the System as combined are based on projected growth of 2% per year in revenues plus rate increases and 3% per year in expenses. The following schedules should be reviewed based on the following assumptions:

1. Water rates adopted by the Governing Body September 19, 2023 are currently in place for the System;
 2. Sewer rates adopted by the Governing Body September 19, 2023 are currently in place for the System;
 3. Water and sewer usage are projected to remain constant;
 4. Revenue projections of 2% growth, as applicable, and expense projections of 3% growth;
- and
5. Debt service based on the following:

System Revenue Bonds Outstanding¹	Outstanding Principal (as of September 15, 2024)
\$4,000,000 (original principal amount) City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2018	\$3,105,000.00
\$6,000,000 (original principal amount) City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2019	5,130,000.00
\$2,579,000 ((original principal amount) City of Gautier, Mississippi Taxable Combined Utility System Revenue Refunding Bonds, Series 2020	<u>2,060,000.00</u>
Total Bonds Currently Outstanding	\$10,295,000.00
<u>SRF Loans</u>	
State Revolving Fund Loan #3	\$ 54,822.85
State Revolving Fund Loan #4	140,792.46
State Revolving Fund Loan #4	173,025.13
State Revolving Fund Construction Loan #5	85,209.18
State Revolving Fund Construction Loan #6	208,280.15
State Revolving Fund Construction Loan #7	<u>524,404.93</u>
Total SRF Loans:	\$1,186,534.70

¹ Does not include the Series 2024 Bonds.

The Utility Bonds and SRF Loans are payable as to principal and interest solely from the revenue derived by the City from the operation of the System.

SRF Loans

The SRF Loans are loans from the State to the City which were made by the City to finance improvements to the System. The total amount of SRF Loans currently outstanding is approximately \$1,186,534,70. Although the SRF Loans have a lien on the Revenues of the System, they are paid from monies collected by the Mississippi Department of Revenue by diverting sales tax collections prior to remittance of the sales tax to the City and then subsequently reimbursed to the City from the Revenues of the System.

Schedule of Revenues and Expenditures and Debt Service Coverage

The following schedule summarizes the City's audited operating results for the Fiscal Years ended September 30, 2019 through September 30, 2022, unaudited operating results for the Fiscal Year ended September 30, 2023 through September 30, 2024. The schedule also sets forth projected Revenues for the Fiscal Years ending September 30, 2025 through 2029.

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Statement of Revenues, Expenditures and Debt Service Coverage¹

City of Gautier - Debt Service Coverage Projections											
Revenue Growth	-	0.54%	1.40%	3.71%	1.11%	13.80%	2.00%	2.00%	2.00%	2.00%	2.00%
Expenditures Growth		13.19%	-9.28%	0.33%	5.18%	8.07%	3.00%	3.00%	3.00%	3.00%	3.00%
	Audit	Audit	Audit	Audit	Un-audited	Un-audited	Projections				
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Operating Revenues	8,911,213	8,959,779	9,085,227	9,422,322	9,526,723	10,841,375	11,058,203	11,279,367	11,504,954	11,735,053	11,969,754
Operating Expenditures	6,441,117	7,290,728	6,614,191	6,635,701	6,979,249	7,542,542	7,768,818	8,001,883	8,241,939	8,489,197	8,743,873
Net Revenues	2,470,096	1,669,051	2,471,036	2,786,621	2,547,474	3,298,833	3,289,384	3,277,484	3,263,015	3,245,855	3,225,881
Revenue Bonds Debt Service											
Series 2018 - \$4,000,000 Revenue Bonds	274,964	286,781	285,656	284,494	288,119	286,319	284,306	282,506	285,506	283,106	285,506
Series 2019 - \$6,000,000 Revenue Bonds	-	-	454,008	378,706	376,638	379,181	381,250	382,825	383,900	379,713	385,175
Series 2020- \$2,579,000 Refunded Series 2013	-	-	83,321	84,100	249,400	253,795	252,050	249,270	251,473	252,570	252,580
Series 2013 Unrefunded Bonds	169,244	164,894	165,544	166,044	160,619	-	-	-	-	-	-
Energy/Water Meters*	287,450	287,450	287,450	287,450	287,450	287,450	287,450	287,450	287,450	287,450	287,450
SRF Loans*	521,125	521,125	521,125	521,125	521,125	521,125	481,739	266,854	186,981	171,932	134,319
						-	-	-	-	-	-
Series 2024 - \$5,300,000 Proposed New Issue							-	708,560	584,800	582,400	584,160
Total Revenue Bonds Debt Service	1,252,782	1,260,250	1,797,105	1,721,919	1,883,350	1,727,870	1,686,795	2,177,465	1,980,110	1,957,171	1,929,190
Revenue Bond Debt Service Coverage	1.97	1.32	1.38	1.62	1.35	1.91	1.95	1.51	1.65	1.66	1.67
Coverage Requirement	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20
*Energy/Water Meters & SRF Loans debt service payments provided by the City of Gautier.											
Note 1 - the 2023 & 2024 unaudited revenues and expenditures provided by the City of Gautier.											

1 Assumes a 2% annual increase in total revenues for projected years, and 3% annual increase in total expenses for projected years.

Rate Covenant

The City has covenanted in the Bond Resolution that so long as any of the Series 2024 Bonds remain outstanding and unpaid, it will fix and maintain rates and make and collect charges for the use and service of the System which will at all times provide Revenues sufficient: (a) to pay the Current Expenses of the System and the debt service on the SRF Loans, and (b) to provide 120% of the amount of the maximum Principal and Interest Requirements and the payments required to be made to the credit of the 2024 Debt Service Reserve Fund for the current Bond Year on account of the Series 2024 Bonds then outstanding.

If the Revenues in any Fiscal Year as shown by the City's audit are less than the total amount set forth in the Bond Resolution, then it shall, as promptly as possible, request the Consulting Engineers to make recommendations as to a revision of such rates, fees, and charges or methods of operating the System which will result in producing the required amount in the following Fiscal Year. Upon receipt of such recommendations the City shall, subject to applicable requirements imposed by law, immediately revise such rates, fees, and charges and take such other actions respecting the methods of operation of the System as shall in its discretion be deemed necessary. Failure to implement the recommendation of the Consulting Engineer or if coverage is less than 120% of the maximum Principal and Interest Requirements and the payment required to be made to the credit of the 2024 Debt Service Reserve Fund shall be a breach of the City's covenants under the Bond Resolution.

USE TAX REVENUES

In 2018, the State Legislature passed the Infrastructure Modernization Act for the purpose of providing revenues to the cities and counties of the State to be used for infrastructure improvements. Under the Infrastructure Modernization Act, certain use tax revenues collected by the State are distributed to cities in the State to be used (a) for the repair, maintenance and/or reconstruction of roads, streets and bridges in such cities, (b) for the repair, maintenance and/or other improvements to water infrastructure and sewer infrastructure, including storm water and drainage improvements, and/or (c) as a pledge to pay all or a portion of debt service on debt issued by a such city for the purposes provided in (a) and (b).

The Infrastructure Modernization Act provides for the collection and distribution of use tax revenues for infrastructure purposes to cities as follows:

(a) Starting on or before August 15, 2019, and each month thereafter until July 15, 2020, 3.75% of use tax collections by the State from the preceding month was diverted to a special fund for cities. The percentage of revenues increased each year thereafter from 3.75% to 7.5% to 11.25%, until August 15, 2022, when it maxed out at 15%.

(b) The use tax revenues collected for cities are distributed as follows:

(i) The first \$3,000,000 is equally divided among 276 cities.

(ii) The remainder is then allocated as follows:

(A) 50% of the remainder is allocated to cities based on the proportion of the that city's population to the State's population based on most recent census.

(B) 50% of the remaining amount will be allocated based on the proportion of a city's regular sales tax diversion to the total distributed to all cities during the previous fiscal year.

The Mississippi Department of Revenue began distributing use tax revenues to the cities and counties in the State in 2020 in a phased distribution. In 2020, the City received 25% of its Use Tax Revenue, in 2021 it received 50%, in 2022 it received 75% and in 2023 it received 100%.

The City receives Use Tax Revenues in the form of two payments each year, on January 20th and July 20th. Below are the Use Tax Revenue diversions to the City:

City's Historical Use Tax Revenues

Fiscal Year 2020:	\$130,901 (25%)
Fiscal Year 2021:	\$430,491 (50%)
Fiscal Year 2022:	\$802,944 (75%)
Fiscal Year 2023:	\$1,011,189 (100%)
Fiscal Year 2024:	\$1,195,544 (100%)

THE BOND RESOLUTION

A summary of certain provisions of the Bond Resolution is set forth below. This summary does not purport to be comprehensive or definitive. All references herein to the Bond Resolution are qualified in their entirety by reference to such document, a copy of which may be obtained upon written request to the City.

Funds

The Bond Resolution provides that the following funds and accounts, either previously established or established under the Bond Resolution, shall be used in connection with the Series 2024 Bonds:

Revenue Fund
Operation and Maintenance Fund
2024 Debt Service Fund
2024 Debt Service Reserve Fund
2024 Construction Fund
Depreciation Fund
Contingent Fund

The Bond Resolution further provides that a portion of the proceeds of the Series 2024 Bonds shall be deposited in the 2024 Construction Fund created under the Bond Resolution.

The moneys in the funds set forth above shall be separate and apart from all other funds of the City and shall be applied in the manner provided in the Bond Resolution and the Prior Bond Resolutions, and, pending such application, except for moneys in the Operation and Maintenance Fund, shall be subject to a lien and charge in favor and for the security of registered owners of the Series 2024 Bonds and the Utility Bonds until paid out or transferred as provided in the Bond Resolution and the Prior Bond Resolutions. Any surplus Revenues remaining after all transfers required by the Bond Resolution and the Prior Bonds Resolutions shall be used solely for purposes pertaining to the System or as otherwise allowed by the Act.

Revenue Fund; Revenues of the System and Application Thereof

All Revenues shall be set aside as collected and shall be deposited into the Revenue Fund. Moneys in said fund shall not be subject to lien or attachment by any creditor of the City and shall be set aside for, allocated to and/or deposited by the Clerk to the extent available in the following order of preference in the following separate and special funds, as created in a prior resolution or resolutions of the Governing Body and provided for in the Bond Resolution, without further direction of or action by the Governing Body or other authority of the City:

(a) On the first Business Day of each month, commencing in the first month after delivery of the Series 2024 Bonds, there shall be deposited into the Operation and Maintenance Fund an amount which will provide for the payment of the Current Expenses to be paid during such calendar month, and, in the event that the aggregate amounts deposited into such fund pursuant to the Bond Resolution during the preceding months shall have been insufficient to pay all such expenses, an amount sufficient to repay such deficiencies.

(b) On the first Business Day of each month, commencing in the first month after the delivery of the Series 2024 Bonds, there shall be paid to the City such amount necessary to reimburse the general

fund of the City for debt service due on the SRF Loans deducted by the Mississippi Department of Revenue from the sales tax rebate to the City.

(c) On the first Business Day of each month, commencing in the first month after the delivery of the Series 2024 Bonds, in addition to amounts being transferred to the 2018 Debt Service Fund, the 2019 Debt Service Fund and the 2020 Debt Service Fund, there shall be deposited into the 2024 Debt Service Fund, there shall be transferred to the 2024 Debt Service Fund an amount which, together with equal subsequent monthly transfers on the first Business Day of each successive month, will provide a sum equal to the amount necessary to pay interest and principal due and payable through the date on which the next installment of principal on the Series 2024 Bonds is due. Such transfers are on parity with the amounts to be transferred to the 2018 Debt Service Fund pursuant to the 2018 Bond Resolution, to the 2019 Debt Service Fund pursuant to the 2019 Bond Resolution and to the 2020 Debt Service Fund pursuant to the 2020 Bond Resolution for the purpose of paying debt service on the Series 2018 Bonds, the Series 2019 Bonds and the Series 2020 Bonds, respectively. If in any month, the Net Revenues are insufficient to provide for the total amount of principal and interest to be set aside as required by the Bond Resolution and the Prior Bond Resolutions, such Net Revenues shall be divided on a pro rata basis among each outstanding series of Bonds. Any deficiency in the debt service funds for the Bonds shall be funded in subsequent months. Notwithstanding anything herein to the contrary, the City may elect to provide for the payment of principal of and interest on the Series 2024 Bonds either from Net Revenues or the City's Use Tax Revenues or both. In the event that the City elects to pay all or a portion of the principal of and interest on the Series 2024 Bonds from its Use Tax Revenues, it shall deposit into the 2024 Debt Service Fund on before February 1 and August 1, such portion of the Use Tax Revenues as shall be necessary to provide for the payment of principal of and interest on the Series 2024 Bonds coming due on the next payment date, taking into account the amounts on deposit in the 2024 Debt Service Fund.

(d) [Provided, that in addition to the moneys required to be transferred to the 2024 Debt Service Fund, the 2024 Debt Service Reserve Fund created under the Bond Resolution shall be maintained in order to meet any deficiency therein in future years. As provided in the Bond Resolution, the 2024 Debt Service Reserve Fund will be fully funded upon delivery of the Series 2024 Bonds. Notwithstanding any other provision of the Bond Resolution, upon the determination of any deficiency in the total amount in the 2024 Debt Service Reserve Fund, the full amount of such deficiency shall be fully funded within one year of such determination. The 2024 Debt Service Reserve Fund shall be used only to pay maturing principal and accruing interest, or both, on the Series 2024 Bonds and only whenever and to the extent that funds otherwise available in the 2024 Debt Service Fund are insufficient for that purpose.]

Operation and Maintenance Fund

Amounts held in the Operation and Maintenance Fund will be applied by the City to the payment of the Current Expenses as they accrue in accordance with the annual budget of the City for the System.

2024 Debt Service Fund

Amounts in the 2024 Debt Service Fund will be used to pay the maturing principal and accruing interest coming due on the Series 2024 Bonds. The 2024 Debt Service Fund will be funded periodically from Net Revenues of the System and/or from the City's Use Tax Revenues, as more particularly described in the Bond Resolution.

2024 Debt Service Reserve Fund

[The 2024 Debt Service Reserve Fund is to be maintained in order to meet any deficiency in the 2024 Debt Service Fund. The 2024 Debt Service Reserve Fund shall be funded in the amount of the Debt Service Reserve Requirement and shall thereafter be maintained at the required balance set forth in the Bond Resolution. The 2024 Debt Service Reserve Fund shall be used only to pay maturing principal and accruing interest, or both, and only whenever and to the extent that funds otherwise available in the 2024 Debt Service Fund are insufficient for that purpose. No funds paid into the 2024 Debt Service Reserve Fund shall be used to prepay the principal unless such prepayment is for the entire balance of the principal amount of the Series 2024 Bonds or the amount remaining in the 2024 Debt Service Reserve Fund is equal

to the Debt Service Reserve Requirement for the Series 2024 Bonds which remain outstanding. If the amount in the 2024 Debt Service Reserve Fund as valued on the last day of the Bond Year is more than the Debt Service Fund Requirement, the amount of such excess shall be transferred to the 2024 Debt Service Fund.]

2024 Construction Fund

A portion of the proceeds received from the sale and issuance of the Series 2024 Bonds will be transferred to the 2024 Construction Fund. Amounts in the 2024 Construction Fund (including investment earnings) will be applied to pay the Costs of the Project, and/or the costs of issuance of the Series 2024 Bonds. Any balance remaining in the 2024 Construction Fund after the Project has been completed, and all related costs and expenses paid, will be transferred to the 2024 Debt Service Fund and expended in accordance with State and federal law and the Bond Resolution.

Depreciation Fund and Contingent Fund

Pursuant to the Prior Bond Resolutions, the City has created and funded the Depreciation Fund for the purpose of paying the costs of replacing such parts of the System as may need replacement in order to keep the System operating in an economical and efficient manner upon written certification by the Consulting Engineers to the Governing Body certifying the necessity for such expenditure and concurring in the necessity for such expenditure from the Depreciation Fund.

Pursuant to the Prior Bond Resolutions, the City has created and funded the Contingent Fund for the purpose of paying the costs of unforeseen contingencies arising in the operation and maintenance of the System, including the construction of reasonable and proper improvements, betterments, and extensions thereto upon written certification by the Consulting Engineers to the Governing Body certifying the necessity for such expenditure and concurring in the necessity for such expenditure from the Contingent Fund.

Investment of Moneys in the Funds

All sums in the funds referred to in the Bond Resolution shall be kept separate and apart from all other funds of the City in a bank or banks having Federal Deposit Insurance Corporation insurance of its accounts and at all times shall be continuously secured as provided by the laws of the State for other funds of the City, or, in the discretion of the Governing Body, may be invested as directed in the Bond Resolution in investments authorized by laws of the State as may now be or hereafter become applicable. Such investments shall mature or be redeemable prior to the time the funds so invested will be needed for expenditure. Any interest or other income received from investments shall accrue to and be accredited to the fund which generated such income or to which such income is attributable. Provided, however, that the Governing Body shall transfer to the 2024 Debt Service Fund any such income in excess of the aggregate amount required by the Bond Resolution to be maintained in any other fund or account.

Insurance

As long as any of the Bonds shall remain outstanding and unpaid, the City shall carry and maintain insurance upon such properties forming a part of the System which may be of an insurable nature, such insurance to be of the type and kind and for such amount or amounts as carried and maintained by other municipalities rendering services of a similar character in similar communities. The proceeds of such insurance shall be used only for the maintenance and restoration of the System, or for the payment of the principal of and the interest on the Bonds.

Additional Bonds

The City has reserved the right to issue one or more series of Additional Bonds on parity with the Series 2024 Bonds and the Utility Bonds ("Additional Bonds") for any lawful purpose, including refunding any previously issued series of bonds or any other bonds or obligations of the City issued in connection with the System or payable from Net Revenues. No Additional Bonds may be issued unless:

(a) the Net Revenues available for payments of principal of and interest on the Series 2024 Bonds for a period of 12 consecutive months during the 18 months preceding the month in which such Additional Bonds are issued must be certified by an accountant to have been at least equal to 120% of the highest annual debt service payments in any succeeding Bond Year with respect to the Series 2024 Bonds, the Utility Bonds and the Additional Bonds proposed to be issued; or in lieu of the foregoing formula, if a new schedule of rates, fees and charges for the services, facilities and commodities of the System shall have been adopted, then the Revenues available for debt service payments (taking into account such new rates) must be certified by an accountant to have been at least equal to 120% of the highest annual debt service payments in any succeeding Bond Year with respect to the Series 2024 Bonds and the Additional Bonds proposed to be issued during the period set forth above;

(b) the pledge of and lien on the Net Revenues and amounts on accredited to the 2024 Debt Service Fund from time to time shall be extended for the benefit of the registered owners of the Additional Bonds; and

(c) the resolution under which the proposed bonds are being issued shall provide for the funding of a debt service reserve fund for such Additional Bonds from the proceeds of such Additional Bonds or as otherwise provided in the Bond Resolution.

The City has also reserved the right to issue bonds, notes or other obligations secured by liens on Net Revenues that are junior and subordinate to the liens on Net Revenues securing the payment of the Series 2024 Bonds, for any lawful purpose.

Events of Default; Remedies

The registered owner of any of the Series 2024 Bonds may, by suit, action, mandamus or other proceedings at law or in equity, enforce and compel performance by the appropriate official or officials of the City of any or all acts and duties to be performed by the City under the provisions of the Act and the Bond Resolution.

Each of the following constitutes an "event of default" under the Bond Resolution:

- (a) failure by the City to pay any installment of principal of any Bond at the time required;
- (b) failure by the City to pay any installment of interest on any Bond at the time required;
- (c) failure by the City to perform or observe any other covenant, agreement or condition on its part contained in the Bond Resolution or the Prior Bond Resolutions or in the Series 2024 Bonds or the Utility Bonds, and the continuance thereof for a period of 60 days after written notice thereof to the City by the registered owners of not less than 10% in principal amount of the then outstanding Bonds; or
- (d) filing by the City of a petition seeking a composition of indebtedness under the federal bankruptcy laws, or under any other applicable federal or State law.

If there is any default in the payment of the principal of and interest on the Series 2024 Bonds, any court having jurisdiction in the proper action may, upon petition of the registered owners of a majority in principal amount of the Series 2024 Bonds then outstanding, appoint a receiver to administer and operate the System with power to fix rates and collect charges sufficient to provide for the payment of the Series 2024 Bonds and to pay the expense of operating and maintaining the System in conformity with the provisions of the Utility Act and of the Bond Resolution and the Prior Bond Resolutions.

Utility Bonds

The Series 2024 Bonds are being issued on parity with the Utility Bonds. At Closing, the Purchaser will be provided with a certificate of an accountant stating that the requirements of the Prior Bond Resolutions for the issuance of Additional Bonds have been satisfied.

LITIGATION

The City's General Counsel, Bordis Danos Pierce, Ocean Springs, Mississippi, has reviewed the status of all pending litigation against the City. While the City is involved in numerous legal proceedings, there are no pending legal proceedings which might be expected to affect the City's ability to perform its obligations to the registered owners of the Series 2024 Bonds.

MUNICIPAL ADVISOR

The City has retained Government Consultants, Inc., Madison, Mississippi, as Independent Registered Municipal Advisor (the "Municipal Advisor") in connection with the sale and issuance of the Series 2024 Bonds. In such capacity the Municipal Advisor has provided recommendations and other financial guidance to the City with respect to the preparation of documents, the preparation for the sale of the Series 2024 Bonds and of the time of the sale, tax-exempt bond market conditions and other factors related to the sale of the Series 2024 Bonds. Although the Municipal Advisor performed an active role in the drafting of this Official Statement, it has not independently verified any of the information set forth herein.

RATING

[No application for a rating for the Series 2024 Bonds from a nationally recognized rating agency has been made.]

RECORD OF NO DEFAULT

There is no record of any default on general obligations of the City as to payment of either principal or interest or in any other material respect at any time in at least the past 25 years. No principal or interest on any obligation of the City is currently past due.

NO BOND PROCEEDS FOR CURRENT OPERATING EXPENSES

No proceeds from the sale of securities (except tax anticipation notes issued against revenues of a current fiscal year) have been used by the City for current operating expenses at any time in at least the past ten years.

BANKRUPTCY

The City is a "Municipality" as that term is defined in Title 11 of the United States Code (the "Bankruptcy Code"). Section 109(c) of the Bankruptcy Code prescribes the conditions and circumstances under which a Municipality may file a petition for relief under the Bankruptcy Code. As a debtor, a Municipality may only file for relief pursuant to Chapter 9 of the Bankruptcy Code ("Chapter 9"). Pursuant to Section 303(a) of the Bankruptcy Code, no creditor or judgment holder of a Municipality may file a Chapter 9 petition on behalf of a Municipality.

Pursuant to Section 109(c)(2) of the Bankruptcy Code, before a municipality may file a petition under Chapter 9 of the Bankruptcy Code, a municipality must be specifically authorized by (a) state law or (b) a governmental officer or organization empowered to authorize such a filing. Accordingly, before a Municipality in the State may file for Chapter 9 protection, it must have specific authority granted to it. Currently, there is no State statute that prescribes, authorizes or otherwise contains authorization for any Municipality to file for Chapter 9 protection, or delegates such authority to a governmental officer or organization. As such, in order for a State Municipality, including the City, to file for Chapter 9 relief, the Municipality must obtain specific authority from the State Legislature.

The State Legislature is comprised of the Senate and the House of Representatives. The Senate is composed of 52 members, and the House of Representatives consists of 122 members. Each member of each chamber is elected to a four-year term. In the State, the Legislature convenes annually on the first Tuesday after the first Monday each January. Regular sessions of the State Legislature last 90 days in all years of an administration except for the first session after a new governor has been elected, when a 125-day session is held.

In order to obtain specific authority from the State Legislature to file for relief pursuant to Chapter 9, a Municipality would have to request both houses during the annual session of the State Legislature to approve a bill authorizing the Municipality to file for relief pursuant to Chapter 9 and such bill would have to be signed into law by the Governor of the State. There is no appeal process or any other proceeding under current State law that the Municipality may pursue if such requested specific authority is not granted by the State Legislature.

PURCHASER

The Series 2024 Bonds have been sold at public sale by the City to _____ (the "Purchaser"), and the Purchaser has agreed, subject to certain conditions, to purchase the Series 2024 Bonds at a price of \$ _____, plus a premium of \$ _____.

VALIDATION

The Series 2024 Bonds may, in the discretion of the Governing Body, be validated before the Chancery Court of Jackson County, Mississippi, as provided by Section 31-13-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time.

INDEPENDENT AUDITORS

The City has not requested and will not obtain a consent letter from its auditor for the inclusion of the audit report in this Official Statement. Wright, Ward, Hatten & Guel, PLLC, the City's independent auditor (the "Auditor"), has not been engaged to perform, and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. The Auditor also has not performed any procedures relating to this Official Statement.

APPROVAL OF LEGAL PROCEEDINGS

Certain legal matters incident to the authorization and issuance of the Series 2024 Bonds are subject to the approval of Butler Snow LLP, Ridgeland, Mississippi ("Bond Counsel") whose approving legal opinion will be available at the time of delivery of the Series 2024 Bonds (see APPENDIX E hereto). No representation is made to the registered owners of the Series 2024 Bonds that Bond Counsel has verified the accuracy, completeness or fairness of the statements in this Official Statement and Bond Counsel assumes no responsibility to the registered owners of the Series 2024 Bonds except for the matters set forth in such legal opinion. Certain legal matters will be passed upon for the City by its counsel, Bordis Danos Pierce, Ocean Springs, Mississippi.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of the owners of the Series 2024 Bonds to provide certain financial information and operating data relating to the City within twelve months after the end of each Fiscal Year of the City beginning with the Fiscal Year ending on September 30, 2024 (the "Annual Report"), and to provide notices of the occurrence of certain enumerated events, in certain cases if deemed material under federal laws. The Annual Report and notices of material events will be filed by the City with (a) the Municipal Securities Rulemaking Board (the "MSRB") through MSRB's Electronic Municipal Market Assess system at <http://emma.msrb.org> ("EMMA") in the electronic format then prescribed by the Securities and Exchange Commission (the "SEC") pursuant to SEC Rule 15c2-12(b)(5) (the "Rule"), and with (b) any public or private repository or entity designated by a state as a State Repository, if any, for the purposes of the Rule. This information will be made available free to securities brokers and the general public through EMMA. For the procedures for all filings and notices due to the MSRB, instructions will be provided on the following website for MSRB: <http://emma.msrb.org>. The specific nature of the information to be contained in the Annual Report or the notices of material events is summarized in APPENDIX F to this Official Statement. These covenants have been made in order to assist the Underwriter in complying with the Rule.

There have been instances in the last five years in which the City has failed to timely file its audited financial statements and unaudited financial information as required by its prior continuing disclosure undertakings. The City's audited financial statements were not timely filed in fiscal years 2019 through and

including 2023, however, the City posted the required notices of failure to file the audited financial statements for each of the aforementioned fiscal years in a timely manner. The City has adopted policies and procedures to ensure timely filing of its annual financial information (the "Policy"). Pursuant to the Policy, a staff designee of the City will appoint or engage a dissemination agent to assist in carrying out its obligations under the Policy and/or the staff designee will be responsible for submitting the information required under the Policy. In accordance with the Policy, the City has hired a dissemination agent to file the City's required annual report. The City has also adjusted the timing of its reporting deadline on future issues to 12 months to ensure timely filing.

INVESTMENT CONSIDERATIONS

Prospective purchasers of the Series 2024 Bonds should be aware that investment in the Series 2024 Bonds entails some degree of risk. Each prospective investor in the Series 2024 Bonds is encouraged to read this Official Statement in its entirety. Particular attention should be given to the investment considerations described below which, among others, could affect the payment of debt service on the Series 2024 Bonds and which could also affect the market price of the Series 2024 Bonds to an extent that cannot be determined. This discussion of investment considerations is not and is not intended to be exhaustive.

Secondary Market

There can be no assurance that a secondary market can or will be maintained for the Series 2024 Bonds after their initial issuance and prospective purchasers of the Series 2024 Bonds should therefore be prepared, if necessary, to hold their Series 2024 Bonds to maturity.

Future Changes in Law

Myriad State laws, constitutional provisions and federal laws and regulations affect the Series 2024 Bonds and the financial condition of the City generally. There can be no assurance that there will not be any change in, interpretation of, or addition to the applicable laws and provisions which would have a material effect, directly or indirectly, on the affairs of the City.

Cybersecurity

The City is dependent on electronic information technology systems to deliver high quality, coordinated and cost-efficient services. These systems may contain sensitive information or support critical operational functions which may be valued for unauthorized purposes. As a result, the electronic systems and networks of the City may be targets of cyberattack. The City has taken, and continues to take, measures to protect its information technology systems, and the private, confidential information that those systems may contain, against cyberattack. While the City employs information technology professionals and utilizes operational safeguards that are tested periodically, no assurance can be given that such measures will protect the City against all cybersecurity threats or attacks.

Environment/Climate

Mississippi is susceptible to the effects of extreme weather events and natural disasters, including but not limited to, tornadoes, hurricanes, floods and droughts. The occurrence of such an event in the City could produce significant negative ecological, environmental and economic impacts to the City. Such impacts could be exacerbated by a longer-term shift in the climate over several decades, commonly referred to as climate change. Planning for climate change and its impact on the financial operations of the City is an unknown challenge and therefore its future impact on the City cannot be quantified reliably at this time.

TAX MATTERS

General

In the opinion of Bond Counsel under existing statutes, regulations, published rulings and judicial decisions, interest on the Series 2024 Bonds described herein is excludable from gross income of the owners thereof for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of

1986, as amended and supplemented (the "Code"). Interest on the Series 2024 Bonds is not a separate tax preference item for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Code) for the purpose of computing the alternative minimum tax imposed on corporations. The opinion described above assumes the accuracy of certain representations and compliance by the City with covenants designed to satisfy the requirements of the Code that must be met subsequent to the issuance of the Series 2024 Bonds. Failure to comply with such requirements could cause interest on the Series 2024 Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Series 2024 Bonds. The City has covenanted to comply with such requirements. Bond Counsel has expressed no opinion regarding other federal tax consequences arising with respect to the Series 2024 Bonds.

The accrual or receipt of interest on the Series 2024 Bonds may otherwise affect the federal income tax liability of the owners of the Series 2024 Bonds. The extent of these other tax consequences will depend on such owners' particular tax status and other items of income or deduction. Bond Counsel has expressed no opinion regarding any such consequences. Purchasers of the Series 2024 Bonds, particularly purchasers that are corporations (including S corporations and foreign corporations operating branches in the United States of America), property or casualty insurance companies, banks, thrifts or other financial institutions, certain recipients of social security or railroad retirement benefits, taxpayers entitled to claim the earned income credit, taxpayers entitled to claim the refundable credit in Section 36B of the Code for coverage under a qualified health plan or taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations, should consult their tax advisors as to the tax consequences of purchasing or owning the Series 2024 Bonds.

In the opinion of Bond Counsel, interest on the Series 2024 Bonds is exempt from all income taxation in the State under existing laws, regulations, rulings and judicial decisions. This opinion addresses only the exemption of interest on the Series 2024 Bonds under the income tax laws of the State and does not address the tax treatment of the Series 2024 Bonds in any other state or jurisdiction.

Backup Withholding

As a result of the enactment of the Tax Increase Prevention and Reconciliation Act of 2005, interest on any federally tax-exempt obligations such as the Series 2024 Bonds is subject to information reporting in a manner similar to interest paid on taxable obligations. Backup withholding may be imposed on payments to any owner of the Series 2024 Bonds that fail to provide certain required information including an accurate taxpayer identification number to any person required to collect such information pursuant to Section 6049 of the Code. The reporting requirement does not in and of itself affect or alter the excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes or any other federal tax consequence of purchasing, holding or selling federally tax-exempt obligations.

Bank Qualification

In the proceedings of the City, the City has designated the Series 2024 Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b) of the Internal Revenue Code of 1986. In making such designation, the City intended for any financial institution acquiring any of the Series 2024 Bonds to be able to treat such Series 2024 Bonds as having been acquired on August 7, 1986, for purposes of determining the amount of the federal income tax deduction available to such financial institution for interest expense. The City has certified that it anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued during calendar year 2024 by the City and all entities subordinate thereto will not exceed \$10,000,000.

Changes in Federal and State Tax Law

From time to time, there are legislative proposals in the Congress and in the states that, if enacted, could alter or amend the federal and state tax matters referred to under this heading "TAX MATTERS" or adversely affect the market value of the Series 2024 Bonds. It cannot be predicted whether or in what form any such proposal might be enacted or whether if enacted it would apply to the Series 2024 Bonds issued

prior to enactment. In addition, regulatory actions are from time to time announced or proposed and litigation is threatened or commenced which, if implemented or concluded in a particular manner, could adversely affect the market value of the Series 2024 Bonds. It cannot be predicted whether any such regulatory action will be implemented, how any particular litigation or judicial action will be resolved, or whether the Series 2024 Bonds or the market value thereof would be impacted thereby. Purchasers of the Series 2024 Bonds should consult their tax advisors regarding any pending or proposed legislation, regulatory initiatives or litigation. The opinions expressed by Bond Counsel are based on existing legislation and regulations as interpreted by relevant judicial and regulatory authorities as of the date of issuance and delivery of the Series 2024 Bonds, and Bond Counsel has expressed no opinion as of any date subsequent thereto or with respect to any pending legislation, regulatory initiatives or litigation.

PROSPECTIVE PURCHASERS OF THE SERIES 2024 BONDS ARE ADVISED TO CONSULT THEIR OWN TAX ADVISORS PRIOR TO ANY PURCHASE OF THE SERIES 2024 BONDS AS TO THE IMPACT OF THE CODE UPON THEIR ACQUISITION, HOLDING OR DISPOSITION OF THE SERIES 2024 BONDS.

Original Issue Premium

The Series 2024 Bonds maturing on November 1 in the years ____ through and including ____ (the "Premium Bonds") have an issue price that is greater than the amount payable at maturity of such Premium Bonds. Any Premium Bonds purchased in the initial public offering at the issue price will have an "amortizable bond premium" within the meaning of Section 171 of the Code. A holder of a Premium Bond that has amortizable bond premium is not allowed any deductions for the amortizable bond premium. During each taxable year, a holder of a Premium Bond must reduce such holder's tax basis in such Premium Bond by the amount of the amortizable bond premium that is allocable to the portion of such taxable year during which the holder held such Premium Bond. The adjusted tax basis in a Premium Bond will be used to determine taxable gain or loss upon a disposition (e.g., upon a sale, exchange, redemption or payment at maturity) of such Premium Bond.

Holders of Premium Bonds who did not purchase such Premium Bonds in the initial offering at the issue price should consult their own tax advisors with respect to tax consequences of owning such Premium Bonds. Any holders of Premium Bonds should consult their own tax advisors with respect to the state and local tax consequences of owning the Premium Bonds.

Original Issue Discount

The Series 2024 Bonds maturing on November 1 in the years ____ through and including ____ (the "Discount Bonds") are being offered and sold to the public at an original issue discount ("OID") from the amounts payable at maturity thereon. OID is the excess of the stated redemption price of a bond at maturity (the face amount) over the "issue price" of such bond. The issue price is the initial offering price to the public (other than to bond houses, brokers or similar persons acting in the capacity of underwriters or wholesalers) at which a substantial amount of bonds of the same maturity are sold pursuant to that initial offering. For federal income tax purposes, OID on bond will accrue over the term of the bond, and for the Discount Bonds, the amount of accretion will be based on a single rate of interest, compounded semiannually (the "yield to maturity"). The amount of OID that accrues during each semi-annual period will do so ratably over that period on a daily basis. With respect to an initial purchaser of a Discount Bond at its issue price, the portion of OID that accrues during the period that such purchaser owns the Discount Bond is added to such purchaser's tax basis for purposes of determining gain or loss at the maturity, redemption, sale or other disposition of that Discount Bond and thus, in practical effect, is treated as stated interest, which is excludable from gross income for federal income tax purposes.

Holders of Discount Bonds should consult their own tax advisors as to the treatment of OID and the tax consequences of the purchase of such Discount Bonds other than at the issue price during the initial public offering and as to the treatment of OID for state tax purposes.

DOCUMENTS ACCOMPANYING DELIVERY OF THE SERIES 2024 BONDS

Absence of Litigation

Upon delivery of the Series 2024 Bonds, the City shall furnish the certificate of the Mayor of the City, dated the date of delivery of the Series 2024 Bonds, to the effect that there is no pending litigation now of record in any court nor is there any litigation, to his knowledge, threatened or contemplated, affecting in any manner either directly or indirectly:

1. the Series 2024 Bonds;
2. the issuance, delivery, and validity of said Series 2024 Bonds;
3. the provision of funds to pay the interest thereon and principal thereof when such payments shall become due;
4. the proceedings and authority under which provision of funds is made;
5. the members of the Governing Body or their right to their respective offices at the time of the issuance, execution and delivery of said Series 2024 Bonds;
6. the tax-exempt status of the Series 2024 Bonds; or
7. the existence or powers of the City or the Governing Body.

Legal Matters

In addition to the approving legal opinion relating to the Series 2024 Bonds, the Purchaser will receive the opinion, dated the date of delivery of the Series 2024 Bonds, of Bond Counsel to the effect that, although it is not passing upon and does not assume any responsibility for the accuracy, completeness or fairness of the statements in this Official Statement, makes no representation that it has independently verified such statements and has necessarily assumed the fairness, accuracy and completeness thereof, on the basis of its participation in the preparation of portions of this Official Statement and in connection with the rendering of its opinion as to the validity of the Series 2024 Bonds, nothing has come to its attention that would give it reason to believe that the Official Statement (except for the financial and statistical data included herein, as to which no view need be expressed) contains any untrue statement of a material fact or omits to state any material fact that is required to be stated herein or necessary to make the statements contained herein, in light of circumstances under which they are made, not misleading.

Certificates

The Purchaser shall also receive a certificate, dated the date of the delivery of the Series 2024 Bonds, signed by the Mayor of the City and the Clerk of the City, certifying that, on the date of the execution of the certificate, they are duly chosen, qualified, and acting officers of the City occupying the offices indicated opposite their names. Further, the Mayor of the City and the Clerk of the City will certify that they have executed the Series 2024 Bonds by causing their signatures to be affixed to each Series 2024 Bond, and they do thereby recognize the said facsimile signatures as their true and lawful signatures, and they will further certify that the seal impressed upon each of said Series 2024 Bonds and on such certificate is the official seal of the City.

The Purchaser shall also receive a certificate, dated the date of delivery of the Series 2024 Bonds, signed by the Mayor of the City and the Clerk of the City certifying that this Official Statement, with respect to the Series 2024 Bonds, as of the date of this Official Statement, does not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements herein, in light of the circumstances under which they are made, not misleading. In providing such certificate, the Mayor of the City and the Clerk of the City will state that they have not undertaken to independently verify information

obtained or derived from the various State or federal government publications or other sources as presented herein.

MISCELLANEOUS

Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact. No representation is made that any of the statements will be realized.

The references, excerpts and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is directed to all such documents for full and complete statements of all matters of fact relating to the Series 2024 Bonds, the security for the payment of the Series 2024 Bonds and the rights and obligations of the registered owners thereof.

The information contained in this Official Statement has been taken from sources considered reliable but is not guaranteed. To the best of the City's knowledge, information in this Official Statement does not include any untrue statement of material fact nor does the information omit the statement of any material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

References herein to the Act and the Resolution are only summaries, excerpts or brief outlines of certain provisions thereof and do not purport to summarize or describe all provisions thereof. Additional information may be obtained upon request from the office of the Clerk of the City, City Hall, 3330 Highway 90, Gautier, Mississippi 39553, attention: Cindy Russell; telephone: (228) 497-8000 and Government Consultants, Inc., 116 Village Boulevard, Madison, Mississippi 39110, telephone: (601) 982-0005.

The execution of this Official Statement has been duly authorized by the Mayor and City Council of the City of Gautier, Mississippi.

CITY OF GAUTIER, MISSISSIPPI

By _____
Casey Vaughan, Mayor

APPENDIX A
NOTICE OF BOND SALE

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NOTICE OF BOND SALE

\$5,300,000
CITY OF GAUTIER, MISSISSIPPI
COMBINED UTILITY SYSTEM REVENUE BONDS,
SERIES 2024

NOTICE IS HEREBY GIVEN that the Mayor and City Council (the "Governing Body") of the City of Gautier, Mississippi (the "City") will receive sealed bids, either electronically, in the manner described herein below, or by hand delivery, in the Office of the City Clerk in the City Hall of the City located at 3330 US Highway 90 in the City until the hour of _____.m. on November ____, 2024, at which time said bids will be publicly opened by the City Clerk and read for the purchase at not less than par plus accrued interest, if any, to the date of delivery of \$5,300,000 aggregate principal amount City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024 (the "Bonds"). Bids will be considered by the Governing Body at their meeting to be held on Tuesday, November ____, 2024 at 6:30 p.m.

THE BONDS: The Bonds will be dated the date of delivery thereof; will be delivered in definitive form as registered Bonds; will be in the denominations of \$5,000 or any integral multiple thereof; will be numbered from one upward in the order of issuance; will be payable as to principal at a bank or banks to be designated by the City to serve as paying and transfer agent for the Bonds (the "Paying Agent"); and will bear interest, payable semiannually on May 1 and November 1 of each year, commencing November 1, 2025, at the rate or rates of interest specified in the bid submitted by the successful bidder in accordance with this Notice of Bond Sale.

The Bonds will be issued in registered, book-entry-only form and all bidders for the Bonds must be participants of The Depository Trust Company, New York, New York ("DTC"), or affiliated with its participants. The Bond certificates will be deposited with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants and for the transfer of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of the individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any multiple thereof through book entries made on the books and records of DTC and its participants. Unless the book-entry-only system is discontinued, Bond principal and interest payments will be made by the City to DTC through the Paying Agent. DTC will then be responsible for distributing such payments to DTC participants for subsequent remittance to the owners of beneficial interests in the Bonds. Payment of principal and interest on the Bonds to DTC is the responsibility of the City, disbursement of such payments to DTC participants shall be the responsibility of DTC, and disbursements of such payments to the owners of beneficial interests shall be the responsibility of DTC participants and not the responsibility of the City. The City will have no responsibility or obligation to DTC participants or owners of beneficial interests in the Bonds, with respect to the payment by DTC or any DTC participants, of the principal of or interest on the Bonds or the providing of notice to DTC participants or owners of beneficial interests in the Bonds or with respect to: (a) the accuracy of any records maintained by DTC or any DTC participant; or (b) any consent given or other action taken by DTC as owner of the Bonds.

MATURITIES: The Bonds will mature on November 1 in the years and in the principal amounts shown below:

Year	Principal Amount
2025	\$335,000
2026	355,000
2027	370,000
2028	390,000
2029	405,000

2030	425,000
2031	445,000
2032	465,000
2033	490,000
2034	515,000
2035	540,000
2036	565,000

REDEMPTION: The Bonds maturing November 1, 2032 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2031, either in whole or in part on any date, as selected by the City among maturities, and by lot within each maturity, at the principal amount thereof, together with accrued interest to the date fixed for redemption and without premium.

AUTHORITY AND SECURITY: The Bonds will be issued pursuant to the provisions of Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented, and Section 27-67-35, Mississippi Code of 1972, as amended and supplemented (collectively, the "Act"). The Bonds will be payable from the revenues derived and to be derived from the operation of the combined waterworks, water supply, sewerage and sewer disposal facilities of the City (the "System") after payment of the reasonable and necessary expense of operating and maintaining the System and the debt service on any State Revolving Fund Loans existing on the date of issuance of the Bonds (the "Net Revenues"), from the infrastructure modernization use tax revenues received by the City from the State of Mississippi pursuant to Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented (the "Use Tax Revenues"), and from other security pledged for the Bonds. The Bonds will be secured by a lien on the Net Revenues and 50% of the City's Use Tax Revenues. The Bonds are not general obligations of the City and the full faith, credit and taxing power of the City are not being pledged to the payment of the Bonds or interest thereon. The Bonds are being issued on parity with the City's outstanding \$4,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018, the City's outstanding \$6,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019, and the City's outstanding \$2,579,000 (original principal amount) Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020 (the "Utility Bonds").

The resolution under which the Bonds are being issued allows under certain circumstances for Additional Bonds to be issued by the City on parity with the Bonds and the Utility Bonds and secured by a parity lien on such Net Revenues and such Additional Bonds would be payable ratably from such Net Revenues along with the Bonds and the Utility Bonds.

PURPOSE: The Bonds are being issued to provide funds for the purpose of the improvement, repair, and extension of the System, funding a debt service reserve fund for the Bonds and paying the costs of the sale and issuance of the Bonds.

FORM OF BIDS: All hand delivered bids must be on the Official Bid Form prepared by the City and enclosed in a sealed envelope and should be addressed to the Governing Body, at their offices located at City Hall, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 attention: Ms. Teresa Montgomery, City Clerk, City of Gautier, and worded on the outside, in substance, "Bid for City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024."

All electronic bids must be submitted to PARITY® via the BiDCOMP Competitive Bidding System. Each prospective electronic bidder shall be solely responsible to register to bid via PARITY® and may contact PARITY® at (212)849-5021. Each qualified prospective electronic bidder shall be solely responsible to make necessary arrangements to access PARITY® for the purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice. Neither the City nor PARITY® shall have any duty or obligation to provide or assure access to PARITY® to any prospective bidder, and neither the City nor PARITY® shall be responsible for a bidder's failure to register to bid or for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY®. The City is using PARITY® as a communication mechanism, and not as the City's agent, to conduct the electronic

bidding for the Bonds. No other form of electronic bid or provider of electronic bidding services will be accepted. The City is not bound by any advice and determination of PARITY® to the effect that any particular bid complies with the terms of this Notice. An electronic bid made through the facilities of PARITY® shall be deemed an offer to purchase in response to this Notice and shall be binding upon the bidder as if made by a signed sealed written bid made to the City. To the extent any instructions or directions set forth in PARITY® conflict with the terms of this Notice, the terms of this Notice shall control. The City shall not be responsible for any malfunction or mistake made by or as a result of the use of electronic bidding facilities. The use of such facilities is at the sole risk of the bidders. **If the Bonds are awarded to a bidder submitting a bid via the facilities of PARITY®, then the successful bidder is required to provide the City with a copy of the successful bid on a fully completed and executed Official Bid Form no later than the next business day following the award.** Any bidder submitting its bid via PARITY® may, prior to the time set for the receipt of bids herein, (1) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn) constitute its bid for the Bonds, or (2) withdraw its proposed bid. Once the bids are communicated electronically via PARITY® to the City, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained on PARITY® shall constitute the official time. All costs and expenses incurred by prospective bidders in connection with their registration and submission of bids via PARITY® are the sole responsibility of the bidders; and the City is not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying or withdrawing a bid for the Bonds, he should telephone PARITY® at (212)849-5021 and notify the City's Municipal Advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

Both written bids and electronic bids must be unconditional and received by the City and/or PARITY®, respectively, on or before _____.m., Mississippi Time, on November _____, 2024, as stated above. The City is not liable for any costs incurred in the preparation, delivery, acceptance, or rejection of any bid.

INTEREST RATE AND BID RESTRICTIONS: The Bonds shall be sold at par plus accrued interest and shall not bear a greater overall maximum interest rate to maturity than thirteen percent (13%) per annum, nor shall the interest rate for any one maturity exceed thirteen percent (13%) per annum. No Bond shall bear more than one (1) rate of interest; each Bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bid; all Bonds of the same maturity shall bear the same rate of interest from date to maturity; and the lowest interest rate specified shall not be less than seventy percent (70%) of the highest interest rate specified. Each interest rate specified in any bid must be a multiple of one-eighth of one percent (1/8 of 1%) or one-tenth of one percent (1/10 of 1%) and a zero rate of interest cannot be named. All bids must comply fully with the terms and provisions of the Act.

GOOD FAITH DEPOSIT: Each bidder must provide to the City as a good faith deposit a wire transfer, or proof thereof, or a certified check, cashier's check or exchange, payable to the order of the City, issued or certified by a bank located within or without the State of Mississippi, in the amount of One Hundred Six Thousand Dollars (\$106,000.00) as a guaranty that the bidder will carry out its contract and purchase the Bonds if its bid is accepted. No interest will be allowed on any good faith deposit. Bids will be accepted or rejected by the Governing Body on the date above shown for the sale of the Bonds. When a bid is rejected by the Governing Body, the good faith deposit accompanying said bid will be returned to the bidder. When a bid is accepted by the Governing Body, the good faith deposit accompanying said bid will be applied as part payment for the Bonds or, if the successful bidder fails to comply with this agreement to purchase the Bonds, will be retained as liquidated damages. Pending the application of the good faith deposit of the successful bidder as aforesaid, such deposit may be invested in direct obligations of, or obligations guaranteed by the United States of America or in repurchase agreements with banks fully secured by such obligations, and the City shall be entitled to any income from any such investment.

[BOND INSURANCE: The scheduled payment of principal of and interest on the Bonds when due will be guaranteed under a municipal bond insurance policy to be issued concurrently with the delivery of the Bonds by _____.]

AWARD OF BONDS: The award, if any, will be made to the bidder complying with the terms of sale and offering to purchase the Bonds at the lowest net interest cost to the City, which shall be determined by computing the aggregate interest on the Bonds over the life of the issue at the rate or rates of interest specified by the bidder, less premium offered, if any. It is requested that each bid be accompanied by a statement of the net interest cost (computed to six decimal places), but such statement will not be considered a part of the bid.

RIGHT OF REJECTION, CANCELLATION: The Governing Body reserves the right to reject any or all bids submitted, as well as to waive any irregularity or informality in any bid. The successful bidder shall have the right, at its option, to cancel its agreement to purchase the Bonds if the Bonds are not tendered for delivery within sixty (60) days from the date of sale thereof, and in such event the Governing Body shall return to said bidder its good faith deposit. The Governing Body shall have the right, at its option, to cancel its agreement to sell the Bonds if within five (5) days after the tender of the Bonds for delivery the successful bidder shall not have accepted delivery of and paid for the Bonds, and in such event the Governing Body shall retain the successful bidder's good faith deposit as liquidated damages as hereinabove provided.

PAYING AGENT, TRANSFER AGENT, AND REGISTRAR: The Governing Body will designate a bank or banks to serve as paying agent, transfer agent and registrar for the Bonds. The Paying Agent shall be subject to change by order of the Governing Body under the conditions and in the manner provided in the resolution under which the Bonds are issued. Both principal of and interest on the Bonds will be payable by check or draft mailed to registered owners of the Bonds as of the 15th day of the month preceding the maturity date for such principal or interest payment at the addresses appearing in the registration records of the City maintained by the Paying Agent. The Bonds will be transferable only upon the records of the Paying Agent, and the payment of principal at maturity shall be conditioned on the proper presentation and surrender of the Bonds to the Paying Agent.

PRELIMINARY OFFICIAL STATEMENT: Bidders must acknowledge in their respective bids that they have received and reviewed the City's preliminary official statement related to the issuance of the Bonds (the "Preliminary Official Statement"). The City deems the Preliminary Official Statement to be "final" as described in SEC Rule 15c2-12(b)(1) for the purposes of such Rule. Upon award of the Bonds to the successful bidder, the City will prepare a final official statement in connection with the Bonds (the "Official Statement") in substantially the form of the Preliminary Official Statement, subject to minor amendments and supplementations. A reasonably sufficient number of Official Statements will be made available to the successful bidder at the expense of the City within seven (7) business days of the award of the Bonds to such bidder. Copies of the Preliminary Official Statement may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000, or the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

The successful bidder must file the Official Statement with a nationally recognized municipal securities information repository (a "Repository") at the earliest practicable date after the date of delivery of the Bonds as required by SEC Rule 15c2-12 and must notify the City of the date which is the "end of the underwriting period" within the meaning of such SEC Rule 15c2-12.

In order to assist bidders in complying with SEC Rule 15c2-12(b)(5), the City, pursuant to a resolution of the Governing Body and a continuing disclosure agreement, will agree to provide annual reports and notices of certain events. A summary of the City's procedures with regard to continuing disclosure is set forth in the Preliminary Official Statement and will also be set forth in the Official Statement.

SUCCESSFUL BIDDERS: The successful bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at the closing for the Bonds an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, in a form reasonably required by the City and Bond Counsel.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

(a) the City shall disseminate this Notice of Bond Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

(b) all bidders shall have an equal opportunity to bid;

(c) the City may receive bids from at least three (3) underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(d) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Bond Sale.

Any bid submitted pursuant to this Notice of Bond Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

In the event that the competitive sale requirements are not satisfied, the City shall so advise the winning bidder. The City shall treat the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The City will not require bidders to comply with the "hold-the-offering-price rule" and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds.

If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing of the Bonds has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Bond Sale. Further, for purposes of this Notice of Bond Sale:

(a) "public" means any person other than an underwriter or a related party,

(b) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public),

(c) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(d) "sale date" means the date that the Bonds are awarded by the City to the winning bidder.

DELIVERY: The successful bidder must designate within five (5) days of the date of sale, or at such other later date as may be designated by the Governing Body, the names and addresses of the registered owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit such information within the required time, one Bond may be issued for each maturity in the full amount maturing on that date registered in the name of the successful bidder. The Bonds will be delivered at a place to be designated by the purchaser and without cost to the purchaser, and payment therefor shall be made in immediately available funds.

CUSIP NUMBER: It is anticipated that CUSIP identification numbers will be secured and printed on the Bonds, but neither the failure to secure or print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with its agreement to purchase the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the City; provided, however, that the CUSIP Global Services charge for the assignment of said numbers shall be paid for by the successful bidder.

LEGAL OPINION; CLOSING DOCUMENTS, ETC.: In the opinion of Butler Snow LLP ("Bond Counsel"), assuming compliance by the City with certain tax covenants, under existing statutes, regulations, rulings and court decisions, interest on the Bonds is excludable from gross income for federal income tax purposes. Interest on the Bonds is not a specific preference item for purposes of the federal alternative minimum tax. Bond Counsel will express no other opinion regarding other federal tax consequences resulting from the ownership, receipt or accrual of interest on or disposition of the Bonds. In addition, Bond Counsel is further of the opinion that under and pursuant to the Act, the Bonds and interest thereon are exempt from income taxation in the State of Mississippi.

The final approving opinion of Bond Counsel, relating to the validity and tax exemption of the Bonds, together with a non-litigation certificate of the City dated the date of delivery of the Bonds, and a transcript of the proceedings relating to the Bonds will be delivered to the successful bidder without charge.

QUALIFIED TAX-EXEMPT OBLIGATIONS. The Bonds have been designated by the Governing Body as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended and supplemented.

FURTHER INFORMATION: Further information with respect to the Bonds may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 and the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

DATED: _____, 2024

CITY OF GAUTIER, MISSISSIPPI

By /s/Teresa Montgomery
City Clerk

APPENDIX B

ECONOMIC AND DEMOGRAPHIC INFORMATION OF THE CITY

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THE CITY

General Description

The City was established in 1867 at the mouth of the Pascagoula River Basin by Fernando Gautier. The City was incorporated in 1986 and is located in Jackson County, Mississippi (the "County") and abuts the Mississippi Gulf Coast waterfront. The City is approximately 105 miles east of New Orleans, Louisiana, approximately 17 miles east of Biloxi, Mississippi, and approximately 182 miles south of Jackson, Mississippi, the capitol of the State.

Population

City and State population figures have been recorded as follows:

	1990	2000	2010	2020	2023 (estimate)
City	10,130	11,681	18,572	19,024	19,021
State	2,573,216	2,844,658	2,967,297	2,961,279	2,939,690

SOURCE: Census Data information at website: www.census.gov; October 2024.

Government

The City operates under a council-manager form of government. The City's governing authority is comprised of the Mayor and a six-member City Council with five members of the City Council being elected from designated wards or precincts, and the Mayor and one member of the City Council being elected at large. The current Mayor and members of the City Council, elected for concurrent four-year terms expiring on July 1, 2025, are as follows:

Name and Title ¹	Position	Position Held Since
Casey Vaughan	Mayor	2021
Adam Colledge	Councilman At-Large	2009
Cameron B. George	Councilman	2017
Richard "DJ" Jackson	Councilman	2017
Gordon T. Gollott	Councilman	2021
Rusty Anderson	Councilman	2013
Dante Elbin	Councilman	2021

SOURCE: Office of the City Clerk; October 2024.

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Major Employers

The following is a listing of the County's major employers, their products or services and their approximate number of employees:

Employers	Product or Service	Employees
Huntington Ingalls Industries	Manufacturing/Shipbuilding	12,250
Chevron U.S.A. Inc.	Oil Refinery	3,600
Singing River Health System	Medical Services	2,300
Jackson County School District	Education	1,200
Pascagoula-Gautier School District	Education	1,302
VT Halter Marine	Manufacturing/Shipbuilding	1,700
Ocean Springs School District	Education	750
Wal-Mart (Ocean Springs)	Retail	450
Wal-Mart (Pascagoula)	Retail	450
SUPSHIP	Government	400

SOURCE: Jackson County Economic Development Foundation, Inc., September 2024.

Per Capita Income

Year	County	Mississippi	United States	County as Percentage of United States
2022	\$45,912	\$46,370	\$65,470	70%
2021	45,875	46,577	64,430	71
2020	41,475	42,513	59,153	70
2019	38,539	39,157	55,547	69
2018	37,091	37,624	53,309	70

SOURCE: Bureau of Economic Analysis: Regional Economic Accounts at website: www.bea.gov, (BEA data last updated November 16, 2023). Information available as of September 2024.

County Employment Statistics

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Residence Based Employment					
Civilian Labor Force	58,720	57,740	58,650	58,530	58,300
Unemployed	3,650	5,430	3,420	2,430	1,910
Unemployment Rate	6.2	9.4	5.8	4.2	3.3
Employed	55,070	52,310	55,230	56,100	56,390

SOURCE: *Annual Labor Force Report*, Labor Market Information Department, Mississippi Employment Security Commission, Annual Averages 2011 forward, last revision May 2024. Note: This represents the most current information available as of September 2024.

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County Unemployment Statistics

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug	Sep.	Oct.	Nov.	Dec.	Annual Ave.
2019	6.7	6.3	6.0	5.6	5.7	7.1	7.2	6.6	6.0	5.5	5.7	5.6	6.2
2020	6.1	5.8	7.8	20.0	16.3	11.6	10.2	8.1	7.7	6.6	6.7	6.7	9.4
2021	7.0	7.0	6.5	6.0	6.2	7.3	6.7	5.9	5.1	4.5	4.1	3.9	5.8
2022	5.0	4.5	3.8	3.8	4.0	5.0	4.8	4.4	4.0	3.6	3.6	3.4	4.1
2023	3.7	3.4	3.2	2.7	3.2	4.0	3.9	3.7	3.1	2.8	2.6	2.8	3.3
2024	3.6	2.9	2.7	1.9	2.9	3.8	3.3	--	--	--	--	--	3.0

SOURCE: *Annual Labor Force Report*, Labor Market Information Department, Mississippi Employment Security Commission. Note: This represents the most current information available as of September 2024.

Retail Sales

State Fiscal Year Ended June 30	Total Sales
2023	\$222,528,695
2022	225,575,487
2021	224,444,492
2020	188,427,698
2019	182,784,357

SOURCE: Annual Report for each year shown, Mississippi Department of Revenue; September 2024.

Educational Facilities

The Pascagoula-Gautier School District (the "District") currently consists of the entire City, most of the City of Pascagoula, Mississippi and certain outlying areas in the County not located in the limits of the City or the limits of the City of Pascagoula. The District currently operates 19 schools - ten elementary schools (K-5), two middle schools (6-8), two sixth grade academies, two high schools (9-12), and three specialty schools. Currently the District employs a total of approximately 1,300 people, with approximately 650 of those being certified teachers.

Enrollment figures for the District for the current scholastic year and for the four preceding years are as follows:

Year	Enrollment Figures
2023-24	6,501
2022-23	6,565
2021-22	6,583
2020-21	6,508
2019-20	6,787

SOURCE: Pascagoula-Gautier School District and Office of Research and Statistics, Mississippi Department of Education; September 2024.

TAX INFORMATION

Description of City Taxes

Procedure for Property Assessments. The Tax Assessor of the County assesses all real and personal property subject to taxation in the County, including property in the City, except motor vehicles and property owned by public service corporations, both of which are required by law to be assessed by the State Department of Revenue. Section 21-33-9, Mississippi Code of 1972, as amended and supplemented, provides that the governing authority of a municipality which is located within a county having completed a county-wide reappraisal approved by the State Tax Commission and which has been furnished a true copy of that part of the county assessment roll containing the property located within a municipality as provided in Section 27-35-167, Mississippi Code of 1972, as amended and supplemented, shall adopt such assessment rolls for its assessment purposes. The City is utilizing the assessment rolls of the County.

The City may not correct or revise such assessment rolls except for the purpose of conforming the City's assessment roll to corrections or revisions made to the County's assessment roll. All objections to the City's assessment roll may be heard by the Board of Supervisors of the County at the time and in the manner that objections to the County assessment roll are heard. The Board of Supervisors of the County shall notify, in writing, the Governing Body and the Tax Assessor of the City of any corrections or revisions made by it to the part of the County assessment roll adopted as the City's assessment roll.

Procedure for Tax Collections. The Governing Body is required each year to levy taxes upon all of the taxable property within the City to provide sufficient revenue to cover the operating expenses of the City. If any taxpayer neglects or refuses to pay his taxes on the due date thereof, the unpaid taxes will bear interest at the rate of one percent per month or fractional part thereof from the delinquent date to the date of payment of such taxes. When enforcement officers take action to collect delinquent taxes, other fees, penalties and costs may accrue. Both real and personal property are subject to being sold at public sale for nonpayment of taxes.

Section 21-33-63, Mississippi Code of 1972, as amended and supplemented, and related statutes provide that after the fifth day of August in each year, the Tax Collector for the City shall advertise all lands in the City on which all taxes due and in arrears have not been paid, as well as all land liable for sale, at the door of the courthouse of the County or any place within the courthouse that the Tax Collector for the City shall designate in the advertisement, on the last Monday of August.

Reappraisal of Property and Limitations on Ad Valorem Levies

Senate Bill No. 2672, General Laws of Mississippi, Regular Session 1980, codified in part as Sections 27-35-49 and 27-35-50, Mississippi Code of 1972, as amended and supplemented (the "Reappraisal Act"), provides that all real and personal property in the State shall be appraised at true value and assessed in proportion to true value. To insure that property taxes did not increase dramatically as counties completed reappraisal, the Reappraisal Act provided for the limit on increase in tax revenues discussed below.

The Reappraisal Act limits ad valorem tax levies by the City to a rate which will result in an increase in total receipts of not greater than 10% over the previous year's receipts, excluding revenue from ad valorem taxes on any newly constructed properties, any existing properties added to the tax rolls or any properties previously exempt which were not assessed in the next preceding year. This limitation does not apply to levies for the payment of the principal of and the interest on general obligation bonds issued by the City or to certain other specified levies. The limitation may be increased only if the proposed increase is approved by a majority of those voting in an election held on such question.

On August 20, 1980, the Mississippi Supreme Court rendered its decision in *State Tax Commission v. Fondren*, 387 So.2d 712, affirming the decree of the Chancery Court of the First Judicial District of Hinds County, Mississippi, wherein the Department of Revenue was enjoined from accepting and approving assessment rolls from any county in the State for the tax year 1983 unless the Department of Revenue equalized the assessment rolls of all of the counties. Due to the intervening passage of the Reappraisal Act, the Supreme Court reversed that part of the lower court's decree ordering the assessment of property

at true value (although it must still be appraised at true value), holding instead that assessed value may be expressed as a percentage of true value. Pursuant to the Supreme Court modification of the lower court's decree, on November 15, 1980, the Department of Revenue filed a master plan to assist counties in determining true value.

Homestead Exemption

The Mississippi Homestead Exemption Law of 1946 reduces the local tax burden on homes qualifying by law and substitutes revenues from other sources of taxation on the State level as a reimbursement to the local taxing units for such tax loss. Provisions of the homestead exemption law determine qualification, define ownership and limit the amount of property that may come within the exemption.

Subject to certain limitations, the tax loss resulting to local taxing units from properly qualified homestead exemptions is reimbursed by the Mississippi Department of Revenue.

Assessed Valuation¹

Assessment Year	Real Property	Personal Property ²	Public Utility Property	Total
2023	\$101,268,017	\$26,938,351	\$10,038,529	\$138,244,897
2022	100,720,033	25,889,243	9,693,376	136,302,652
2021	98,969,977	26,631,253	9,621,302	135,222,532
2020	89,252,925	25,428,959	8,897,946	123,579,830
2019	89,128,642	25,629,526	8,586,605	123,344,773

¹ The total assessed valuation is approved in September proceeding the fiscal year of the City and represents the value of real property, personal property and public utility property for the year indicated on which taxes are assessed for the following fiscal year's budget. For example, the taxes for the assessed valuation figures for 2024 will be collected starting in January 2024 for the 2024-24 fiscal year budget of the City.

² Personal property includes mobile homes and automobiles.

SOURCE: Jackson County Tax Assessor; September 2024.

The above assessed valuations are based upon the following assessment ratios:

- real and personal property (excluding single-family, owner-occupied residential real property and motor vehicles, respectively), 15% of true value;
- single-family, owner-occupied residential real property, 10% of true value; and
- motor vehicles and public utility property, 30% of true value.

The 1986 Session of the Mississippi Legislature adopted House Concurrent Resolution No. 41 pursuant to which there was proposed an amendment to Section 112 of the Mississippi Constitution of 1890 (the "1986 Amendment"). The 1986 Amendment provided, inter alia, that the assessment ratio of any one class of property shall not be more than three times the assessment ratio on any other class of property.

The 1986 Amendment set forth five classes of property and the assessment ratios which would be applicable thereto upon the adoption of the 1986 Amendment. The assessment ratios set forth in the 1986 Amendment are identical to those established by Section 27-35-4, Mississippi Code of 1972, as amended and supplemented, as it existed prior to the 1986 Amendment, except that the assessment ratio for single-family, owner-occupied, residential real property under the 1986 Amendment is set at 10% of true value as

opposed to 15% of true value under previously existing law. The 1986 Amendment was ratified by the electorate on June 3, 1986.

The assessed valuation figures above do not include property exempt from all City ad valorem taxes for a period of up to 10 years, primarily for new or expanded manufacturing facilities. This real and personal property will become subject to City ad valorem taxation at different points in time during the next ten years. In addition, certain other industrial and manufacturing facilities are exempt from ad valorem taxation pursuant to Section 57-3-33, Mississippi Code of 1972, as amended and supplemented.

Tax Levy Per \$1,000 Valuation¹

	2023-24	2022-23	2021-22	2020-21	2019-20
General Revenue ²	33.89	33.89	33.89	33.89	33.89
Debt Service	8.11	8.11	8.11	8.11	8.11
Library	1.00	1.00	1.00	1.00	1.00
Public Safety	0.00	0.00	0.00	0.00	0.00
Total Levy	43.00	43.00	43.00	43.00	43.00

¹ Tax levies are given in mills.

² 2.8 Mills from General Revenue is dedicated to Public Safety.

SOURCE: Office of the City Clerk, September 2024.

Ad Valorem Tax Collections¹

Fiscal Year Ended September 30	Amount Budgeted	Amount Collected	Difference Over/(Under)
2023	\$5,450,321	\$5,434,185	(\$16,136)
2022	5,418,117	5,442,181	24,064
2021	4,975,921	5,107,221	131,300
2020	4,960,331	5,037,061	76,730
2019	4,876,474	5,002,975	126,501

¹ Does not include school taxes.

SOURCE: Office of the City Clerk, September 2024.

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Ten Largest Taxpayers

The ten largest taxpayers in the City for assessment year 2023 are as follows:

Taxpayer	Assessed Valuation	Taxes Collected
Singing River Electric Power Co-Op	\$ 8,182,709	\$351,856.00
Lowe's Home Centers LLC LP	2,262,259	97,277.00
Bienville Orthopedics/Surgery Center	2,061,504	88,645.00
A-Strategy X LLC	1,873,183	80,547.00
Reserve of Gautier LLC	1,040,301	44,733.00
Glenn Machine Works Inc.	880,172	37,847.00
CSX Transportation Inc.	797,853	34,308.00
Mississippi Power Company	731,446	31,452.00
Villas of Hickory Hills Inc.	651,661	28,021.00
Ocean Estates II LLC	591,812	25,448.00
TOTALS	\$19,072,900	\$820,134.00

SOURCE: Office of the Jackson County Tax Collector; September 2024.

DEBT INFORMATION

City Debt Limitations

Statutory Debt Limits. The City is subject to a general statutory debt limitation under which no city in the State may incur general obligation bonded indebtedness in an amount which will exceed 15% of the assessed value of all taxable property within such city according to the last completed assessment for taxation. In computing general obligation bonded indebtedness for purposes of this 15% limitation, there may be deducted all bonds or other evidences of indebtedness, heretofore, or hereafter issued, for school, water and sewerage systems, gas and light and power purposes and for the construction of special improvements primarily chargeable to the property benefited or for the purpose of paying a city's proportion of any betterment program, a portion of which is primarily chargeable to the property benefited. However, in no case may a city contract any indebtedness which, when added to all of its outstanding general obligation indebtedness, both bonded and floating, exceeds 20% of the assessed value of all taxable property within said city according to the last completed assessment for taxation.

In arriving at the limitations set forth above, bonds issued for school purposes, bonds payable exclusively from the revenues of any city owned utility, industrial development revenue bonds issued under the provisions of Section 57-1-1 through 57-1-51, Mississippi Code of 1972, as amended and supplemented, and any special assessment improvement bonds issued under the provisions of Section 21-41-1 through 21-41-53, Mississippi Code of 1972, as amended and supplemented, are not included. Also excluded from both limitations are contract obligations which are subject to annual appropriations.

Legal Debt Limit Statement¹

(as of September 15, 2024)

	15% Limit	20% Limit
Authorized Debt Limit (Last Completed Assessment for Taxation - \$138,244,897)	\$20,736,735	\$27,648,979
Present Debt Subject to Debt Limits	7,681,000	7,681,000
Margin for Further Debt Under Debt Limits	\$13,055,735	\$19,967,979

¹ Does not include the \$2,000,000 General Obligation Bonds (Public Improvement Issue), Series 2024, expected to be issued by the City on November 7, 2024 (the "2024 GO Bonds").

SOURCE: Office of the City Clerk, October 2024.

Outstanding General Obligation Bonded Debt

(as of September 15, 2024)

Name of Issue ¹	Date of Issue	Original Issue Size	Outstanding
General Obligation Bond, Series 2019	04/11/19	\$4,390,000	\$3,780,000
General Obligation Refunding Bonds, Series 2020	05/05/20	4,244,000	2,521,000
General Obligation Note, Series 2023 ²	11/07/23	1,380,000	<u>1,380,000</u>
TOTAL			<u>\$7,681,000</u>

¹ Does not include the 2024 GO Bonds.

² This note is a 5-year note issued pursuant to Sections 17-21-51 *et seq.*, Mississippi Code of 1972, as amended and supplemented.

SOURCE: Office of the City Clerk, October 2024

Annual Debt Service Requirements¹

(as of September 15, 2024)

Fiscal Year	Principal	Interest	Total
2025	588,000.00	173,598.76	761,598.76
2026	591,000.00	159,496.26	750,496.26
2027	604,000.00	145,128.76	749,128.76
2028	606,000.00	130,408.76	736,408.76
2029	611,000.00	115,441.26	726,441.26
2030	616,000.00	101,136.26	717,136.26
2031	205,000.00	87,528.13	292,528.13
2032	215,000.00	80,965.63	295,965.63
2033	220,000.00	74,168.76	294,168.76
2034	225,000.00	67,215.63	292,215.63
2035	235,000.00	59,587.50	294,587.50
2036	240,000.00	51,275.00	291,275.00
2037	250,000.00	42,700.00	292,700.00
2038	260,000.00	33,775.00	293,775.00
2039	270,000.00	24,500.00	294,500.00
2040	280,000.00	14,875.00	294,875.00
2041	285,000.00	4,987.50	289,987.50
Total:	\$6,301,000.00	\$1,366,788.21	\$7,667,788.21

¹ Does not include the 2024 GO Bonds.

SOURCE: Office of the City Clerk, October 2024.

Debt Ratios

Fiscal Year Ended September 30	General Obligation Debt	General Obligation Debt to Assessed Value
2023	\$6,880,000	4.98%
2022	7,474,000	5.48
2021	8,049,000	5.95
2020	8,607,000	6.96
2019	9,070,000	7.35

SOURCE: Office of the City Clerk, October 2024.

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APPENDIX C

**FISCAL YEAR 2022 AUDITED FINANCIAL STATEMENT,
FISCAL YEAR 2023 BUDGET, FISCAL YEAR 2024 BUDGET AND FISCAL YEAR 2025 BUDGET**

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FISCAL YEAR 2024 BUDGET

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FISCAL YEAR 2020 BUDGET

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APPENDIX D

DEFINITIONS

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DEFINITIONS

The following words and phrases shall have the following meanings unless the context otherwise requires:

Act

"Act" shall mean the Utility Act and the Infrastructure Modernization Act.

Additional Bonds

"Additional Bonds" shall mean additional bonds issued hereafter on parity with the Series 2024 Bonds and the Utility Bonds and secured by Net Revenues of the System.

Beneficial Owner

"Beneficial Owner" shall mean, whenever used with respect to a Series 2024 Bond, the person in whose name such Series 2024 Bond is recorded as the beneficial owner of such Series 2024 Bond by a DTC Participant on the records of such DTC Participant, or such person's subrogee.

Bond Counsel

"Bond Counsel" shall mean Butler Snow LLP, Ridgeland, Mississippi.

Bond Resolution

"Bond Resolution" shall mean the resolution adopted by the Governing Body on October 15, 2024, authorizing and directing the issuance of the Series 2024 Bonds.

Bond Year

"Bond Year" shall mean the one-year period (or shorter period beginning on the date of issue of the Series 2024 Bonds or ending on the final maturity date of the Series 2024 Bonds) ending at the close of business on the day selected by the City. If no day is selected by the City before the earlier of the final maturity date of the Series 2024 Bonds or the date that is five years after the date of issue of the Series 2024 Bonds, each Bond Year will end on each anniversary of the date of issue of the Series 2024 Bonds.

Bondholder or Bondholders or Holder or Holders

"Bondholder" or "Bondholders" or "Holder" or "Holders" or any similar term shall mean the registered owner of any Series 2024 Bond.

Bonds

"Bonds" shall mean the Series 2024 Bonds, the Utility Bonds and any Additional Bonds issued on parity with the Series 2024 Bonds and the Utility Bonds and secured by the Net Revenues of the System.

Business Day

"Business Day" shall mean any day other than (a) a Saturday, (b) a Sunday, (c) any other day on which banking institutions in New York, New York or Gautier, Mississippi, are authorized or required not to be open for the transaction of regular banking business, (d) any day the City Hall in Gautier, Mississippi is closed, or (e) a day on which the New York Stock Exchange is closed.

City

"City" shall mean the City of Gautier, Mississippi.

Clerk

"Clerk" shall mean the City Clerk of the City.

Closing

"Closing" shall mean the date of the delivery of the Series 2024 Bonds.

Code

"Code" shall mean the Internal Revenue Code of 1986, as amended, supplemented or superseded and the Regulations promulgated thereunder.

Consulting Engineers

"Consulting Engineers" shall mean any engineer or engineering firm employed by the City in connection with the System or for the purposes set out in the Bond Resolution.

Contingent Fund

"Contingent Fund" shall mean the fund or funds created under the Prior Bond Resolutions for the purpose of paying the costs of unforeseen contingencies arising in the operation and maintenance of the System.

Costs of the Project

"Costs of the Project" shall mean the costs of the acquisition, construction and equipping of the Project and, without intending thereby to limit or restrict any proper definition of such term under the provisions of the Utility Act or the Bond Resolution, shall include the following:

(a) obligations incurred for labor and materials, for contractors, builders and materialmen in connection with construction, for machinery and equipment, for the restoration or relocation of property damaged or destroyed in connection with such construction, for the removal or relocation of structures and for the clearing of lands;

(b) the cost of acquiring by purchase, if such purchase shall be deemed expedient, and the amount of any deposit in court or award or final judgment in or any settlement or compromise of any proceeding to acquire by eminent domain, lands, property, property rights, rights-of-way, easements, franchises, licenses, options and partial payments thereon, the cost of demolishing or removing or relocating any buildings or structures on land so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved, and the amount of any damages incident to or consequent upon the construction and operation of the Project;

(c) taxes or other municipal or governmental charges lawfully levied or assessed during construction upon the Project or any property acquired therefor, and premiums on insurance (if any) in connection with the Project during construction;

(d) the cost of borings and other preliminary investigations to determine foundation or other conditions, expenses necessary or incident to determining the feasibility or practicability of constructing the Project, and fees and expenses of engineers for making surveys and estimates of costs and of revenues and other estimates and for preparing plans and specifications and supervising construction, as well as for the performance of all other duties of engineers set forth in the Bond Resolution in relation to the construction of the Project and the issuance of the Series 2024 Bonds;

(e) expenses of administration properly chargeable to the Project, expenses of officers of the City in connection with the Series 2024 Bonds, legal expenses and fees, fees and expenses of any financial advisor or consultant, financing charges, capitalized interest, costs of audits and of preparing and issuing the Series 2024 Bonds, payments in connection with a reserve for debt service and all other items of

expense reasonably incurred incident to the acquisition, construction and equipping of the Project, the financing thereof, the placing of the same in operation (including the initial premiums on any insurance required or obtained under the provisions of the Bond Resolution) and the acquisition of franchises and interest therefor, including abstracts of title, title insurance, costs of surveys and other expenses in connection with such acquisition; and

(f) any obligation or expense heretofore or hereafter incurred and any amount heretofore or hereafter advanced by the City for any of the foregoing purposes.

Current Expenses

"Current Expenses" shall mean the reasonable and necessary current expenses of maintenance, repair and operation of the System and shall include, without limiting the generality of the foregoing, expenses not annually recurring, premiums for insurance, administrative and engineering expenses relating to maintenance, repair and operation, fees and expenses of the Paying Agent, legal expenses, taxes lawfully imposed on the System, reasonable payments to pension or retirement funds for employees of the System and any other expense of the System required or permitted to be paid by the City under the provisions of the Bond Resolution or by law, but shall not include any allowance for depreciation or transfers to the credit of the funds and accounts created for the Series 2024 Bonds.

Debt Service Reserve Fund Requirement

"Debt Service Reserve Fund Requirement" shall mean the lesser of the following: (i) the maximum amount of principal and interest becoming due in the current or any future Bond Year, on all Series 2024 Bonds then outstanding; (ii) 125% of average annual debt service on the Series 2024 Bonds; or (iii) 10% of the stated principal amount of the Series 2024 Bonds, or if the Series 2024 Bonds have more than a de minimis amount (as defined in Section 1.148-1(b) of the Treasury Regulations) of original issue discount or premium, 10% of the issue price (as defined in Section 1.148-1(b) of the Treasury Regulations) of the Series 2024 Bonds), which Debt Service Reserve Fund Requirement may be funded with cash or a Reserve Fund Credit Facility; provided, however, that upon initial issuance of the Series 2024 Bonds, the Debt Service Reserve Fund Requirement will mean the amount set forth in (i) hereinabove and in future years if the amount of the Debt Service Reserve Fund Requirement should equal an amount in excess of the lesser of (i), (ii) and (iii) above, the funds held in the 2024 Debt Service Reserve Fund will not be invested at a yield in excess of the yield on the Series 2024 Bonds. The initial deposit into the 2024 Debt Service Reserve Fund may be funded with a Surety Bond.

Depreciation Fund

"Depreciation Fund" shall mean the fund or funds created under the Prior Bond Resolutions for the purpose of paying the replacement costs of the System.

Direct Participant

"Direct Participant" shall mean a broker-dealer, bank or other financial institution for which the Securities Depository holds Series 2024 Bonds as a securities depository.

DTC

"DTC" means The Depository Trust Company, New York, New York.

DTC participants

"DTC participants" shall mean any participant for whom DTC is a Securities Depository Nominee.

Fiscal Year

"Fiscal Year" shall mean a period beginning on October 1 in any year and ending on September 30 of the following year.

Governing Body

"Governing Body" shall mean the Mayor and the City Council of the City.

Indirect Participant

"Indirect Participant" shall mean a broker-dealer, bank or other financial institution for which the Securities Depository holds Series 2024 Bonds as a securities depository through a Direct Participant.

Infrastructure Modernization Act

"Infrastructure Modernization Act" shall mean together Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented.

Mayor

"Mayor" shall mean the Mayor of the City.

Municipal Advisor

"Municipal Advisor" shall mean Government Consultants, Inc., Madison, Mississippi, as independent registered municipal advisor to the City.

Net Revenues

"Net Revenues" shall mean all Revenues remaining after payment of Current Expenses and debt service on the SRF Loans outstanding at the time of the issuance of the Series 2024 Bonds.

Operation and Maintenance Fund

"Operation and Maintenance Fund" shall mean the fund by that name held by the City for the operation and maintenance of the System.

Paying Agent

"Paying Agent" shall mean the City Clerk or any bank, trust company or other institution designated by the Governing Body to make payments of the principal of and interest on the Series 2024 Bonds, and to serve as registrar and transfer agent for the registration of owners of the Series 2024 Bonds, and for the performance of other duties as may be specified by the Governing Body.

Person

"Person" shall mean an individual, partnership, limited liability company, corporation, trust or unincorporated organization and a government or agency or political subdivision thereof.

Principal and Interest Requirements

"Principal and Interest Requirements" for any Bond Year shall mean the sums sufficient for the payment of the principal of and interest on the Series 2024 Bonds, the Utility Bonds and any Additional Bonds which will mature and accrue during such period.

Prior Bond Resolutions

"Prior Bond Resolutions" shall collectively mean the 2018 Bond Resolution, the 2019 Bond Resolution and the 2020 Bond Resolution.

Project

"Project" shall mean (a) the improvement, repair and extension of the System, (b) the funding of the 2024 Debt Service Reserve Fund, and (c) the payment of the costs of issuance of the Series 2024 Bonds.

Purchaser

"Purchaser" shall mean _____, the successful bidder for the Series 2024 Bonds.

Record Date

"Record Date" shall mean, as to interest payments, the 15th day of the month preceding the dates set for payment of interest on the Series 2024 Bonds and, as to payments of principal, the 15th day of the month preceding the maturity date thereof.

Redemption Date

"Redemption Date" shall mean the date on which any Series 2024 Bonds are called for redemption.

Registered Owner

"Registered Owner" shall mean the person whose name shall appear in the registration records of the City maintained by the Paying Agent.

Revenue Fund

"Revenue Fund" shall mean the fund by that name held by the City for the deposit of Revenues of the System.

Revenues

"Revenues" shall mean all payments, proceeds, fees, charges, rents and all other income derived by or for the account of the City from its ownership and operation of the System, excluding all acreage, front-footage, assessment and similar fees and charges derived by the City in connection with the provision of or payment for capital improvements constituting a part of the System.

Securities Depository

"Securities Depository" shall mean The Depository Trust Company and any substitute for or successor to such securities depository maintaining a book-entry transfer system for the Series 2024 Bonds.

Securities Depository Nominee

"Securities Depository Nominee" shall mean the Securities Depository or the nominee of such Securities Depository in whose name there shall be registered on the registration records the Series 2024 Bonds to be delivered to such Securities Depository during the continuation with such Securities Depository of participation in its Book-Entry System.

Series 2018 Bonds

"Series 2018 Bonds" shall mean the \$4,000,000 (original principal amount) City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018.

Series 2019 Bonds

"Series 2019 Bonds" shall mean the \$6,000,000 City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019.

Series 2020 Bonds

"Series 2020 Bonds" shall mean the \$2,579,000 (original principal amount) City of Gautier, Mississippi Taxable Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020

Series 2024 Bonds

"Series 2024 Bonds" shall mean the Combined Utility System Revenue Bonds, Series 2024, of the City in an aggregate principal amount of \$5,300,000, dated the date of delivery thereof.

SRF Loans

"SRF Loans" shall mean the State Revolving Fund Loans, existing on the date of issuance of the Series 2024 Bonds, from the State to the City under Sections 49-17-1 *et seq.*, Mississippi Code of 1972, as amended from time to time, which SRF Loans have a lien on Revenues of the System; however, the debt service for the SRF Loans is collected by the Mississippi Department of Revenue by diverting sales tax collections prior to remittance of the sales tax to the City and then subsequently reimbursed to the City from the Revenues of the System.

State

"State" shall mean the State of Mississippi.

Surety Bond

"Surety Bond," if applicable, shall mean the Reserve Fund Credit Facility issued by the Surety Bond Provider guaranteeing certain payments into the 2024 Debt Service Reserve Fund with respect to the Series 2024 Bonds as provided therein and subject to the limitations set forth therein.

System

"System" shall mean the combined waterworks, water supply, sewerage, and sewer disposal facilities of the City, including any enlargement and extension thereof.

2018 Bond Resolution

"2018 Bond Resolution" shall mean the resolution adopted by the Governing Body on April 3, 2018, authorizing and directing the issuance of the Series 2018 Bonds.

2018 Debt Service Fund

"2018 Debt Service Fund" shall mean the fund created and established under the 2018 Bond Resolution for the Series 2018 Bonds and bonds issued on parity therewith, including the Series 2024 Bonds.

2019 Bond Resolution

"2019 Bond Resolution" shall mean the resolution adopted by the Governing Body on December 3, 2019, authorizing and directing the issuance of the Series 2019 Bonds.

2019 Debt Service Fund

"2019 Debt Service Fund" shall mean the fund created and established under the 2019 Bond Resolution for the Series 2019 Bonds and bonds issued on parity therewith, including the Series 2024 Bonds.

2020 Bond Resolution

"2020 Bond Resolution" shall mean the resolution adopted by the Governing Body on November 17, 2020, authorizing and directing the issuance of the Series 2020 Bonds.

2020 Debt Service Fund

"2020 Debt Service Fund" the debt service fund created and established under the 2020 Bond Resolution for the Series 2020 Bonds and bonds issued on parity therewith.

2024 Debt Service Fund

"2024 Debt Service Fund" shall mean the fund by that name provided for in the Bond Resolution.

2024 Debt Service Reserve Fund

"2024 Debt Service Reserve Fund" shall mean the fund by that name provided for in the Bond Resolution.

Use Tax Revenues

"Use Tax Revenues" shall mean the infrastructure modernization use tax revenues payable to the City by the State pursuant to the Infrastructure Modernization Act.

Utility Act

"Utility Act" shall mean Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time.

Utility Bonds

"Utility Bonds" shall mean the 2013 Note and the Series 2018 Bonds.

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APPENDIX E
FORM OF BOND COUNSEL OPINION

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[FORM OF BOND COUNSEL OPINION]

Mayor and City Council
City of Gautier, Mississippi
Gautier, Mississippi

Re: \$5,300,000 City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024

Ladies and Gentlemen:

We have acted as bond counsel ("Bond Counsel") for the City of Gautier, Mississippi (the "City"), in connection with the issuance of the City's Combined Utility System Revenue Bonds, Series 2024, dated the date of delivery thereof, in the total aggregate principal amount of \$5,300,000 (the "Series 2024 Bonds"). In such capacity, we have examined the Constitution and statutes of the State of Mississippi (the "State"), including particularly Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented, and Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented (together, the "Act"), and certified copies of the proceedings had by the Mayor and City Council of the City (the "Governing Body"), including the adoption of resolutions on September 3, 2024, October 1, 2024, October 15, 2024 and November 5, 2024 (collectively, the "Resolution"), and other proofs submitted to us, relative to the sale and issuance by the City, acting by and through the Governing Body, of the Series 2024 Bonds.

The Series 2024 Bonds bear interest, mature and may be transferred and exchanged as set out in the Series 2024 Bonds and in the Resolution. Capitalized terms not defined herein are to be defined as set forth in the Resolution.

We have acted as Bond Counsel for the sole purpose of rendering an opinion with respect to the legality and validity of the Series 2024 Bonds under the laws of the State, including particularly the Act, and with respect to the excludability of the interest on the Series 2024 Bonds from federal and State income taxation. Regarding questions of fact material to our opinion, we have not investigated or verified original proceedings, records, data or other material, but have relied solely upon the certified transcript of proceedings described in the following paragraph and on the authenticity, truthfulness and completeness set forth in such documents, instruments and certificates. We have not assumed any responsibility with respect to the financial condition or capabilities of the City or the disclosure thereof in connection with the sale of the Series 2024 Bonds.

In our capacity as Bond Counsel, we have participated in the preparation of and have examined a certified transcript of proceedings pertaining to the Series 2024 Bonds which contains copies of certain proceedings of the City, customary certificates of officers, agents and representatives of the City and other public officials and other matters relating to the authorization and issuance of the Series 2024 Bonds, including a certification of the City prepared pursuant to Section 1.148-2(b)(2)(i) of the United States Treasury Regulations (the "Tax Compliance and No Arbitrage Certificate"). We have also examined Series 2024 Bond No. 1 of this issue.

Based on such examination and subject to the qualifications and assumptions that follow, it is our opinion, on the date hereof, that:

1. Such proceedings reflect lawful authority for the sale and issuance of the Series 2024 Bonds by the City pursuant to the Constitution and laws of the State, including the Act, and the provisions of the Resolution.
2. The Series 2024 Bonds have been duly authorized, executed and delivered by the City under the provisions of the Resolution.

3. Assuming the due authentication thereof by the Paying and Transfer Agent, the Series 2024 Bonds are legal, valid and binding limited obligations of the City enforceable in accordance with the terms thereof under the provisions of the Resolution.
4. The Series 2024 Bonds are payable solely from (a) the Net Revenues derived from the operation of the System subject to the parity lien of the \$4,000,000 (original principal amount) City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018, the \$6,000,000 (original principal amount) City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019, and the \$2,579,000 (original principal amount) City of Gautier, Mississippi Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020, and (b) the infrastructure modernization use tax revenues received by the City from the State pursuant to Sections 27-67-31 and 27-67-35, Mississippi Code of 1972, as amended and supplemented (the "Use Tax Revenues"). The Bonds are secured by a lien on the Net Revenues and 50% of the City's Use Tax Revenues. The Series 2024 Bonds are not general obligations of the City and the full faith, credit and taxing power of the City are not being pledged to the payment of the Series 2024 Bonds or interest thereon.
5. Under existing statutes, regulations, published rulings and judicial decisions, assuming compliance with certain covenants set forth in the Resolution which contain such provisions as are necessary to satisfy the requirements of Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and except as set forth below, (i) interest on the Series 2024 Bonds is excludable from the gross income of the owners thereof for federal income tax purposes, and (ii) interest on the Series 2024 Bonds is not treated as a specific item of tax preference under Section 57 of the Code in calculating the federal alternative minimum tax imposed by Section 55 of the Code; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Code) for the purpose of computing the alternative minimum tax imposed on corporations. In rendering the opinions contained in this paragraph 5, we have assumed continuing compliance by the City with the requirements of the Code that must be met after the issuance of the Series 2024 Bonds in order that interest on the Series 2024 Bonds be excludable from gross income of the owners thereof for federal income tax purposes. The failure to meet such requirements may cause interest on the Series 2024 Bonds to be included in gross income of the owners thereof for federal income tax purposes retroactive to the date of issuance of the Series 2024 Bonds. In the Resolution and certain certificates and agreements, the City has agreed to comply with or to require compliance with the requirements of the Code in order to maintain the excludability of interest on the Series 2024 Bonds from gross income of the owners thereof for federal income tax purposes.
5. Under and pursuant to existing laws of the State, the Series 2024 Bonds and interest thereon are exempt from all income taxes imposed by the State.

The Governing Body, acting for and on behalf of the City, has covenanted in the Resolution (a) to comply with each requirement of the Code necessary to maintain the excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes, and in furtherance thereof, to comply with the Tax Compliance and No Arbitrage Certificate, or such other covenants as may, from time to time, be required to be complied with in order to maintain the excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes, (b) to not use or permit the use of any of the proceeds of the Series 2024 Bonds, or any other funds of the City, directly or indirectly, to acquire any securities, bonds or other investment property, and (c) to not take or permit to be taken any other action or actions, which would cause any Series 2024 Bond to be an "arbitrage bond" as defined in Section 148 of the Code. Failure of the City to comply with such covenants could result in the interest on the Series 2024 Bonds being subject to federal income tax from the date of issue.

In rendering the opinion in paragraph 5 above, Bond Counsel has assumed the continuing compliance by the City with the tax covenants and representations in the Resolution and the representations in the Tax Compliance and No Arbitrage Certificate. These requirements relate to, *inter alia*, the use and investment of the gross proceeds of the Series 2024 Bonds, the use of any facility,

equipment or improvement financed or refinanced directly or indirectly with the proceeds of the Series 2024 Bonds and rebate to the United States Treasury of specified arbitrage earnings, if any. Bond Counsel has not undertaken to determine (or to inform any person) whether any actions taken (or not taken) or events occurring (or not occurring) after the date of issuance of the Series 2024 Bonds have resulted in a failure of the City to comply with its covenants. Failure of the City to comply with such covenants could result in the interest on the Series 2024 Bonds becoming subject to federal income tax from the date of issue.

Section 265(b)(1) of the Code provides that certain financial institutions may not deduct the portion of their otherwise allowable interest expense allocable to tax exempt obligations acquired after August 7, 1986 other than "qualified tax-exempt obligations" as defined in Section 265(b)(3)(B) of the Code. In the Resolution, the City has designated the Bonds as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3)(B) of the Code.

Owners of the Series 2024 Bonds should consult their own tax advisors as to the applicability and effect on their federal income taxes of any other collateral federal income tax consequences.

It is understood that the rights of the owners of the Series 2024 Bonds and the enforceability of the Series 2024 Bonds and the Resolution may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar law affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable, and that the enforcement thereof may be subject to the exercise of judicial discretion in appropriate cases.

In this opinion letter issued in our capacity as Bond Counsel, we are opining only upon those matters set forth herein, and we are not passing upon the accuracy, adequacy or completeness of any statements made in connection with any offer or sale of the Series 2024 Bonds or upon any federal or state tax consequences arising from the receipt or accrual of interest on or the ownership or disposition of the Series 2024 Bonds, except those specifically addressed herein.

In rendering the foregoing opinions, we have assumed the accuracy and truthfulness of all public records and of all certificates, resolutions, documents and other proceedings examined by us that have been executed or certified by public officials acting within the scope of their official capacities and have not verified the accuracy or truthfulness thereof. We also have assumed the genuineness of the signatures appearing upon such public records, certifications, resolutions, documents and proceedings. In rendering this opinion we have relied upon the opinion of Bordis Danos Pierce, Ocean Springs, Mississippi, counsel for the City, dated the date hereof, as to the due authorization and execution by and enforceability against the City as to the Series 2024 Bonds and the Resolution.

This opinion letter is an expression of professional judgment regarding the matters expressly addressed herein. It is neither a guarantee of result nor an insurance policy with respect to the transaction or the future actions or performance of any party or entity. Our services have not included any financial or other non-legal advice. We express no opinion other than as herein expressly stated in this letter, and no expansion of our opinion may be made by implication or otherwise. The opinions herein are given as of the date hereof and are based upon statutes, regulations, rulings and court decisions in effect on the date hereof and not as of any future date. It should be noted that material changes regarding matters of fact and applicable law may hereafter occur. We expressly disclaim any undertaking or responsibility to review, revise, update or supplement this opinion letter subsequent to its date for any reason or to advise you of any change in the law, whether by reason of legislative or regulatory action, by judicial decision or otherwise, or of any change of facts or circumstances or of any facts or circumstances that may hereafter come to our attention or for any other reason. .

Respectfully submitted,

BUTLER SNOW LLP

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APPENDIX F
CONTINUING DISCLOSURE CERTIFICATE

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CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Agreement (this "Disclosure Agreement") is executed and delivered by the City of Gautier, Mississippi (the "City") in connection with the execution and delivery of \$2,000,000 City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024 (the "Series 2024 Bonds"). The Series 2024 Bonds are being executed and delivered pursuant to resolutions adopted by the Mayor and City Council (the "Governing Body") of the City on September 3, 2024, October 1, 2024 and October 22, 2024 (collectively, the "Resolution"). The City covenants and agrees as follows:

SECTION 1. Purpose of this Disclosure Agreement. This Disclosure Agreement is being executed and delivered by the City for the benefit of the Registered Owners (defined below) and the Beneficial Owners (defined below) of the Series 2024 Bonds in order to assist the Participating Underwriter (defined below) in complying with the Rule (defined below).

SECTION 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Agreement unless otherwise defined herein, the following capitalized terms shall have the following meanings:

"Accompanying Information" shall mean any identifying information or other information then required to accompany the applicable filing pursuant to the Rule, currently including, without limitation, the 9 digit CUSIP numbers for the Series 2024 Bonds.

"Beneficial Owner" shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Series 2024 Bond (including persons holding Series 2024 Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Series 2024 Bond for federal income tax purposes.

"Business Day" shall mean any day other than (a) a Saturday, (b) a Sunday, (c) any other day on which banking institutions in New York, New York, or the city in which the Paying and Transfer Agent maintains its principal corporate trust office, are authorized or required not to be open for the transaction of regular banking business or (d) any day on which the New York Stock Exchange is closed.

"City Annual Financial Information" shall mean the information summarized herein below under the heading "Annual Financial Information - City Undertaking."

"EMMA" shall mean the Electronic Municipal Market Access System found at <http://emma.msrb.org> which is the electronic format prescribed by the MSRB pursuant to the Rule.

"Fiscal Year" shall mean a period beginning on October 1 in any year and ending on September 30 of the following year or such other twelve-month period as may be adopted by the City in accordance with law.

"Independent Accountant" shall mean any firm of certified public accountants appointed by the City which is independent pursuant to the Statement on Auditing Standards No. 1 of the American Institute of Certified Public Accountants or the State Auditor.

"Listed Events" shall mean any of the events listed in Section 5 of this Disclosure Agreement.

"MSRB" shall mean the Municipal Securities Rulemaking Board. The electronic filings with the MSRB shall be through EMMA.

"Participating Underwriter" shall mean the original purchaser of the Series 2024 Bonds required to comply with the Rule in connection with the offering of the Series 2024 Bonds.

"Paying and Transfer Agent" shall mean the paying agent, transfer agent and registrar of the Series 2024 Bonds appointed by the City.

"Registered Owner" shall mean the person or persons in whose name any Series 2024 Bond is registered on the registration records of the City.

"Repository" shall mean the MSRB and each State Repository, if any.

"Required Electronic Format" shall mean the electronic format then prescribed by the SEC or the MSRB pursuant to the Rule.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as in effect on the date hereof.

"State" shall mean the State of Mississippi.

"State Repository" shall mean any public or private repository or entity designated by the State as a State repository for the purposes of the Rule. As of the date of this Disclosure Agreement, there is no State Repository.

"Timely" as used herein with respect to filings required under the Rule shall have the meaning required under the Rule, which with respect to Listed Events currently means within ten (10) Business Days after the occurrence of the Listed Event.

SECTION 3. General. Nothing in this Disclosure Agreement shall prevent the City from disseminating any information in addition to that required by this Disclosure Agreement. If the City disseminates any such additional information, the City shall not have any obligation to update such information or include it in any further materials disseminated. All expenses and any other costs incurred by the City in complying with this Disclosure Agreement shall be paid by the City.

SECTION 4. City Undertaking. The City hereby agrees for the benefit of the Registered Owners and the Beneficial Owners of the Series 2024 Bonds to provide, together with any Accompanying Information and in the Required Electronic Format:

(a) to each Repository, within twelve months after the end of each Fiscal Year of the City ending in or after September 30, 2024, but no later than September 30 of each year,

(1) the City Annual Financial Information relating to such Fiscal Year; or

(2) notice of the failure of the City to provide the City Annual Financial Information;
and

(b) (1) to each Repository, in a Timely manner, notice of any Listed Events; and

(2) to each Repository, in writing, in a Timely manner, notice of any event which, in the opinion of an authorized officer of the City had, or will have, a material effect on the financial condition or operations of the City.

(c) If the City is unable to provide to the MSRB the City Annual Financial Information by the date required in subsection (a), the City shall file or cause to be filed with the MSRB a notice in substantially the form attached to this Disclosure Agreement as Exhibit "A," or in another form determined by the City.

SECTION 5. Listed Events. (a) The City shall give or cause to be given notice of the occurrence of any of the following Listed Events with respect to the Series 2024 Bonds, together with any Accompanying Information and in Required Electronic Format, in a Timely manner not in excess of ten (10) business days after the occurrence thereof, if material. All events mandated by the Rule are listed below; however, some may not apply to the Series 2024 Bonds.

(1) Principal and interest payment delinquencies.

(2) Non-payment related defaults, if material;

- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on the credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the Series 2024 Bonds;
- (7) Modification to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Series 2024 Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the State¹;
- (13) Consummation of a merger, consolidation, or acquisition involving the State or the sale of all or substantially all of the assets of the State, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) The appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a financial obligation² of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the City, any of which affect security holders, if material; and
- (16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation² of the obligated person, any of which reflect financial difficulties.

¹ For the purposes of the event identified in subparagraph (b)(5)(i)(C)(12) of the Rule, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and official or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

² For purposes of the events identified in subparagraphs (b)(5)(i)(C)(15) and (16) of the Rule, the term "financial obligation" is defined to mean a (A) debt obligation; (B) derivative instrument entered into in connection with or pledged as security or a source of payment for, an existing or planned debt obligation; or (C) a guarantee of (A) or (B). The term "financial obligation" does not include municipal securities as to which a final official statement has been otherwise provided to the MSRB consistent with the Rule. In complying with Listed Events (15) and (16), the City intends to apply the guidance provided by the Rule or other applicable federal securities law, SEC Release No. 34-83885 (August 20, 2018) and any future guidance provided by the SEC or its staff.

SECTION 6. Annual Financial Information.

General. The contents, presentation and format of the City Annual Financial Information may be modified from time to time as determined in the judgment of the City to conform to changes in the Rule to disclosure principles or practices and legal requirements followed by or applicable to the City, provided that such modifications shall comply with the requirements of the Rule.

City Undertaking. City Annual Financial Information is defined to include:

- (a) audited financial statements for such Fiscal Year if audited financial statements are then available, and, if unavailable, such audited financial statements if and when they become available; and
- (b) updated financial and operating information relating to the City and the System set forth in Exhibit B which is similar to the operating and financial information of the System contained in the Official Statement.

Any or all of the items listed above may be incorporated by reference from other documents, including official statements of debt issues with respect to which the City is an "obligated person" (as defined by the Rule), which have been filed with each of the Repositories or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The City shall clearly identify each such other document so incorporated by reference.

All documents provided to the MSRB pursuant to this Disclosure Agreement shall be in the format prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

As of the date of this Disclosure Agreement, all documents submitted to the MSRB must be in portable document format (PDF) files configured to permit documents to be saved, viewed, printed and retransmitted by electronic means. In addition, such PDF files must be word-searchable, provided that diagrams, images and other non-textual elements are not required to be word-searchable.

SECTION 7. Financial Statements. The annual financial statements for the City for each Fiscal Year shall be prepared in accordance with generally accepted accounting principles in effect from time to time. Such financial statements shall be audited by an Independent Accountant.

SECTION 8. Remedies. This Disclosure Agreement is enforceable in accordance with its terms by any Registered Owner or Beneficial Owner of the Series 2024 Bonds either directly or as a third-party beneficiary. Any Registered Owner or Beneficial Owner of the Series 2024 Bonds shall have the rights, for the equal benefit and protection of all Registered Owners and Beneficial Owners of the Series 2024 Bonds, by mandamus or other suit or proceeding at law or in equity, to enforce its rights against the City and any of the officers, agents and employees of the City, and to compel the City or any such officers, agents or employees to perform and carry out their duties under their respective undertakings; provided that such rights shall be limited to an action to compel specific enforcement of the obligations of the City hereunder and shall not include any rights to monetary damages.

SECTION 9. Amendments. Notwithstanding any other provision of this Disclosure Agreement, the City may amend this Disclosure Agreement and may waive any provision of this Disclosure Agreement, without the consent of the holders and Beneficial Owners of the Series 2024 Bonds, if such amendment or waiver does not, in and of itself, cause the undertakings herein (or action of any Participating Underwriter in reliance on the undertakings herein) to violate the Rule, but taking into account any subsequent change in or official interpretation of the Rule. The City will provide notice of such amendment or waiver to the MSRB.

SECTION 10. Parties in Interest; Governing Law. This Disclosure Agreement is executed and delivered for the sole benefit of the Registered Owners and Beneficial Owners of the Series 2024 Bonds and shall be governed by the laws of the State.

SECTION 11. Termination of Reporting Obligation. The undertaking of the City hereunder shall terminate on the earliest of (i) the date of legal defeasance, prior redemption or payment in full of all of the Series 2024 Bonds; (ii) the date that the City shall no longer constitute an "obligated person" within the meaning of the Rule; or (iii) the date on which those portions of the Rule which require this written undertaking are held to be invalid by a court of competent jurisdiction in a non-appealable action, have been repealed retroactively or otherwise do not apply to the Series 2024 Bonds.

SECTION 12. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the City has caused this Disclosure Agreement to be executed by a duly authorized officer of the City as of this _____ day of November, 2024.

(SEAL)

CITY OF GAUTIER, MISSISSIPPI

By _____
Mayor

ATTEST:

By _____
City Clerk

EXHIBIT A

NOTICE OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: City of Gautier, Mississippi

Name of Bond Issue: \$5,300,000 City of Gautier, Mississippi Combined Utility System Revenue Bonds,
Series 2024

Date of Issuance: November ____, 2024

CUSIP Number: _____

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Certificate dated November ____, 2024. The Issuer anticipates that the Annual Report will be filed by _____.

Dated: _____

CITY OF GAUTIER, MISSISSIPPI

By: _____
Authorized Officer

EXHIBIT B

Name of Issuer: City of Gautier, Mississippi (the "City")

Name of Bond Issue: \$5,300,000 City of Gautier, Mississippi Combined Utility System Revenue Bonds, Series 2024

Date of Issuance: November ____, 2024

CUSIP Number: _____

The following table sets forth the current utility rate schedule for water and sewer customers in the City for fiscal year 20__:

	Current Rates 20__
Gallons	
Water	
First 3,000 Gallons (Residential)	
Over 3,000 Gallons (per 1,000 Gallons) (Residential)	
First 3,000 Gallons (Commercial)	
Over 3,000 Gallons (per 1,000 Gallons) (Commercial)	
Sewer¹	
First 3,000 Gallons (Residential)	
Over 3,000 Gallons (per 1,000 Gallons) (Residential)	
First 3,000 Gallons (Commercial)	
Over 3,000 Gallons (per 1,000 Gallons) (Commercial)	
Wastewater Treatment	
First 3,000 Gallons (Commercial & Residential)	
Over 3,000 Gallons (per 1,000 Gallons) (Commercial & Residential)	
Garbage	
Monthly Charge	
Minimum Average Bill	

¹ Sewer only monthly charge is \$ ____ for commercial and \$ ____ for residential.

The total number of current water customers within the System is approximately _____. The total number of gallons of water used annually is approximately _____ million gallons for calendar year 20_____.

The ten largest users of water per gallon/per month are listed below as of _____, 20_____:

TEN LARGEST CUSTOMERS:	USAGE (gallons per month)

The capacity of the City's water system for fiscal year 20_____ is as follows:

Current Water System

Number of Gallons per day

Capacity

Peak daily load

Average daily usage

The ten largest users of sewer per gallon/per month are listed below as of _____ 20_____:

TEN LARGEST CUSTOMERS:	USAGE (gallons per month)

The capacity of the City's sewer system for fiscal year 20____ is as follows:

Current Water System	Number of Gallons per day
Capacity	
Peak daily load	
Average daily usage	

The current outstanding debt of the System is listed below:

Bonds Outstanding¹	Outstanding Principal
--------------------------------------	------------------------------

Total Bonds Currently Outstanding

SRF Loans

Total SRF Loans Currently Outstanding

The last five years historical debt service coverage is as follows:

	Fiscal Year 20____	Fiscal Year 20____	Fiscal Year 20____	Fiscal Year 20____	Fiscal Year 20____
Total Revenues					
Total Expenditures					
Available for Debt Service					
Existing Debt Service					
Balance					
Debt Ratio					

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

Council Meeting: October 15, 2024
Title: Approve renewal of Cyber Security Agreement with Coalition

Introduced by:
Contact Person/Telephone Teresa Montgomery 497-8000

Summary Explanation: Approve renewal of Cyber Security Agreement with Coalition

EXHIBITS FOR REVIEW

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

Staff Recommendation:
Approval

Motion Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
Anderson	☐	Elbin	☐						

Second Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
Anderson	☐	Elbin	☐						

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, the City Manager seeks approval to renew with Coalition for Cybersecurity Insurance; and

WHEREAS, the Policy Premium will total \$10,170.86 including all taxes and fees, with a \$50,000 deductible; and

WHEREAS, the contract maintains the coverages reviewed and approved by AGJ in 2023;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the renewal with Coalition to provide Cybersecurity Insurance is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose including payment of the premium as stated in the amount of \$10,170.86.

Motion was 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 October 15, 2024.



Coalition Insurance Solutions, Inc.
MS License No. 15031878
44 Montgomery Street, Suite 4210
San Francisco, CA 94105
Producer Code: 1035616

COALITION CYBER POLICY QUOTATION

Please be advised this quotation is for surplus lines coverage. Compliance with applicable laws and payment of taxes and fees is the responsibility of the Insured, Insurance Agent, or Insurance Broker. Upon binding of this account, we must receive a signed application from the Insured.

Subject to the terms and conditions contained herein, Coalition Insurance Solutions ("Coalition") agrees to issue to the below Named Insured the following quotation for insurance coverage:

Coalition Quote No.:	C-4LWY-232426-CYBER-2024-01						
Named Insured	City of Gautier						
Address	3330 Hwy 90 Gautier, MS 39553						
Policy Period	From: October 15, 2024 (Effective Date) To: October 15, 2025 (Expiration Date) <i>Both dates 12:01 A.M. at the Named Insured's address above.</i>						
Policy Premium	<table><tr><td>Premium without TRIA</td><td>\$9,473.52</td></tr><tr><td>TRIA Premium</td><td>\$9.48</td></tr><tr><td>Total Premium</td><td>\$9,483.00</td></tr></table>	Premium without TRIA	\$9,473.52	TRIA Premium	\$9.48	Total Premium	\$9,483.00
Premium without TRIA	\$9,473.52						
TRIA Premium	\$9.48						
Total Premium	\$9,483.00						
Aggregate Policy Limit of Liability	\$1,000,000						

Coverage under this policy is provided only for those Insuring Agreements for which a limit of liability appears below. If no limit of liability is shown for an Insuring Agreement, such Insuring Agreement is not provided by this policy. The Aggregate Policy Limit of Liability shown above is the most the Insurer(s) will pay regardless of the number of Insured Agreements purchased.

THIRD PARTY LIABILITY COVERAGES

Insuring Agreement	Limit / Sub-Limit	Retention / Sub-Retention
A. NETWORK AND INFORMATION SECURITY LIABILITY	\$1,000,000	\$50,000
B. REGULATORY DEFENSE AND PENALTIES	\$1,000,000	\$50,000
C. MULTIMEDIA CONTENT LIABILITY	\$1,000,000	\$50,000
D. PCI FINES AND ASSESSMENTS	\$1,000,000	\$50,000

FIRST PARTY COVERAGES

Insuring Agreement	Limit / Sub-Limit	Retention / Sub-Retention
E. BREACH RESPONSE	\$1,000,000	\$50,000
F. CRISIS MANAGEMENT AND PUBLIC RELATIONS	\$1,000,000	\$50,000
G. CYBER EXTORTION	\$1,000,000	\$50,000
H. BUSINESS INTERRUPTION AND EXTRA EXPENSES	\$1,000,000	\$50,000
		i. Waiting period: 8 hours
		ii. Enhanced waiting period: 8 hours
I. DIGITAL ASSET RESTORATION	\$1,000,000	\$50,000



Coalition Insurance Solutions, Inc.
MS License No. 15031878
44 Montgomery Street, Suite 4210
San Francisco, CA 94105
Producer Code: 1035616

J. FUNDS TRANSFER FRAUD

N/A

N/A

Coverages by Endorsement		Limit / Sub-Limit	Retention / Sub-Retention
CR.	COMPUTER REPLACEMENT ENDORSEMENT	\$1,000,000	\$50,000
SF.	SERVICE FRAUD	\$250,000	\$50,000
RHL.	REPUTATIONAL HARM LOSS	\$1,000,000	Waiting period: 14 days
	REPUTATION REPAIR	\$1,000,000	\$50,000
<i>REPUTATION REPAIR ENDORSEMENT amends F. CRISIS MANAGEMENT AND PUBLIC RELATIONS; use of this limit reduces limit for F.</i>			

Pre-Claim Assistance

\$2,370 Pre-claim assistance is a benefit included as part of the premium. See Section V, CLAIMS PROCESS, PRE-CLAIM ASSISTANCE of the Policy for more details.

Insurers and Quota Share Percentage

Insurer	Policy No.	Quota Share % of Loss	Quota Share Limit of Liability	Premium
Arch Specialty Insurance Company		30%	\$300,000	\$2,844.90
Allianz Underwriters Insurance Company		20%	\$200,000	\$1,896.60
Ascot Specialty Insurance Company		20%	\$200,000	\$1,896.60
Fortegra Specialty Insurance Company		30%	\$300,000	\$2,844.90

Retroactive Date

Full Prior Acts Coverage

Continuity Date

October 15, 2023

Endorsements and Forms Effective at Inception

POLICY DECLARATIONS	SP 14 797 0221
SIGNATURE PAGE - USA ALLIANZ	CYUSP-00NT-000001-1223-01
SIGNATURE PAGE ARCH	CYUSP-00NT-000006-0922-00
SIGNATURE PAGE ASCOT	CYUSP-00NT-000004-0922-00
SIGNATURE PAGE FORTEGRA	CYUSP-00NT-000003-0323-01
COALITION CYBER POLICY	SP 14 798 0419
QUOTA SHARE ENDORSEMENT	SP 15 629 0218
SERVICE OF SUIT ENDORSEMENT	SP 14 927 0219
COMPUTER REPLACEMENT ENDORSEMENT	SP 17 514 0419
REPUTATION REPAIR ENDORSEMENT	SP 14 802 1117
REPUTATIONAL HARM LOSS	SP 16 383 0718
SERVICE FRAUD ENDORSEMENT	SP 16 183 0518
REGULATORY COVERAGE ENHANCEMENT ENDORSEMENT -- CCPA AND GDPR	SP 17 147 1119
COURT ATTENDANCE COST REIMBURSEMENT ENDORSEMENT	SP 16 777 0918
CRIMINAL REWARD COVERAGE	SP 16 670 0818
DUTY TO COOPERATE ENDORSEMENT	SP 17 274 0219
REGULATORY COVERAGE ENHANCEMENT ENDORSEMENT -- CCPA AND GDPR	SP 17 147 1119
YOUR OBLIGATIONS AS AN INSURED ENDORSEMENT	SP 17 275 0219
MULTI-FACTOR AUTHENTICATION (MFA) RETENTION REDUCTION	SP 17 814 0819
PHISHING (IMPERSONATION) AND PROOF OF LOSS PREPARATION EXPENSE ENDORSEMENT	SP 18 435 0720



Coalition Insurance Solutions, Inc.
MS License No. 15031878
44 Montgomery Street, Suite 4210
San Francisco, CA 94105
Producer Code: 1035616

WRONGFUL COLLECTION AND BIOMETRIC PRIVACY EXCLUSION	CYUSP 50EN 000009 0223 01
\$0 RETENTION FOR SERVICES FROM COALITION INCIDENT RESPONSE	CYUSP-50EN-000004-1022-01
CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM	SP 17 252 0219
DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT	SP 17 255 0220
AFFIRMATIVE AI ENDORSEMENT	CYUSP-50EN-000039-0324-01
AMENDED DEFINITION OF INSURED - INCLUDING INDEPENDENT CONTRACTORS AND ADDITIONAL INSUREDS	CYUSP-50EN-000020-0623-02
BETTERMENT ENDORSEMENT	SP 16 883 1018
CONSENT TO SETTLEMENT CHANGE ENDORSEMENT	SP 16 003 0418
ENHANCED SYSTEMS FAILURE CONTINGENT BUSINESS INTERRUPTION ENDORSEMENT	SP 18 134 0823
ENHANCED WAITING PERIOD FOR DENIAL OF SERVICE ATTACKS	SP 14 805 1117
NON-IT VENDOR CONTINGENT BUSINESS INTERRUPTION ENDORSEMENT	CYUSP-50EN-000034-1223-01
PRIMARY FOR BREACH RESPONSE ENDORSEMENT	SP 18 180 0320
WAIVER OF SUBROGATION PER CONTRACT ENDORSEMENT	SP 15 810 0318

Conditions:

This quotation expires within sixty (60) days or on the expiration date of the current coverage, whichever comes first.

This quotation for insurance coverage is issued based on the truthfulness and accuracy of the responses to the questions on the insurance application entered into our underwriting system.

If between the date of the quotation and the Effective Date of the proposed insurance contract, there is a material change in the condition of the Named Insured or if any notice of claim or circumstance giving rise to a claim is reported prior to the Effective Date of the proposed insurance contract, then the Named Insured must notify Coalition. Whether or not this quotation has already been accepted by the Named Insured, Coalition reserves the right to rescind this indication as of its Effective Date or to modify the final terms and conditions of the quotation upon review of the information. Coalition also reserves the right to modify the final terms and conditions upon review of the information received in satisfaction of the aforementioned conditions.

This quotation is also subject to our review and acceptance of responses to the following conditions:

- An authorized representative of the Named Insured signs the Coalition application within ten (10) days of the issuance of a binder or insurance coverage will not take effect.

Please note this quotation contains only a general description of coverage provided. For a detailed description of the terms, you must refer to the insurance contract itself and the endorsements listed herein.



Hub International Gulf South

Phone: 228-897-6700

Fax: 228-897-6711

Invoice # 3837116

Page 1 of 1

ACCOUNT NUMBER	DATE
GAUTIER-02	10/08/2024
BALANCE DUE ON	AMOUNT DUE
10/15/2024	\$10,170.86

City of Gautier
3330 Highway 90
Gautier, MS 39553

Pay My Bill Online

Visit our online portal to easily and securely pay your HUB invoice using your banking information (ACH)

www.hubinternational.com/paymybill

Cyber/Privacy/Network Security Liability

PolicyNumber: C-4LWY-232426-CYBER-2024

Effective: 10/15/2024 to 10/15/2025

Item #	Trans Eff Date	Due Date	Trans	Description	Amount
46264532	10/15/2024	10/15/2024	RENB	10.15.24-25 - Cyber/Privacy/Network Security Liability - Re	\$9,483.00
46264534	10/15/2024	10/15/2024	CFEE	Surplus Lines Tax	\$379.52
46264535	10/15/2024	10/15/2024	CFEE	Stamping Fee	\$23.70
46264536	10/15/2024	10/15/2024	CFEE	MWUA Surcharge	\$284.64

Policy Invoice Balance: \$10,170.86

Total Invoice Balance: \$10,170.86

ADDITIONAL PAYMENT OPTIONS

PAY BY CHECK

Please remit your payment to:

HUB International

1311 Spring Street, Suite A
Gulfport, MS 39507

*** PREMIUM FINANCING OPTIONS MAY BE AVAILABLE UPON REQUEST; PLEASE CONTACT YOUR HUB REPRESENTATIVE ***

*** PLEASE RETURN A COPY OF THIS INVOICE WITH YOUR CHECK, AND REFERENCE ON THE PAYMENT YOUR INVOICE # 3837116 ***

CITY OF GAUTIER
Business Agenda Item #3
Fact Sheet

Council Meeting: October 15, 2024
Title: Consideration for a Property Owner initiated Rezoning of Property from R-1 Low Density Single Family Residential to MURC-2 Mixed Use Recreation Commercial-2, located on John Dailey Drive (GPC #24-37-RZ)

Introduced by:
Contact Person/Telephone Scott Ankerson 497-8000 ext. 312

Summary Explanation: Consideration for a Property Owner initiated Rezoning of Property from from R-1 Low Density Single Family Residential to MURC-2 Mixed Use Recreation Commercial-2, located on John Dailey Drive (GPC #24-37-RZ) (PID #82425010.100 & 82424080.200)

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

Second Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

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

Action Taken:

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

ORDINANCE NUMBER 000-2024

AN ORDINANCE OF THE CITY OF GAUTIER, MISSISSIPPI, RELATING TO THE REZONING OF PROPERTY KNOWN AS JOHN DAILEY DRIVE FROM A R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL TO MURC-2 MIXED USE RECREATION COMMERCIAL-2; GENERALLY DESCRIBED AS PID #82425010.100 & #82424080.200; MORE PARTICULARLY DESCRIBED IN THE BODY OF THE ORDINANCE; PROVIDING AUTHORITY; MAKING FINDINGS OF FACT; PROVIDING FOR A ZONING MAP AMENDMENT; AND SETTING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, AS FOLLOWS:

SECTION 1. AUTHORITY.

The authority for enactment of this ordinance is Section 17-1-5, Mississippi Code Annotated Section 17-1-15 (1972), Mississippi Statutes.

The City Council of Gautier finds that a rezoning (is or is not) necessary. A public hearing was held before the Gautier Planning Commission on October 3, 2024, and the Commission recommended that Council approve the change for a zoning map amendment to adopt the Property to MURC-2 Mixed Use Recreation Commercial-2.

SECTION 2. PROPERTY REZONED.

The property generally described as Jackson County, Mississippi Parcel ID #82435010.075, which located at John Dailey Drive, Gautier, MS, is hereby rezoned MURC-2 Mixed Use Recreation Commercial-2.

SECTION 3. FINDINGS OF FACT.

The City Council finds, based on the record and evidence presented, that there was a mistake in the original zoning, as at the time of the original zoning to R-1, the existing use of the properties was an RV park, which is not permitted in R-1. RV parks are permitted in MURC-2 by right. As such, the City Council finds that the property should be rezoned to a MURC-2 Mixed Use Recreation Commercial-2, as more fully defined in the attached application based on a mistake in the original zoning.

SECTION 4. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Gautier is hereby amended to include a change of classification from R-1 to MURC-2 Mixed Use Recreation Commercial-2 for the property identified as Jackson County Parcel No. #82425010.100 & #82424080.200.

SECTION 5. SETTING EFFECTIVE DATE AND APPEAL. This Ordinance shall become effective 30 days after approval by the City Council and signature of the Mayor.

ADOPTED: _____

Casey Vaughan, Mayor

ATTEST:

Teresa Montgomery, City Clerk

Codification Instructions: Not Codified.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Babs Logan, Planning Technician
Date: 10/08/2024
Subject: Consider a request for a Property Owner Initiated Rezoning of Property located at John Dailey Drive, PID #82425010.100 & #82424080.200, from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial-2 (GPC Case No. 24-37-RZ)

REQUEST:

The Planning Department has received a request from Sioux Bayou Landing, LLC for a rezoning of property located at John Dailey Drive, PID #82425010.100 & #82424080.200, from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial-2 (GPC Case No. 24-37-RZ). The application fee of \$300 was paid on August 9, 2024. All public notice requirements have been met.

BACKGROUND:

Section 4.15 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change when the public welfare justifies such action. The GPC shall include in its recommendation to the City Council findings that the required rezoning criteria have been met.

DISCUSSION:

1. Location: John Dailey Drive, PID #82425010.100 & #82424080.200 (See Exhibit A)
2. Existing Zoning: R-1 Low Density Single-Family Residential. (See Exhibit B)

UDO 5.3.3 R-1, Low Density Single-Family Residential District - Purpose and intent. The purpose of this district is to provide areas where the principal use of land is for single-family detached dwelling units and related recreational facilities which compliment the area and provide a balanced and attractive residential area. R-1 areas are to be specifically designed to provide for the quiet enjoyment of the uses therein. They should have well defined boundaries and be protected from the encroachment of commercial uses and heavy through traffic.

UDO 5.3.14 MURC-2, Mixed Use Recreation Commercial-2 - Purpose and intent. The Mixed Use Recreational Commercial-2 zoning district implements Future Land Use Section 7.3, Mixed Use Recreation Commercial of the Comprehensive Plan, and also serves as a buffer between areas of lower and higher intensity. The MURC-2 zoning district shall apply to areas suited for tourist-oriented development. Specifically, lands which are developed, redeveloped and/or maintained and conserved as areas that accommodate permanent or seasonal single-family detached or multi-family attached residential dwelling units; commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations; and tourist-oriented uses including recreation vehicles, travel trailers, seasonal cabins, marinas, dry boat storage, community buildings, public facilities, clubhouses, museums, visual and performance arts buildings, neighborhood retail commercial goods and services not exceeding 7,000 square feet designed primarily to serve the needs of the Mixed Use Recreational Commercial area, offices, medical clinics, laundries and dry cleaning drop off centers, banks, fitness centers, dinner clubs and restaurants. It is the intent of the MURC-2 zoning district to specifically not allow all non-residential uses to be located in the district.

DATA AND ANALYSIS:

Property requested for Rezoning: John Dailey Drive, PID #82425010.100 & #82424080.200.

Location: Ward 4

Current Zoning of the Request Property: R-1 Low Density Single-Family Residential

Existing Land Use: PID #82425010.100 is an RV park. PID #82424080.200 is vacant. (See Exhibit C)

Future Land Use: Conservation. (See Exhibit D)

Surrounding Zoning: R-1 Low Density Single-Family Residential.

HISTORY:

The existing RV park located on PID #82425010.100, 1221 John Dailey Drive, was established around the late 1950's prior to being annexed by the City. The owner wants to expand the RV park on the adjoining parcel, PID #82424080.200. The area and current use of the property fits the intent and purpose of the MURC-2 area and is very similar to other existing MURC-2 zoned areas.

RECOMMENDATION:

The Planning Commission recommends City Council approve the rezoning to MURC-2 based on an error in the rezoning based off of the road being down the original piece of property and that the original RV park lies partially on the new zoned property.

The City Council may:

Approve to Rezone the subject area from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial -2; or
Deny the Rezoning.

ATTACHMENTS:

1. Excerpt GPC Meeting 10.3.24 (#24-37-RZ)
2. Complete Packet 24-37-RZ

Excerpt from October 3, 2024, Planning Commission Meeting:

The Planning Department has received a request for a Property Owner Initiated Rezoning of Property located at John Dailey Drive, PID #82425010.100 & #82424080.200, from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial-2 (GPC Case No. 24-37-RZ)

Scott Ankerson, Planning Director, gave a brief overview of the case. He noted that the road into the existing RV park comes right through the parcel they are also wanting to rezone to MURC-2. There are two parcels they are wanting to rezone for one use that they are wanting to expand. The Planning Department feels there was a mistake in the original zoning seeing how this use was there in the 1950's and this ordinance and zoning was adopted in 2009 & 2010. The existing use is allowed in a MURC-2.

REQUEST:

The Planning Department has received a request from Sioux Bayou Landing, LLC for a rezoning of property located at John Dailey Drive, PID #82425010.100 & #82424080.200, from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial-2 (GPC Case No. 24-37-RZ). The application fee of \$300 was paid on August 9, 2024. All public notice requirements have been met.

BACKGROUND:

Section 4.15 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change when the public welfare justifies such action. The GPC shall include in its recommendation to the City Council findings that the required rezoning criteria have been met.

DISCUSSION:

1. Location: John Dailey Drive, PID #82425010.100 & #82424080.200 (See Exhibit A)
2. Existing Zoning: R-1 Low Density Single-Family Residential. (See Exhibit B)

UDO 5.3.3 R-1, Low Density Single-Family Residential District - Purpose and intent. The purpose of this district is to provide areas where the principal use of land is for single-family detached dwelling units and related recreational facilities which compliment the area and provide a balanced and attractive residential area. R-1 areas are to be specifically designed to provide for the quiet enjoyment of the uses therein. They should have well defined boundaries and be protected from the encroachment of commercial uses and heavy through traffic.

UDO 5.3.14 MURC-2, Mixed Use Recreation Commercial-2 - Purpose and intent. The Mixed Use Recreational Commercial-2 zoning district implements Future Land Use Section 7.3, Mixed Use Recreation Commercial of the Comprehensive Plan, and also serves as a buffer between areas of lower and higher intensity. The MURC-2 zoning district shall apply to areas suited for tourist-oriented development. Specifically, lands which are developed, redeveloped and/or maintained and conserved as areas that accommodate permanent or seasonal single-family detached or multi-family attached residential dwelling units; commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations; and tourist-oriented uses including recreation vehicles, travel trailers, seasonal cabins, marinas, dry boat storage, community buildings, public facilities, clubhouses, museums, visual and performance arts buildings, neighborhood retail commercial goods and services not exceeding 7,000 square feet designed primarily to serve the needs of the Mixed Use Recreational Commercial area, offices, medical clinics, laundries and dry cleaning drop off centers, banks, fitness centers, dinner clubs and restaurants. It is the intent of the MURC-2 zoning district to specifically not allow all non-residential uses to be located in the district.

DATA AND ANALYSIS:

Property requested for Rezoning: John Dailey Drive, PID #82425010.100 & #82424080.200.

Location: Ward 4

Current Zoning of the Request Property: R-1 Low Density Single-Family Residential

Existing Land Use: PID #82425010.100 is an RV park. PID #82424080.200 is vacant. (See Exhibit C)

Future Land Use: Conservation. (See Exhibit D)

Surrounding Zoning: R-1 Low Density Single-Family Residential.

HISTORY:

The existing RV park located on PID #82425010.100, 1221 John Dailey Drive, was established around the late 1950's prior to being annexed by the City. The owner wants to expand the RV park on the adjoining parcel, PID #82424080.200. The area and current use of the property fits the intent and purpose of the MURC-2 area and is very similar to other existing MURC-2 zoned areas.

REVIEW CRITERIA:

The Planning Commission, in its report and recommendation to the City Council on the appropriateness of the request, shall study and consider the following criteria and record that the evidence presented meets the “Criteria for Approval” from the UDO, if applicable.

- A. There was a mistake in the original zoning; **or**
- B. The character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request.

The Planning Commission shall not recommend approval of a rezoning unless the applicant has proven by clear and convincing evidence that either of the required criteria items above have been met.

STAFF RECOMMENDATION:

If recommending approval, Planning Commission shall record that the evidence presented meets all “Criteria for Approval” from the UDO as listed above.

CONCLUSION:

Based on the required Review Criteria established by Section 4.15 of the Unified Development Ordinance and the appropriateness of the request relevant to the criteria, the Commission may:

1. Recommend that City Council approve to Rezone the subject area from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial -2; or
2. Recommend that City Council deny the Rezoning.

Chairman Jamison asked the applicant to present his case.

Bobby Heinrich, agent for the applicant, said the owner is wanting to expand the existing park which currently has 32 existing units with a boat launch and everything you would want for a RV park. They were able to purchase the property just to the north for expansion of the park. There is water and sewer coming from the existing park that runs up John Dailey Road and ties into the city system. They are asking to rezone both parcels in order to make the zoning correct for the existing park and to be able to expand.

Chairman Jamison asked about the lower portion of the parcel that has the existing park on it.

Mr. Heinrich said the portion of the parcel that is south of the existing park is all marsh and you would never be able to expand to the south. He added that the expansion would

consist of 27 larger sites that would also have access to the boat launch and everything that is already existing at the current park. They feel there is a need for more places for RV campers.

Commissioner Hudson asked what the acreage was on the expansion parcel.

Marques Thomas, who said he was one of the two owners of the park, said the parcel consisted of 3 acres. He also said his partner lives on the site.

Commissioner Hudson asked if the Commission approved the rezoning would the applicant have to get permission for an RV park.

Commissioner Ward stated that an RV park is allowed in a MURC-2 and that almost all RV parks within the city are either in a MURC-2 or MURC-MW zone. This park just got missed when the City was rezoning.

Mr. Heinrich added that they were going to leave as many trees as they could on the property.

Commissioner Hudson asked about improvement on the age of the campers in the park.

Mr. Thomas said the park has more to offer than most parks in the area so their price kind of brings in better campers. They also have been moving stuff out over the past year. They are beginning to get a more transient population with people coming in for concerts at The Sound Amphitheater. They are pretty much 100 % occupied year-round so there is definitely a need.

Mr. Ankerson advised that the majority of the parcels that surround the parcel and separate it from Louis Alexis Trail are owned either by the City of Gautier or Gautier Utility, which have no plans to ever clear or use them for anything. The big parcel below the subject parcel is owned by the State of Mississippi and most likely deed restricted for conservation or natural function. In other words, the parcels that surround and separate Louis Alexis Trail from the RV park will most likely never be developed and will remain as a buffer.

Commissioner Davis asked if the applicant planned to put a gate up in front.

Mr. Thomas said they did not plan on putting up a gate because they have public access to their boat ramp and bar.

Commissioner Davis also asked about the density of the project.

Mr. Thomas stated that the existing 32 spots and the proposed 27 spots were all they feel is a good fit for the area, and with that number they are under the maximum density per the Ordinance.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Davis made a motion to recommend approval of the rezoning to MURC-2 based on an error in the rezoning based off of the road being down the original piece of property and that the original RV park lies partially on the new zoned property.

Commissioner Ward seconded the motion, and the following vote was recorded:

AYES: **Kay C. Jamison**
 Joshua Ward
 Maurice Hudson
 William Davis
 Ricky Decoteau

ABSENT: **DeAnna McManus**
 Chris Hoover

Motion passed.

Gautier Planning Commission

Regular Meeting Agenda

October 3, 2024

GPC #24-37-RZ

Sioux Bayou Landing, LLC

John Dailey Drive

PID #82425010.100 & #82424080.200

VII. NEW BUSINESS

1. Consider a request for a Property Owner Initiated Rezoning of Property located at John Dailey Drive, PID #82425010.100 & #82424080.200, from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial-2 (GPC Case No. 24-37-RZ)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: September 24, 2024

Subject: Consider a request for a Property Owner Initiated Rezoning of Property located at John Dailey Drive, PID #82425010.100 & #82424080.200, from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial-2 (GPC Case No. 24-37-RZ)

REQUEST:

The Planning Department has received a request from Sioux Bayou Landing, LLC for a rezoning of property located at John Dailey Drive, PID #82425010.100 & #82424080.200, from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial-2 (GPC Case No. 24-37-RZ). The application fee of \$300 was paid on August 9, 2024. All public notice requirements have been met.

BACKGROUND:

Section 4.15 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change when the public welfare justifies such action. The GPC shall include in its recommendation to the City Council findings that the required rezoning criteria have been met.

DISCUSSION:

1. Location: John Dailey Drive, PID #82425010.100 & #82424080.200 (See Exhibit A)
2. Existing Zoning: R-1 Low Density Single-Family Residential. (See Exhibit B)

UDO 5.3.3 R-1, Low Density Single-Family Residential District - Purpose and intent. The purpose of this district is to provide areas where the principal use of land is for single-family detached dwelling units and related recreational facilities which compliment the area and provide a balanced and

attractive residential area. R-1 areas are to be specifically designed to provide for the quiet enjoyment of the uses therein. They should have well defined boundaries and be protected from the encroachment of commercial uses and heavy through traffic.

UDO 5.3.14 MURC-2, Mixed Use Recreation Commercial-2 - Purpose and intent. The Mixed Use Recreational Commercial-2 zoning district implements Future Land Use Section 7.3, Mixed Use Recreation Commercial of the Comprehensive Plan, and also serves as a buffer between areas of lower and higher intensity. The MURC-2 zoning district shall apply to areas suited for tourist-oriented development. Specifically, lands which are developed, redeveloped and/or maintained and conserved as areas that accommodate permanent or seasonal single-family detached or multi-family attached residential dwelling units; commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations; and tourist-oriented uses including recreation vehicles, travel trailers, seasonal cabins, marinas, dry boat storage, community buildings, public facilities, clubhouses, museums, visual and performance arts buildings, neighborhood retail commercial goods and services not exceeding 7,000 square feet designed primarily to serve the needs of the Mixed Use Recreational Commercial area, offices, medical clinics, laundries and dry cleaning drop off centers, banks, fitness centers, dinner clubs and restaurants. It is the intent of the MURC-2 zoning district to specifically not allow all non-residential uses to be located in the district.

DATA AND ANALYSIS:

Property requested for Rezoning: John Dailey Drive, PID #82425010.100 & #82424080.200.

Location: Ward 4

Current Zoning of the Request Property: R-1 Low Density Single-Family Residential

Existing Land Use: PID #82425010.100 is an RV park. PID #82424080.200 is vacant. (See Exhibit C)

Future Land Use: Conservation. (See Exhibit D)

Surrounding Zoning: R-1 Low Density Single-Family Residential.

HISTORY:

The existing RV park located on PID #82425010.100, 1221 John Dailey Drive, was established around the late 1950's prior to being annexed by the City. The owner wants

to expand the RV park on the adjoining parcel, PID #82424080.200. The area and current use of the property fits the intent and purpose of the MURC-2 area and is very similar to other existing MURC-2 zoned areas.

REVIEW CRITERIA:

The Planning Commission, in its report and recommendation to the City Council on the appropriateness of the request, shall study and consider the following criteria and record that the evidence presented meets the "Criteria for Approval" from the UDO, if applicable.

- A. There was a mistake in the original zoning; **or**
- B. The character of the surrounding area has changed to such an extent as to justify rezoning **AND** there is a public need for additional property to be zoned in accordance with the request.

The Planning Commission shall not recommend approval of a rezoning unless the applicant has proven by clear and convincing evidence that either of the required criteria items above have been met.

STAFF RECOMMENDATION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

CONCLUSION:

Based on the required Review Criteria established by Section 4.15 of the Unified Development Ordinance and the appropriateness of the request relevant to the criteria, the Commission may:

- 1. Recommend that City Council approve to Rezone the subject area from R-1 Low Density Single-Family Residential to MURC-2 Mixed Use Recreation Commercial -2; or
- 2. Recommend that City Council deny the Rezoning.

ATTACHMENTS:

- 1. Applicant's Exhibit 1 – Application
- 2. City's Exhibit A – Location Map
- 3. City's Exhibit B – Existing Zoning Map
- 4. City's Exhibit C – Existing Land Use Map
- 5. City's Exhibit D – Future Land Use Map

GAUTIER, MISSISSIPPI
PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

24-37-RZ

<u>TO BE HEARD BY GAUTIER PLANNING COMMISSION:</u> Zoning Change _____ *Includes \$1.00 filing fee per MS Code §25-60-5	<u>FEE:</u> \$301.00
--	--

Name of Applicant: HEINRICH & ASSOCIATES (BOBBY HEINRICH) (agent)

Name of Business: SIOUX BAYOU LANDING LLC Phone: 228-217-4200

Property Address: 1221 JOHN DAILEY DR. Mailing Address (if Different): 1806 23RD AVE. STE. B
PID # 82425010.100 & # 82424080.200 GULFPORT, MS 39501

E-Mail Address: bobby.h@heinrichassociates.net
marques4042@gmail.com

Reason for request, location and intended use of Property: REQUEST TO RE-ZONE PROPERTY

FROM R-1 TO MURC-2 FOR 27 UNIT R.V. PARK EXPANSION AND
1 CABIN.

ATTACHMENTS REQUIRED AS APPLICABLE:

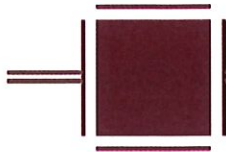
- ☒ 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- ☒ 2. A detailed project narrative.
- N/A 3. Copy of protective covenants or deed restrictions, if any.
- N/A 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- _____ 5. Any other information requested by the Planning Director.

Signature of Applicant: [Signature] Date of Application: 8-5-24

FOR OFFICE USE ONLY

Date Received 8/9/24 Verify as Complete Scott / BZ

Fee Amount Received 301.00 Initials of Employee Receiving Application BZ



HEINRICH & ASSOCIATES

RESIDENTIAL & COMMERCIAL DESIGN

September 25, 2024

City of Gautier
Attn: Scott Ankerson
3330 US-90
Gautier, MS 39553

RE: **Public Hearing Application for Rezone
Parcels – 82425010.000 and 82424080.200
Sioux Bayou Landing – R.V. Park – Phase Two
1221 John Dailey Dr.
Gautier, Mississippi 39553**

Dear Mr. Ankerson:

The firm of Heinrich & Associates, LLC is pleased to submit an application requesting a Rezone from R-1 to MURC-2 for the above referenced project. Currently, both parcels are zoned R-1 and Parcel 82425010.100 is an existing R.V. park named Sioux Bayou Landing. Parcel 82424080.200 is adjacent to Sioux Bayou Landing and is vacant. The owners wish to expand the R.V. park and are requesting a rezone due to a mistake in the original zoning and for consistency.

Combined, the properties total approximately 10.57 +/- acres. Sioux Bayou Landing currently has 36 R.V. sites, check-in office, clubhouse, 2 cottages, community bathrooms, laundry room, marina, bar, and deep-water access boat launch.

The purpose of the rezone is to develop the vacant parcel with an additional 27 R.V. spaces and a 2 - unit elevated cabin, known as Sioux Bayou Landing R.V. Park Phase Two. Water, sewer, and electrical hookups will be provided for all sites. Additionally, each site will have a concrete patio and will have access to all of the facilities within the existing park or Phase One.

The development will be designed using the current City of Gautier's development ordinances and follow the current stormwater ordinance. Water and sewer will be supplied by Gautier Utility District. The entire area is currently zoned R-1 and as stated above, including Sioux Bayou Landing R.V. Park Phase One. The existing park was established in the late 1950's, prior to being annexed by the City of Gautier and it is evident that there was a mistake in the original zoning. The area is very secluded and private for guests who visit there. When the adjacent property became available to purchase, the owners immediately made an offer to purchase the property with the intention of expanding the park because of the public need for additional sites. Additionally, although the existing park is not zoned correctly, the rezone request will allow the R.V. park and expansion to be in the correct zoning.

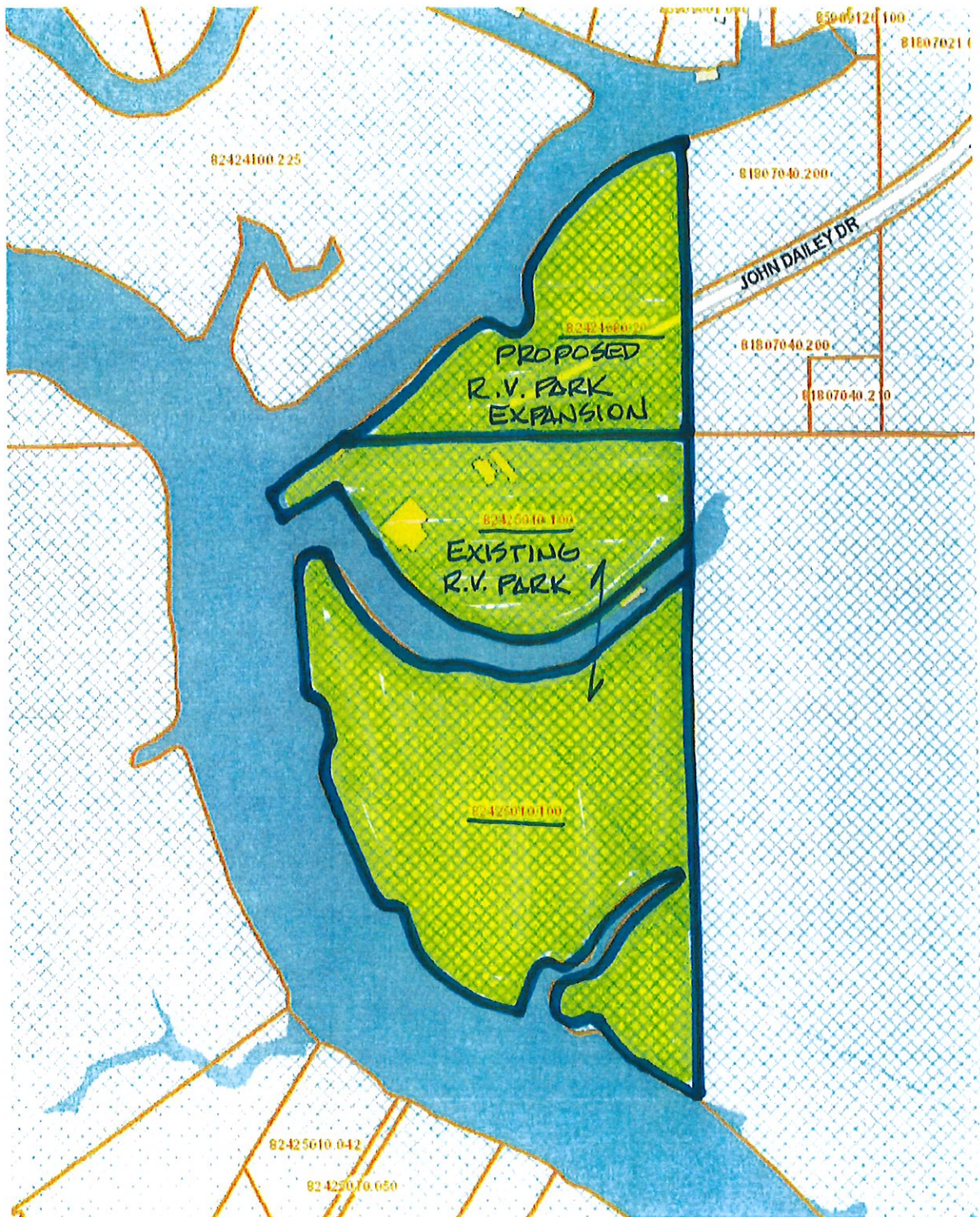
Submitted with this letter is a proposed site plan, a current zoning map, current parcel map, and an aerial map.

We appreciate the opportunity to present this project and look forward to working with the City of Gautier. If you have any questions or need any additional information, please do not hesitate to contact us.

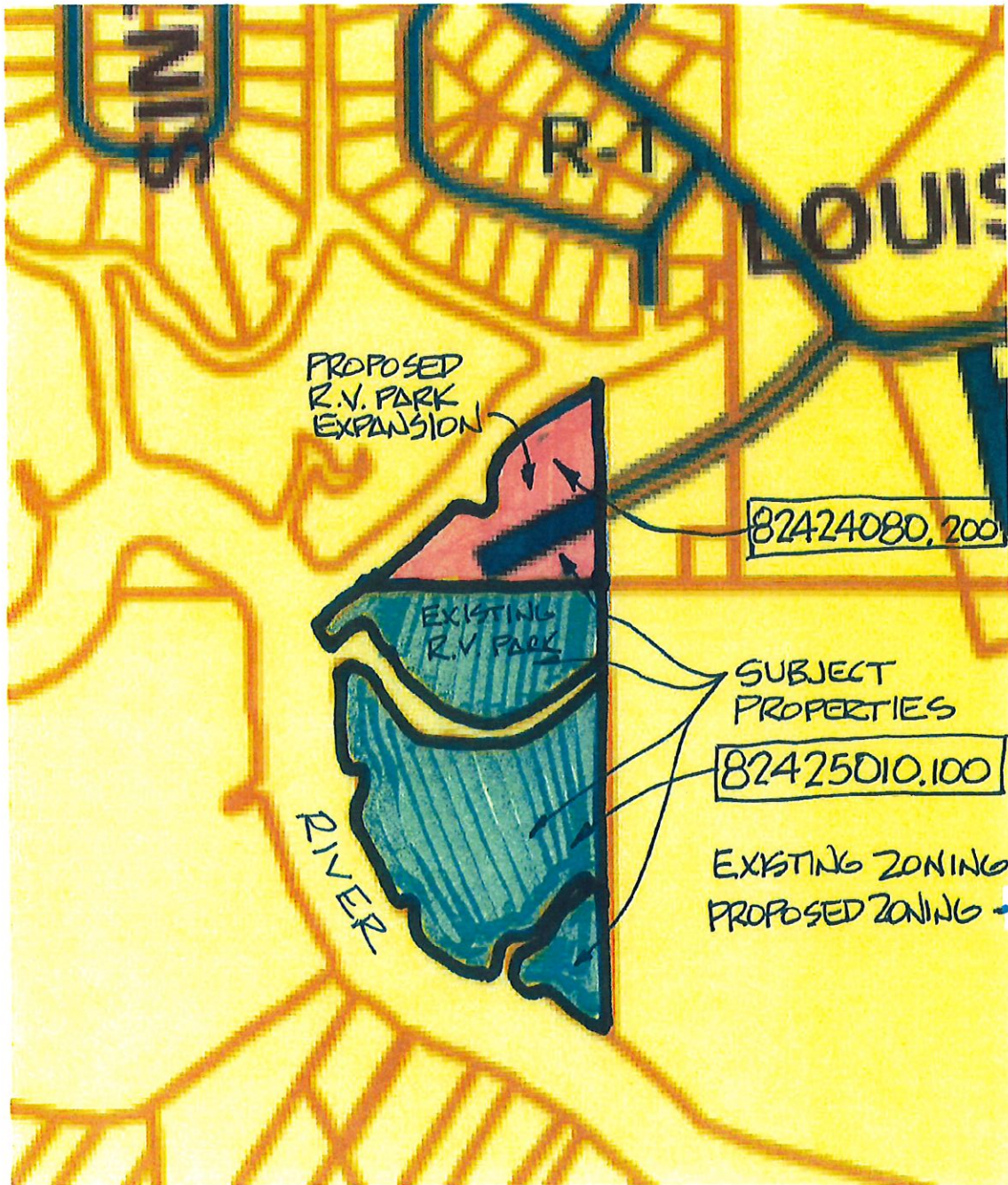
Sincerely,

HEINRICH & ASSOCIATES

Robert B. Heinrich



PARCEL MAP



ZONING MAP

SITE LAYOUT & UTILITY PLAN

§C-61 E-1st - 20th J^{an}

NOTE: THE CONSTRUCTION OR IMPROVEMENTS ARE REQUIRED WITH THE USE OF PLANS PLANS BY THE DESIGNER/BUILDER/CONTRACTOR SHALL BE THE RESPONSIBILITY OF THE DESIGNER/BUILDER/CONTRACTOR. THE DESIGNER/BUILDER/CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN OF THE CONSTRUCTION AND THE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (I.B.C.) AND WITH THE COUNTY/CITY BUILDING INSPECTOR. THE USE OF THESE PLANS FOR CONSTRUCTION SHALL BE EVIDENCE THAT THE REQUIREMENTS STATED ARE ACCEPTED BY THE BUILDER/CONTRACTOR.

BEFORE UNDERTAKING EACH PART OF THE WORK, THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE PLANS & SPECIFICATIONS AND CHECK AND VERIFY PRESENTED FIGURES SHOWN THEREON AND ALL APPLICABLE FIELD MEASUREMENTS, IF ANY CONFLICTS, ERRORS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED EITHER ON THE CONSTRUCTION DOCUMENTS OR IN THE FIELD, THE CONTRACTOR SHALL PROMPTLY REPORT IN WRITING TO THE ENGINEER OR HIS REPRESENTATIVE BEFORE PROCEEDING WITH ANY WORK AFFECTED

SITE NOTES:

1. ALL DIMENSIONS ARE FROM BACK OF CURB TO BACK OF CURB.
2. ALL ROADWAY RADIUS DIMENSIONS ARE 20' UNLESS NOTED.
3. CONTRACTOR TO ENSURE ALL CURB RAMPS AND SIDEWALKS MEET ADA REQUIREMENTS.
4. STREET LIGHT LOCATIONS AND TYPES TO BE DESIGNED AND SUBMITTED BY MS POWER.
5. SHOULD CONTRACTOR FIND ANY DISCREPANCIES IN DIMENSIONS, PROJECT ENGINEER SHALL BE NOTIFIED IMMEDIATELY.

SITE LEGEND

- TYPICAL SIGN
- TYPICAL STOP BAR
- HEADS-UP CURB
- CURB & GUTTER
- STREET LIGHT
- PROPERTY LINE

SITE DATA TABLE	
ZONING	R-1
ACREAGE	1.92 AC.
MRL LOT SIZE	80' X 120' (8,600 S.F.)
SETBACKS	
FRONT	25 FT.
SIDE	10 FT.
REAR	25 FT.

	800 PTE LOCATED AT THE SOUTHWEST CORNER OF SECTION 24 2355 EAST 37 TH AVE DAILY DRIVE AND 1402 SOUTH OF JOHN DALEY DRIVE	ACQUIRED AND TITLED BY RESERVATION POLICY ON BEHALF BY CAPT A. JEROME, U.S. PROFESSIONAL LAND SURVEYOR	SUBJECT PROPERTY LIES WITHIN "A-12" FLOOD ZONE 5-A-12N REGION PER FEMA PANEL 7303030005 DATED MARCH 16, 2008
	C.T.N. 1535774-2 E. 247446-20		

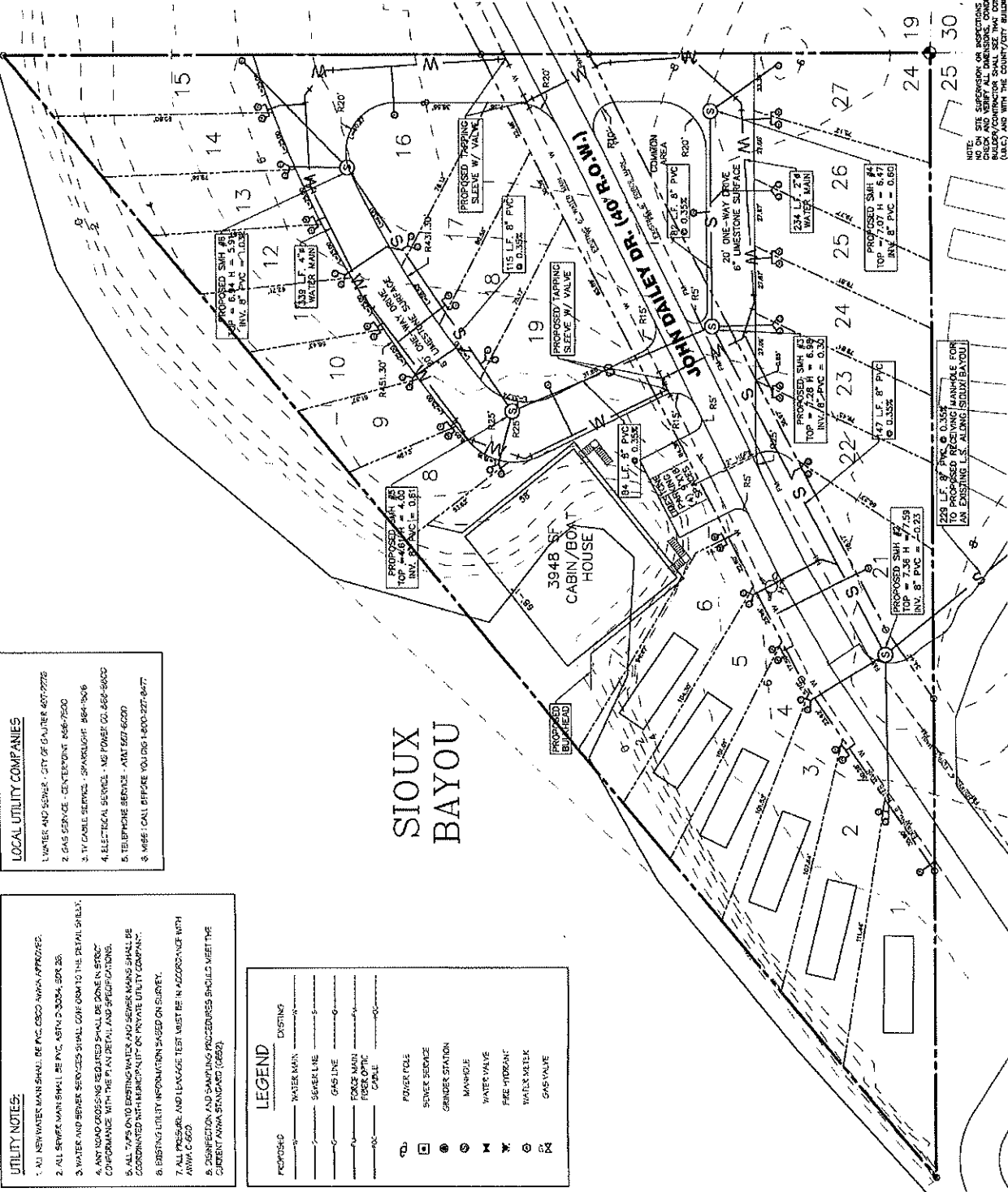
(in feet)
1 inch = 50 ft

LOCAL UTILITY COMPANIES

- 1. WATER AND SEWER: CITY OF GAULTER 407-2272
- 2. GAS SERVICE: CENTERPOINT 466-7500
- 3. TV CABLE SERVICE: SPARKLIGHT 464-1906
- 4. ELECTRICAL SERVICE: MS POWER CO. 460-8400
- 5. TELEPHONE SERVICE: AT&T 567-6000
- 6. WASTE: CALL OFFICE YOU DIS 1-800-227-0477

UTILITY NOTES:

1. ALL NEW WATER MAIN SHALL BE PVC, C900, 18" DIA. APPROVED.
2. ALL SEWER MAIN SHALL BE PVC, 18" DIA. 3300 PSI, SD-35.
3. WATER AND SEWER SERVICES SHALL COME TO THE DEPTH 30 FEET.
4. ANY ROAD CROSSING SERVICES SHALL BE DONE IN STREET PERFORMANCE WITH THE P, IN DETAIL, AND SPECIFICATIONS.
5. ALL TAPS ON EXISTING WATER AND SEWER MAINS SHALL BE COORDINATED WITH MUNICIPALITY OR PRIVATE UTILITY COMPANY.
6. EXISTING UTILITY INFORMATION BASED ON SURVEY.
7. ALL PRESSURE AND LEAKAGE TEST MUST BE IN ACCORDANCE WITH MWA C-600
8. CONNECTION AND SAMPLING PROCEDURES SHALL MEET THE CURRENT MWA STANDARD (2002)

[illegible]

ArcGIS Web Map



82425010.100 SIOUX BAYOU LANDING LLC

PIDN: 82425010.100

GISP: 777.25-01-0065.00

Owner Information

Percent of Ownership: 100

Name: SIOUX BAYOU LANDING LLC

Name 2:

Mailing Address: P O BOX 4598

BILOXI MS

39535

Site Address: 1221 JOHN DAILEY DR GAUTIER

Land Information

Section: 25

Acreage: 8.3

Township: 7

Range: 7

Street Name JOHN DAILEY
DR

Value and Tax Information

Total Assessed Value: 34277

Total Appraised Value: 228507

Improvement Value: 167047

Land Value: 61460

Tax Amount: 4835

SQ FT: 3314

Year Built: 1974

Legal Description

Description: THAT PT NE1/4 NE1/4 N OF SIOUX B

AYOU DB 1975-644 (65 MAP777.25-0

1)

Deed Book / Page: 1975 / 644

82425010.100 SIOUX BAYOU LANDING LLC



82424080.200 SIOUX BAYOU LANDING LLC

PIDN: 82424080.200

GISP: 776.24-04-0117.00

Owner Information

Percent of Ownership: 100

Name: SIOUX BAYOU LANDING LLC

Name 2:

Mailing Address: 1221 JOHN DAILEY DR
GAUTIER MS
39553

Site Address: LOUIS ALEXIS GAUTIER

Land Information

Section: 24 Acreage: 3

Township: 7

Range: 7

Street Name LOUIS ALEXIS

Value and Tax Information

Total Assessed Value: 8457

Total Appraised Value: 56380

Improvement Value: 0

Land Value: 56380

Tax Amount: 1192

SQ FT: 0

Year Built: 0

Legal Description

Description: 3 AC IN SE1/4 SE1/4 DB 2099-41
(117 MAP776.24-04)

Deed Book / Page: 2165 / 226

82424080.200 SIOUX BAYOU LANDING LLC



82424080.200 SIOUX BAYOU LANDING LLC

PIDN: 82424080.200

GISP: 776.24-04-0117.00

Owner Information

Percent of Ownership: 100

Name: SIOUX BAYOU LANDING LLC

Name 2:

Mailing Address: 1221 JOHN DAILEY DR

GAUTIER MS

39553

Site Address: LOUIS ALEXIS GAUTIER

Land Information

Section: 24

Acreage: 3

Township: 7

Range: 7

Street Name LOUIS ALEXIS

Value and Tax Information

Total Assessed Value: 8457

Total Appraised Value: 56380

Improvement Value: 0

Land Value: 56380

Tax Amount: 1192

SQ FT: 0

Year Built: 0

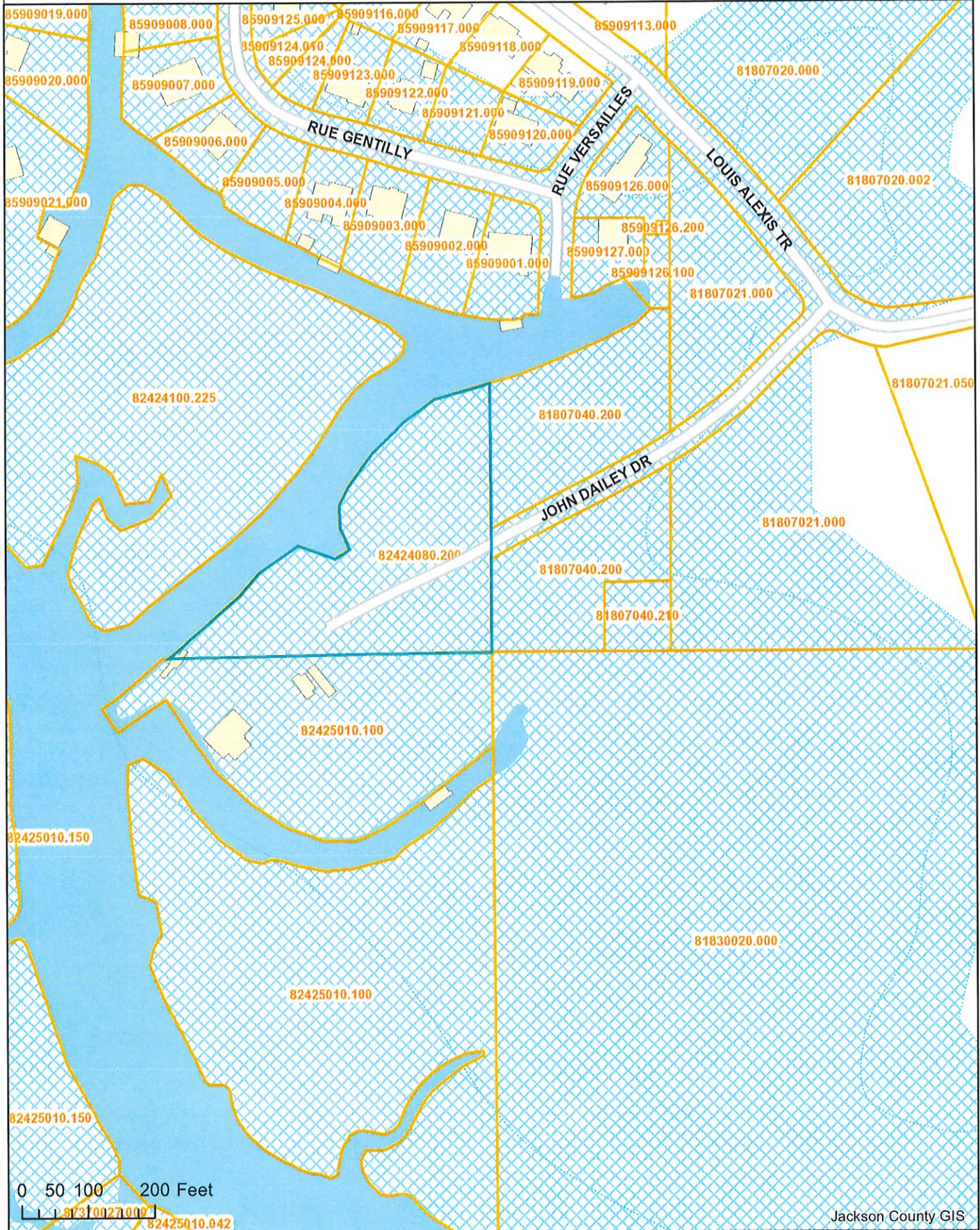
Legal Description

Description: 3 AC IN SE1/4 SE1/4 DB 2099-41

(117 MAP776.24-04)

Deed Book / Page: 2165 / 226

82424080.200 SIOUX BAYOU LANDING LLC



82425010.100 SIOUX BAYOU LANDING LLC

PIDN: 82425010.100

GISP: 777.25-01-0065.00

Owner Information

Percent of Ownership: 100

Name: SIOUX BAYOU LANDING LLC

Name 2:

Mailing Address: P O BOX 4598

BILOXI MS

39535

Site Address: 1221 JOHN DAILEY DR GAUTIER

Land Information

Section: 25

Acreage: 8.3

Township: 7

Range: 7

Street Name JOHN DAILEY
DR

Value and Tax Information

Total Assessed Value: 34277

Total Appraised Value: 228507

Improvement Value: 167047

Land Value: 61460

Tax Amount: 4835

SQ FT: 3314

Year Built: 1974

Legal Description

Description: THAT PT NE1/4 NE1/4 N OF SIOUX B

AYOU DB 1975-644 (65 MAP777.25-0

1)

Deed Book / Page: 1975 / 644

[illegible]

Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department

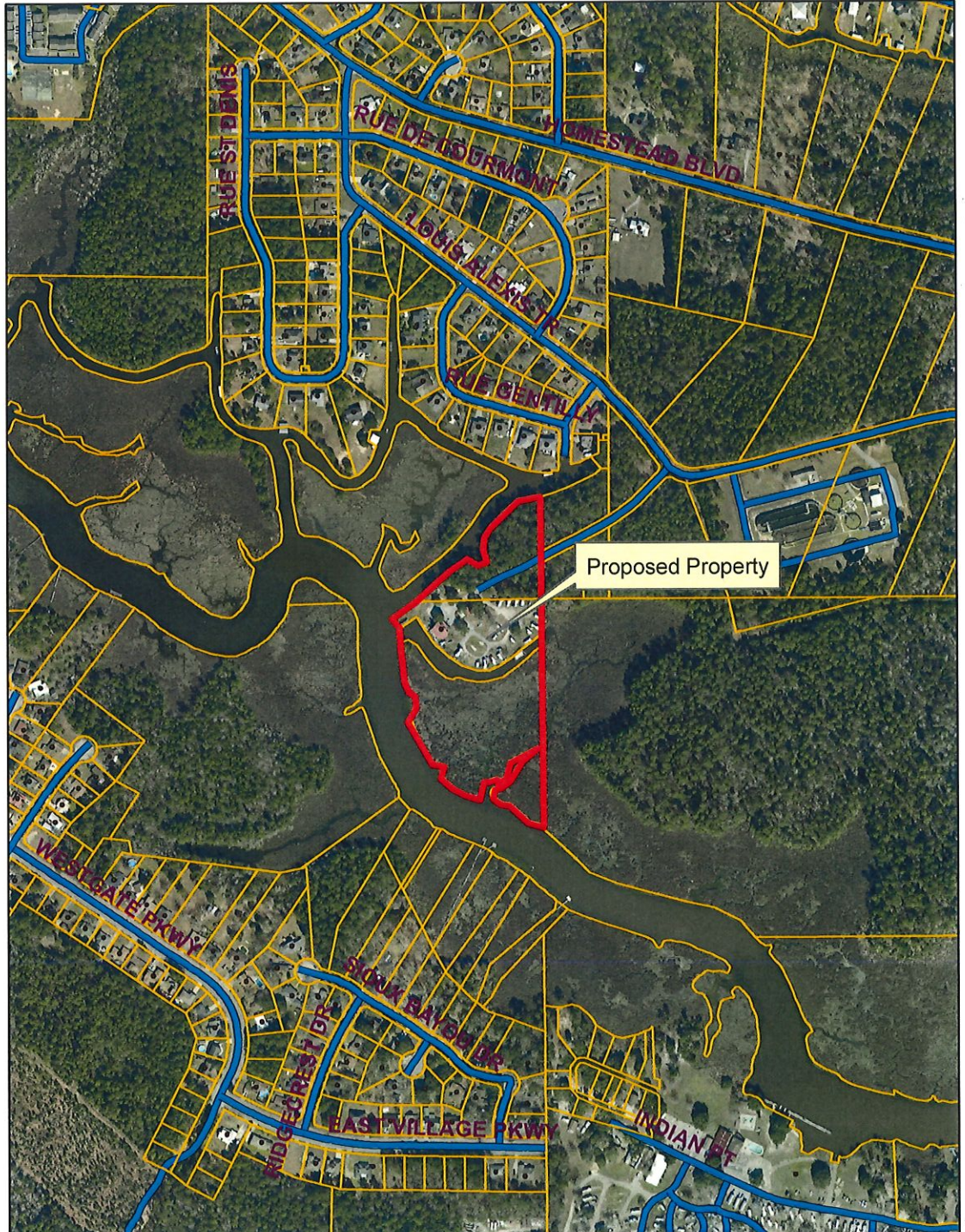


Exhibit B

Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning ZONECODE

	AG
	C-1
	C-2
	C-3
	I-2
	MURC-1
	MURC-2
	MURC-MW
	PL
	PUD
	R-1
	R-2
	R-3
	RE
	TC

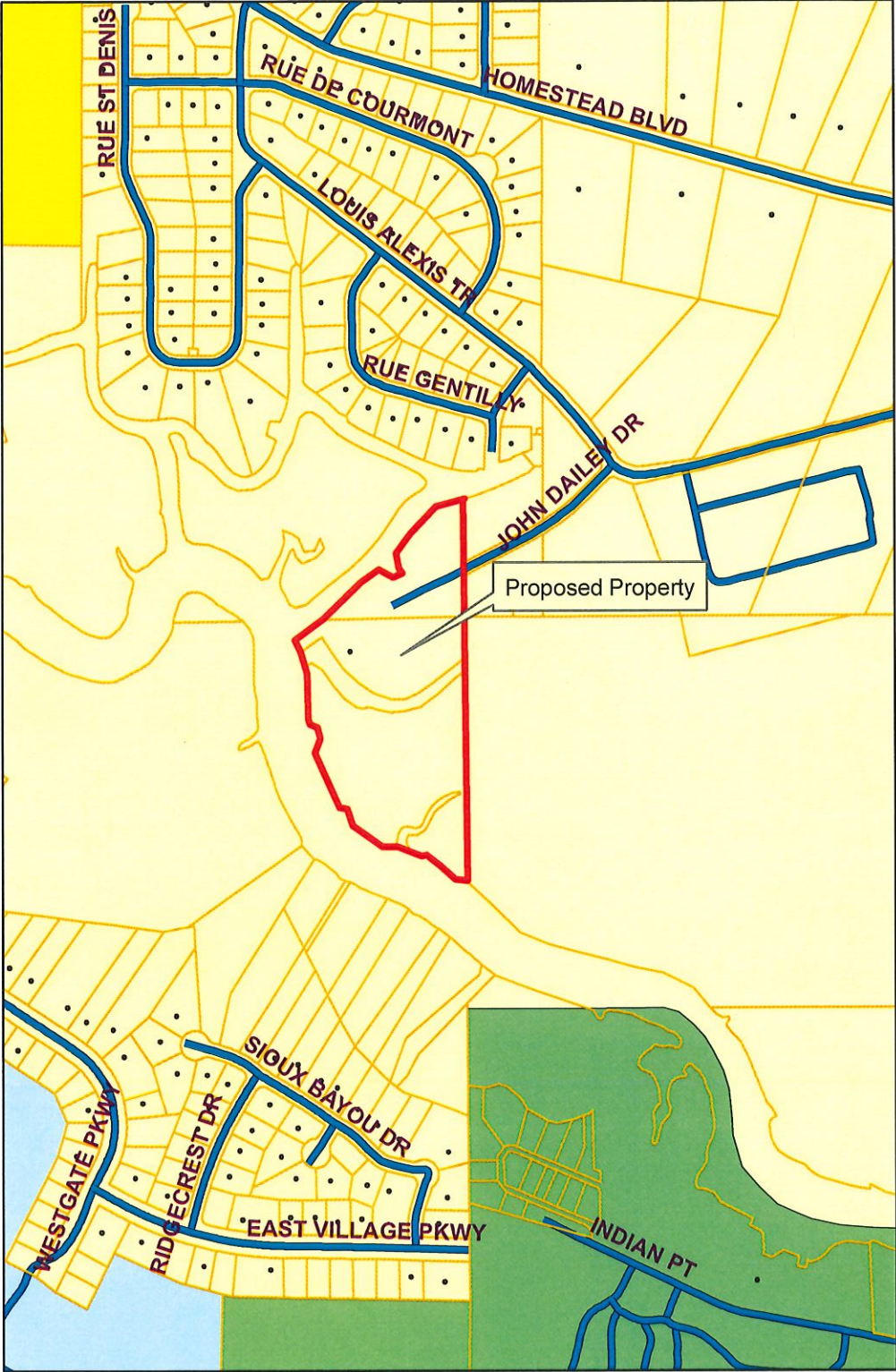


Exhibit C

Existing Land-Use

Prepared by:

City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

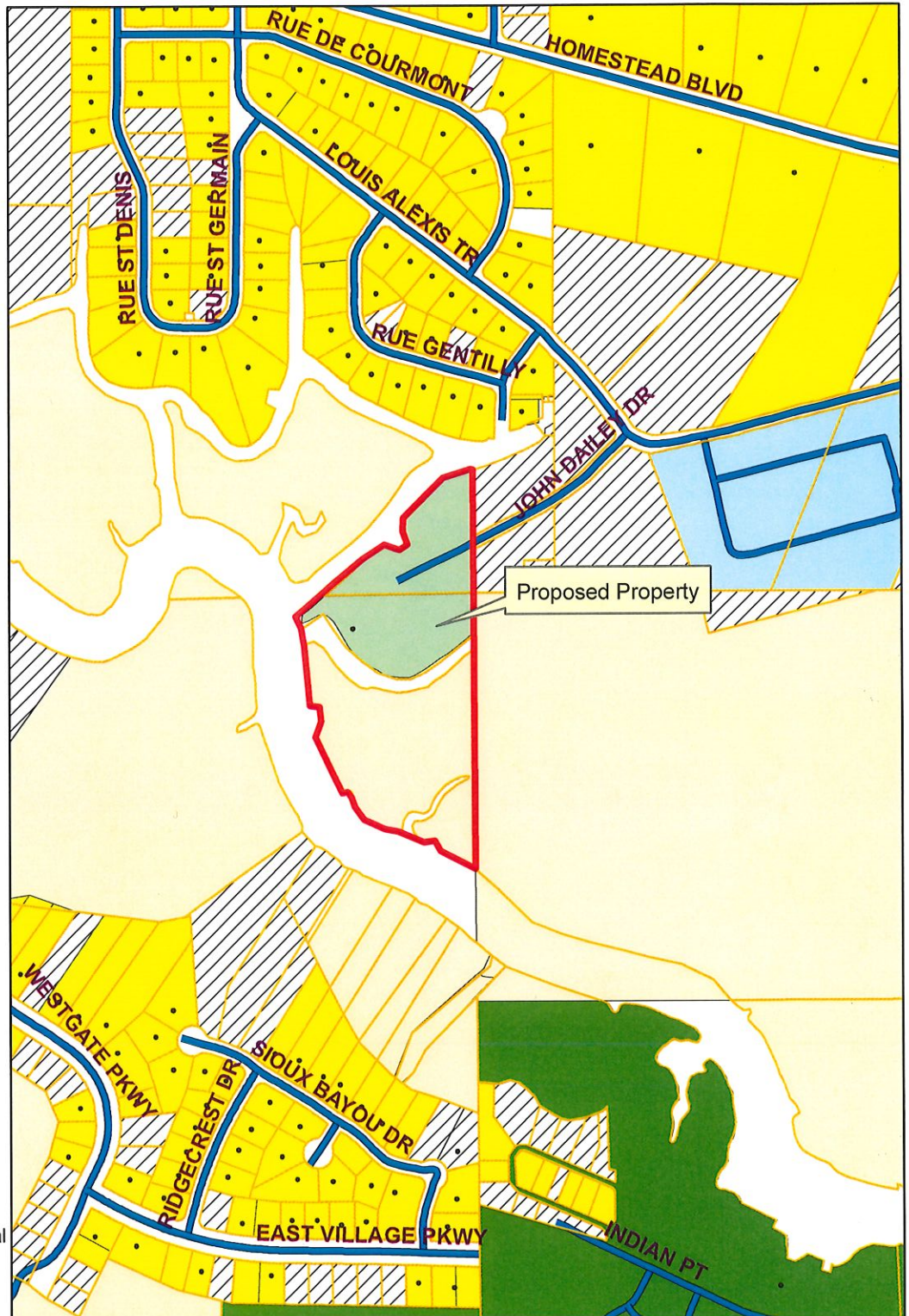


Exhibit D Future Land-Use

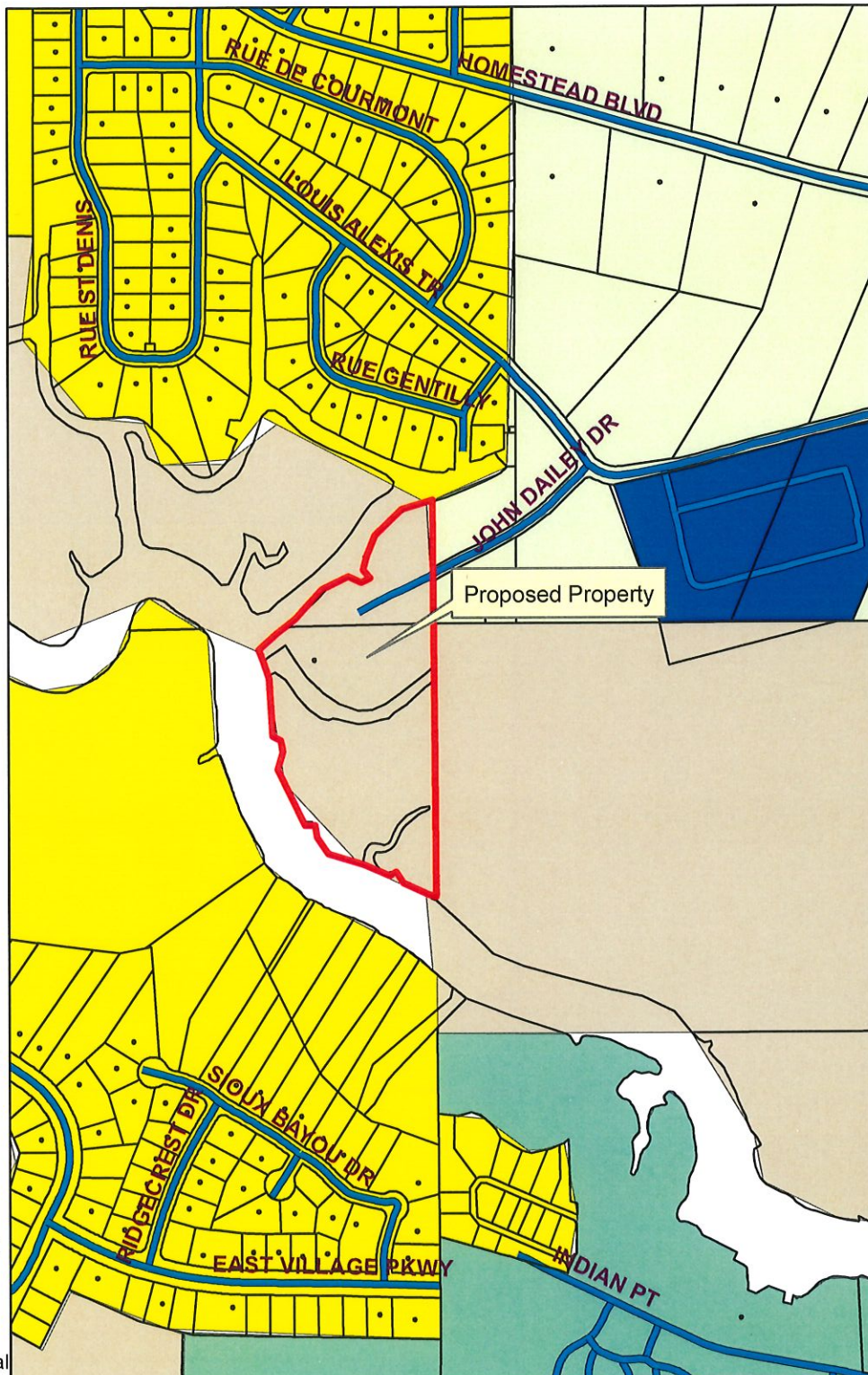
Prepared By:
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



CITY OF GAUTIER
Business Agenda Item #4
Fact Sheet

Council Meeting: October 15, 2024
Title: Consider a request for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-family Residential, located at 6208 Old Spanish Trail (GPC #24-38-VAR)
Introduced by:
Contact Person/Telephone Scott Ankerson 497-8000 ext. 312

Summary Explanation: Consider a request for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-family Residential, located at 6208 Old Spanish Trail (GPC #24-38-VAR) (PID #82432029.000)

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, the Planning Department received a request from the homeowner, located at 6208 Old Spanish Trail, (PID #82432029.000) for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements; and

WHEREAS, the property owner requests a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements in a R-1 Low Density Single Family Residential Zoning District; and

WHEREAS, the applicant would like to install an eight-foot (8') wooden privacy fence along the side property lines of their front yard; and

WHEREAS, the applicant would also like to install a six-foot (6') decorative fence with gates along their front property line; and

WHEREAS, the Unified Development ordinance states that fences shall not exceed four feet (4') in height within a designated front yard, therefore the applicant will need a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line; and

WHEREAS, Planning Commission conducted a public hearing on this request and recommended approval of same;

WHEREAS, based on the information presented to the Council, the Mayor and Councilmembers hereby find that all criteria under Section 4.18.4 of the Unified Development Ordinance (have or have not) been met in this case;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City Council hereby (adopts or denies) the Gautier Planning Commission's recommendation to approve this variance;

IT IS 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:

MAYOR=

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 15, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Babs Logan, Planning Technician
Date: 10/08/2024
Subject: Consider a request for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-Family Residential Zoning District. 6208 Old Spanish Trail, (GPC #24-38-VAR)

REQUEST:

The Planning Department has received a request from Anthony and Armilise Sprague for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-Family Residential Zoning District at 6208 Old Spanish Trail, PID #82432029.000 (GPC #24-38-VAR). The application fee of \$175 was paid on August 16, 2024. All public notice requirements have been met.

BACKGROUND:

The applicants would like to install an 8' wooden privacy fence along the side property lines of their front yard to keep vehicle lights from shining into their windows. The maximum height allowed for a fence in a designated front yard is 4'. The applicants will need a 4' variance to fence height in a front yard.

The applicant would also like to install a 6' decorative fence with gates along their front property line to keep the public, particularly high school students, from using their circular driveway to make U-turns. As stated above, fences shall not exceed four feet in height within a designated front yard. The applicant will need a 2' variance to fence height in a front yard.

DISCUSSION:

The applicant is asking for a 4' variance to fence height requirements along the side property line of their front yard and a 2' variance to fence height requirements along their front property line.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

1. 30% of required off-street parking spaces and/or
2. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

1. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
3. That the special conditions and circumstances do not result from actions of the applicant; and
4. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION:

The Planning Commission recommends that City Council approve the 4' variance on the side and a 2' variance on the front showing the evidence presented meets all criteria for approval of the UDO.

The City Council may:

Approve the variance request as presented;
Approve the variance request with changes; or
Deny variance request.

ATTACHMENTS:

1. Excerpt GPC Meeting 10.3.24 (#24-38-VAR)
2. Complete Packet 24-38-VAR

Excerpt from October 3, 2024, Planning Commission Meeting:

The Planning Department has received a request for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-Family Residential Zoning District at 6208 Old Spanish Trail. (GPC #24-38-VAR)

Scott Ankerson, Planning Director, gave a brief overview of the case.

The Planning Department has received a request from Anthony and Armilise Sprague for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-Family Residential Zoning District at 6208 Old Spanish Trail, PID #82432029.000 (GPC #24-38-VAR). The application fee of \$175 was paid on August 16, 2024. All public notice requirements have been met.

BACKGROUND:

The applicants would like to install an 8' wooden privacy fence along the side property lines of their front yard to keep vehicle lights from shining into their windows. The maximum height allowed for a fence in a designated front yard is 4'. The applicants will need a 4' variance to fence height in a front yard.

The applicant would also like to install a 6' decorative fence with gates along their front property line to keep the public, particularly high school students, from using their circular driveway to make U-turns. As stated above, fences shall not exceed four feet in height within a designated front yard. The applicant will need a 2' variance to fence height in a front yard.

DISCUSSION:

The applicant is asking for a 4' variance to fence height requirements along the side property line of their front yard and a 2' variance to fence height requirements along their front property line.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all “Criteria for Approval” from the UDO as listed above.

The Planning Commission may:

- 1. Recommend that City Council approve the variance request as presented;
- 2. Recommend that City Council approve the variance request with changes; or
- 3. Recommend that City Council deny variance request.

Chairman Jamison asked the applicants to present their case.

Armilise Sprague, the applicant, stated that they wanted to continue their 8’ fence from the house to the front property line, then come across the front with a 6’ decorative fence. They were wanting the 6’ fence in the front because they have been there seven years and every year, all school year long, they have had issues with the high school students cheating through their driveway to make a U-turn. The reason they want the 8’ fence along the side of the property is because their house sits higher on their property because of drainage issues and when the new Elliott Home Subdivision, consisting of about one hundred homes, is built across the street from them the headlights of cars coming out of the subdivision will be coming across their house. They feel that with the way their house sits up on their property, an 8’ fence is needed so the lights will not shine across their house.

Chairman Jamison asked how a decorative fence in the front would help with the car lights coming out of the Elliott Homes Subdivision.

Ms. Sprague explained that the entrance to the Elliott Homes subdivision is at an angle to her house, so when they turn onto Old Spanish Trail the 8' fence along the side property line will keep the lights from shining on the house.

Chairman Jamison noted that the fence in the front, although on the property line, would still be 35' from the road.

Commissioner Decoteau asked Ms. Sprague why she needed a 6' fence along the front to keep people from using her driveway to turn around. He wanted to know if that was to help keep the lights from shining across her house also.

Ms. Sprague said she didn't think a 4' fence would be sufficient for keeping pets inside her yard.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Decoteau made a motion to recommend that the City Council approve the 4' variance on the side and a 2' variance on the front showing the evidence presented meets all criteria for approval of the UDO.

Commissioner Ward seconded the motion, and the following vote was recorded:

AYES: **Kay C. Jamison**
 Josh Ward
 Maurice Hudson
 William Davis
 Ricky Decoteau

ABSENT: **DeAnna McManus**
 Chris Hoover

Motion passed.

Gautier Planning Commission

Regular Meeting Agenda

October 3, 2024

GPC #24-38-VAR

6208 Old Spanish Trail

VII. NEW BUSINESS

2. Consider a request for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-Family Residential Zoning District. 6208 Old Spanish Trail, (GPC #24-38-VAR)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: September 24, 2024

Subject: Consider a request for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-Family Residential Zoning District at 6208 Old Spanish Trail, (GPC #24-38-VAR)

REQUEST:

The Planning Department has received a request from Anthony and Armilise Sprague for a four-foot (4') variance to fence height requirements along the side property line in a front yard and a two-foot (2') variance to fence height requirements along the front property line in a R-1 Low Density Single-Family Residential Zoning District at 6208 Old Spanish Trail, PID #82432029.000 (GPC #24-38-VAR). The application fee of \$175 was paid on August 16, 2024. All public notice requirements have been met.

BACKGROUND:

The applicants would like to install an 8' wooden privacy fence along the side property lines of their front yard to keep vehicle lights from shining into their windows. The maximum height allowed for a fence in a designated front yard is 4'. The applicants will need a 4' variance to fence height in a front yard.

The applicant would also like to install a 6' decorative fence with gates along their front property line to keep the public, particularly high school students, from using their circular driveway to make U-turns. As stated above, fences shall not exceed four feet in height within a designated front yard. The applicant will need a 2' variance to fence height in a front yard.

DISCUSSION:

The applicant is asking for a 4' variance to fence height requirements along the side property line of their front yard and a 2' variance to fence height requirements along their front property line.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as "use Variances" are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the variance request as presented;
2. Recommend that City Council approve the variance request with changes; or
3. Recommend that City Council deny variance request.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map
- 6.

PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

24-38-VAR

TO BE HEARD BY GAUTIER PLANNING COMMISSION:

FEE:

Variance _____

\$176.00

*Includes \$1.00 filing fee per MS Code §25-60-5

Name of Applicant: Anthony & Armilise SpragueName of Business: N/A Phone: 512-970-6701 (Mr.)
504-722-6698 (Mrs.)Property Address: 6208 Old Spanish Trail Mailing Address (if Different): _____
Ocean Springs, MS 39564E-Mail Address: Lisa Sprague 73@gmail.comReason for request, location and intended use of Property: Installation of fence in frontof house and side. (sides 8' wooden upto front property line; 6' decorativeATTACHMENTS REQUIRED AS APPLICABLE: Fence across front property line; Per Mrs. Sprague

- ✓ 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits. 9/13
- ✓ 2. A detailed project narrative.
- W/A 3. Copy of protective covenants or deed restrictions, if any.
- MA 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- MA 5. Any other information requested by the Planning Director.

Signature of Applicant: _____ Date of Application: _____

FOR OFFICE USE ONLY

Date Received 8/16/24 Verify as Complete ScottFee Amount Received 176.00 Initials of Employee Receiving Application AB/BZ

R-1

VARIANCE

Criteria for Approval

1. What special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels), or structures or buildings in the same district?

The lots along Old Spanish Trail are multiple acres zoned R1 residential and have rules more applicable to houses in close proximity of each other that impede the use of a larger property.

2. Are these special conditions and circumstances a result of your actions? Explain.

No. There are numerous houses along old spanish Trail with fences in front of their house running parallel to the street on their property line.

3. How will the literal interpretation of the provisions of this Ordinance deprive you of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance? Explain.

There are other properties with fences in front of their house. Elliot Homes is building a subdivision on Old Spanish Trail (in Jackson County) that is across the street from our 3.57 acres + house.

4. Will the granting of the Variance requested confer upon you any special privilege that is denied by this Ordinance to other similar sites (lots or parcels), structures or buildings in the same district? Explain.

No. The residential property located at the corner of Old Spanish Trail and Hwy 57 has a privacy fence along both roads at a major intersection which provides privacy from vehicle lights at night-time from penetrating through the windows of their home.

NARRATIVE

We would like to install a ^{wooden privacy} fence 6' to 8' tall along the ^{property line on} west side of our house to block the vehicle lights from sweeping across a bedroom windows and other windows in the front of our house when the Elliot Homes subdivision is largely populated. The vehicles exiting the subdivision turning right (heading east towards Gautier) will be invasive of our windows with vehicle headlights. The same fence along the east side of the property for lights coming down the street from the east.

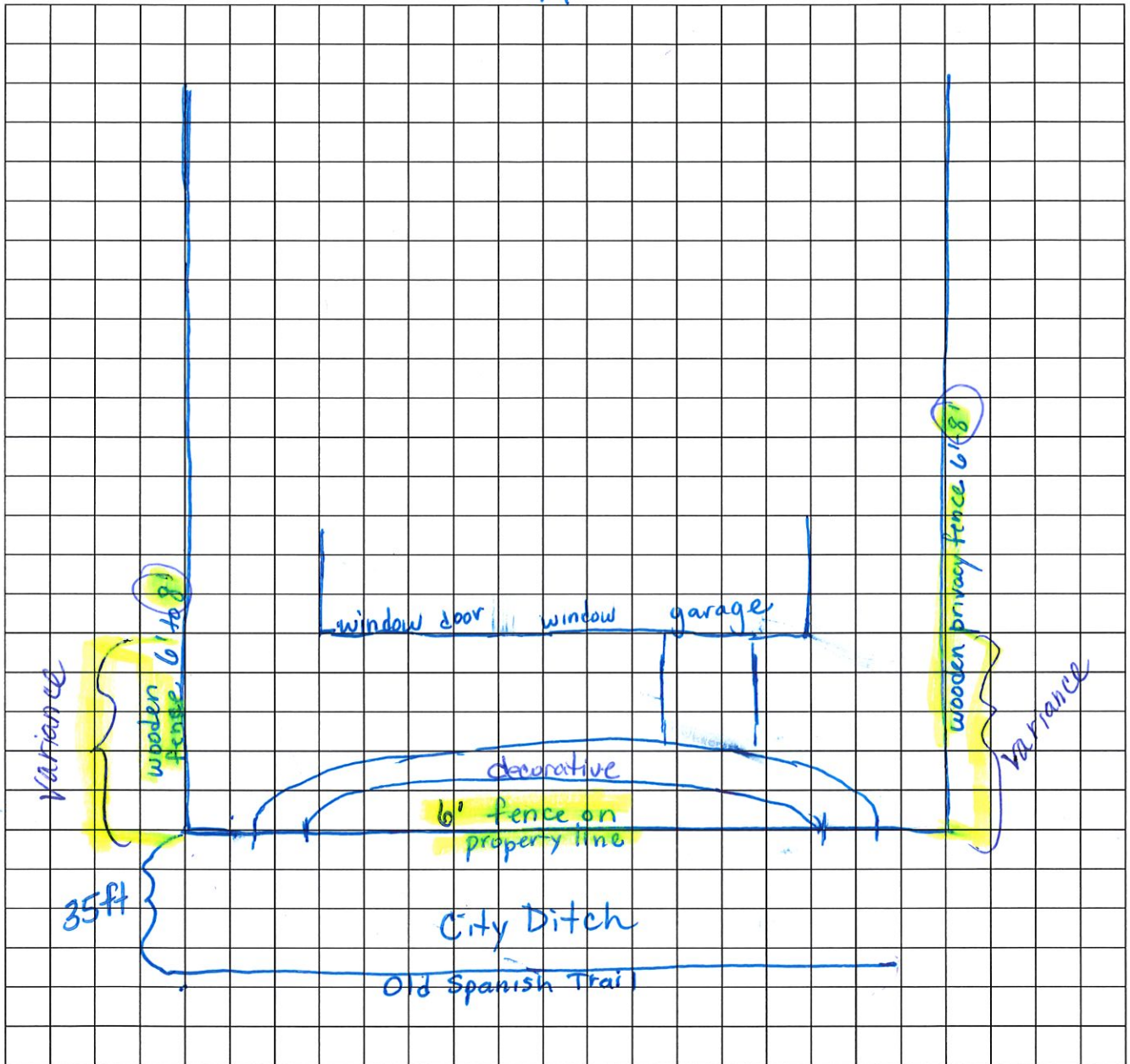
We would like to install a 5ft ^{to 6ft} fence w/ gates across the front of our house. The public and in particular the high school students use our private circular driveway to make U-turns. We will anticipate to become even worse when the subdivision cars from the new Elliott Homes neighborhood. This fence will not be a wooden privacy fence. It will be an iron/aluminum style.

DIAGRAM

N

W

E



Old Spanish Trail S

Web AppBuilder for ArcGIS
 . | Jackson County GIS |

CSX RAILROAD 100' RW
173.87'

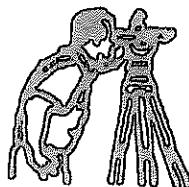
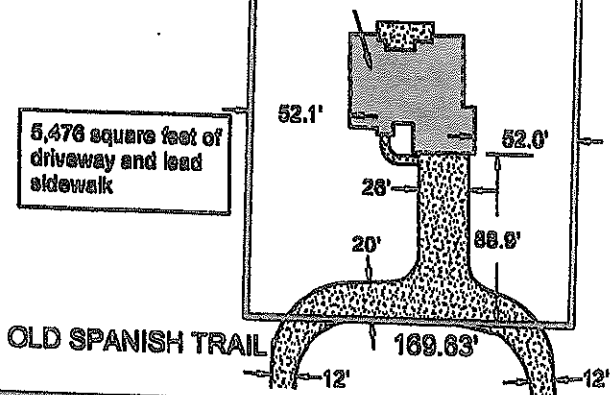


YL 1701

PIDN:
82432029.000

SITE PLAN ON PIDN:
82432029.000 ON NORTH
SIDE OF OLD SPANISH
TRAIL, JACKSON
COUNTY, MISSISSIPPI

5,476 square feet of
driveway and lead
sidewalk



CROSBY SURVEYING

PROFESSIONAL LAND SURVEYING

716 LIVE OAK DRIVE

BILOXI, MISSISSIPPI 39532

PHONE: 228-234-1648

EMAIL: cliffordcrosby@cableone.net

82432029.000 GUILLORY ARMILISE ALBERT

PIDN: 82432029.000

GISP: 779.32-00-0025.00

Owner Information

Percent of Ownership: 100

Name: GUILLORY ARMILISE ALBERT

Name 2: SPRAGUE ANTHONY

Mailing Address: 6208 OLD SPANISH TRL
OCEAN SPRINGS MS
39564

Site Address: 6208 OLD SPANISH TRL GAUTIER

Land Information

Section: 32 Acreage: 3.57

Township: 7

Range: 7

Street Name OLD SPANISH
TRL

Value and Tax Information

Total Assessed Value: 32037

Total Appraised Value: 320372

Improvement Value: 268572

Land Value: 51800

Tax Amount: 4816

SQ FT: 3475

Year Built: 2017

Legal Description

Description: E 170' OF W 470' OF LOT 2 N OF O
LD HWY 90 & S OF L&N RAILROAD DB
1842-778 (25 MAP779.32) 'PER SU
RVEY'

Deed Book / Page: 1842 / 778

82432029.000 GUILLORY ARMILISE ALBERT



Jackson County, Jackson County GIS

Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department

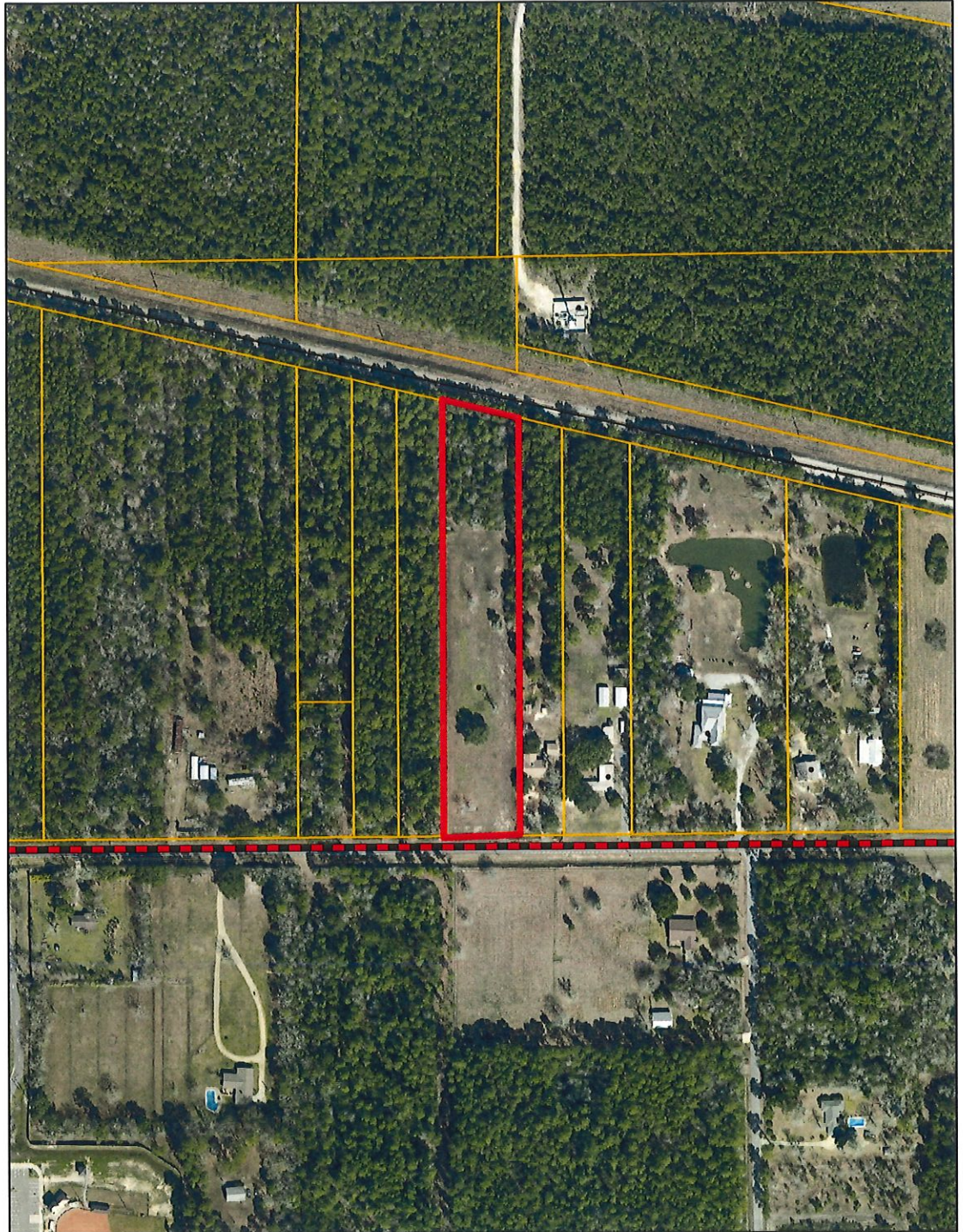


Exhibit B

Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning ZONECODE

AG
C-1
C-2
C-3
I-2
MURC-1
MURC-2
MURC-MW
PL
PUD
R-1
R-2
R-3
RE
TC

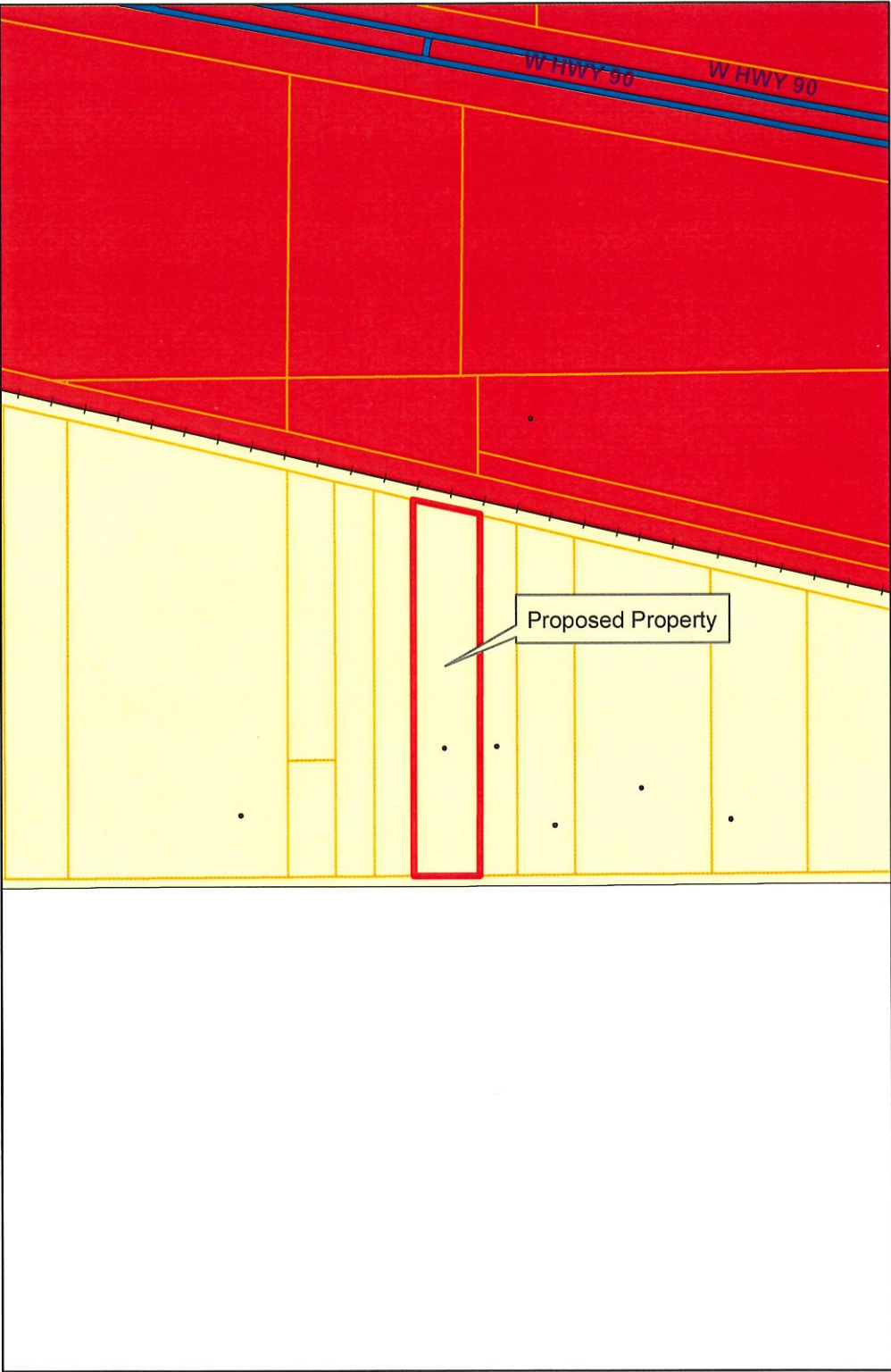


Exhibit C

Existing Land-Use

Prepared by:
City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

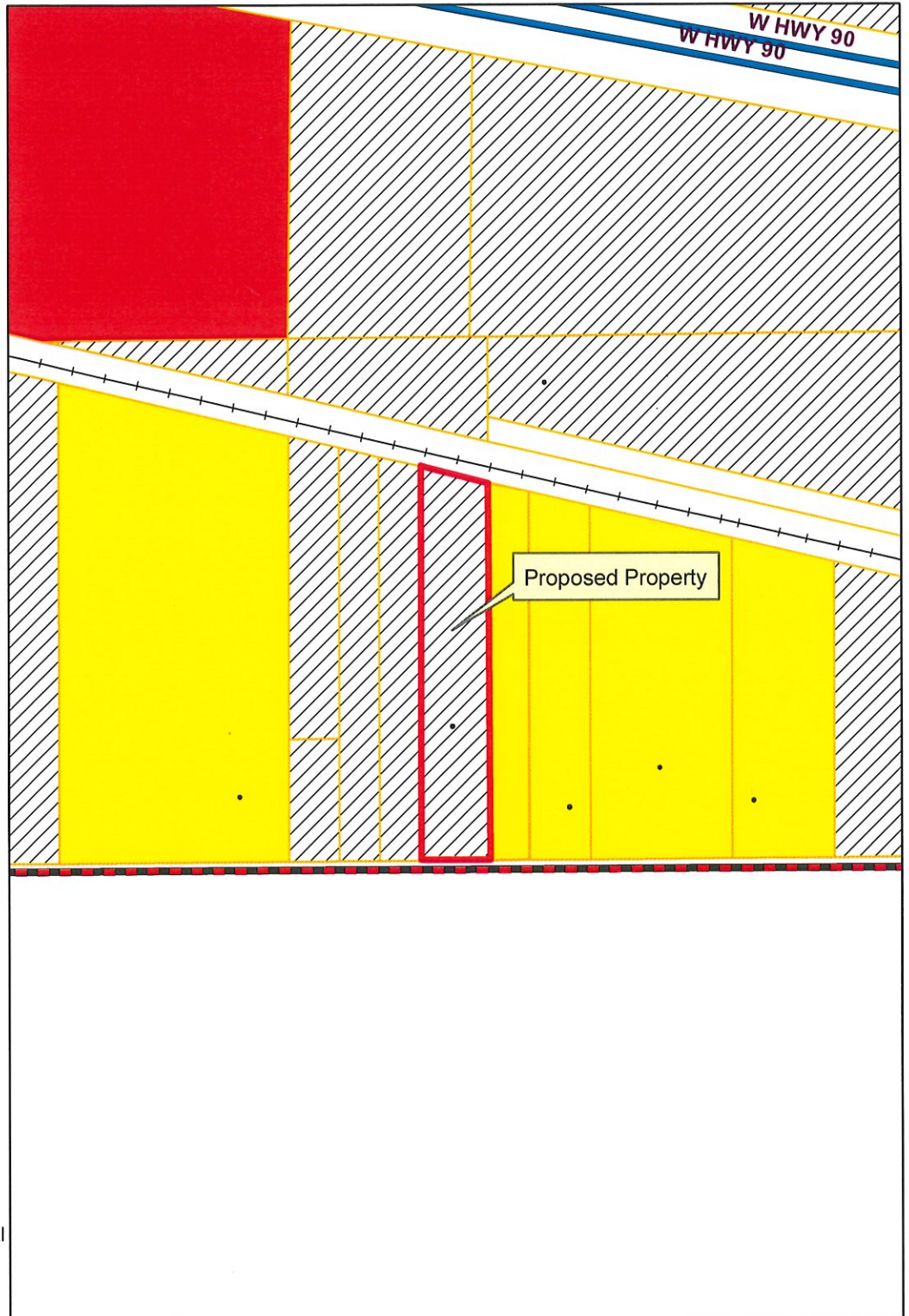


Exhibit D

Future Land-Use

Prepared By:

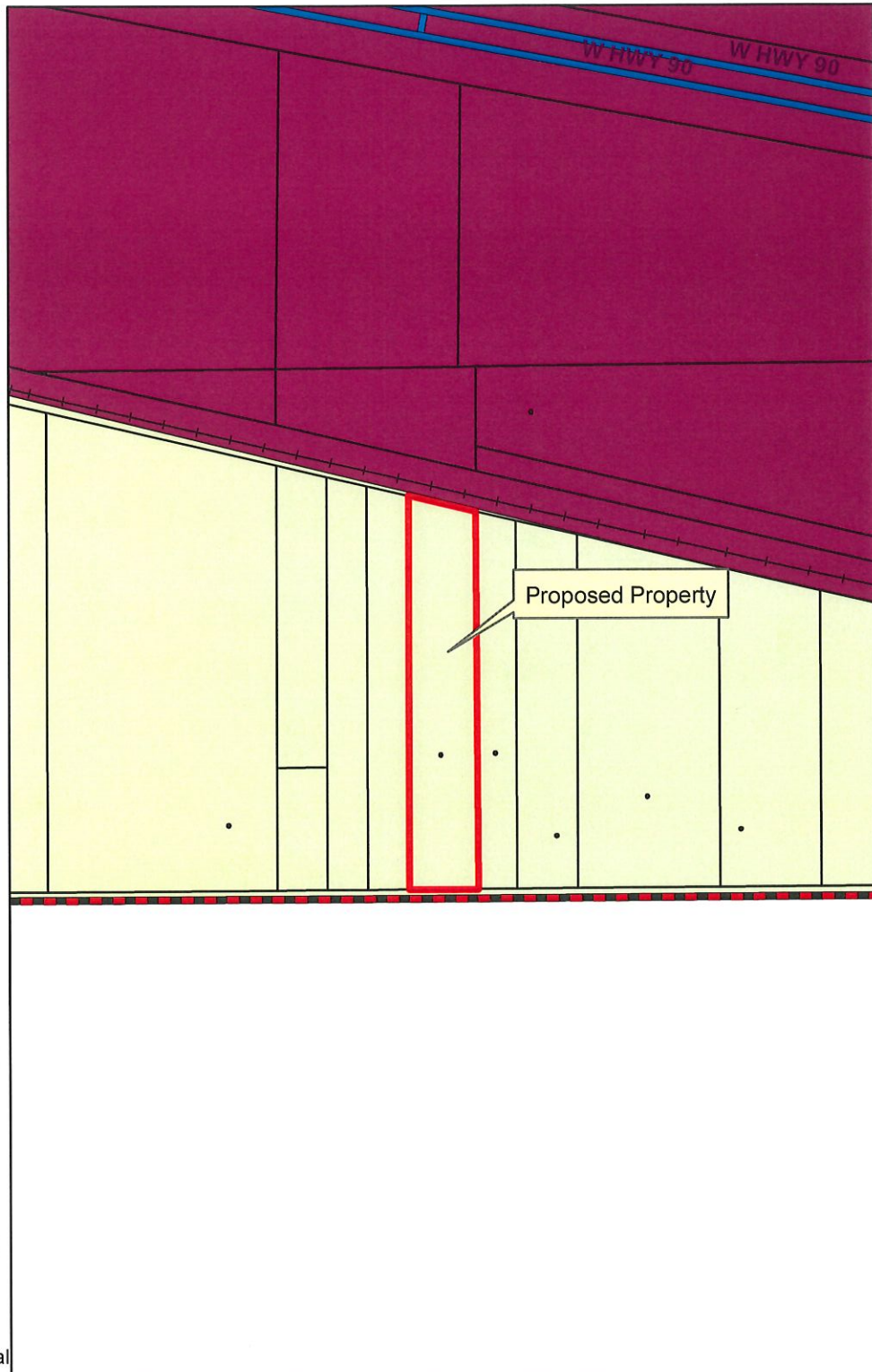
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

-
- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



**CITY OF GAUTIER
Business Agenda Item #5
Fact Sheet**

Council Meeting: October 15, 2024
Title: Consider a request for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial, located at 2012 Highway 90 (GPC #24-39-VAR)

Introduced by:
Contact Person/Telephone Scott Ankerson 497-8000 ext. 312

Summary Explanation: Consider request for a four-foot (4') variance to sign height requirements and a one hundred seventy four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial, located at 2012 Highway 90 (GPC #24-39-VAR)

EXHIBITS FOR REVIEW

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

Staff Recommendation:
Approval

Motion Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

Second Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, the Planning Department received a request from the Gautier Commerce Center, located at 2012 Highway 90, for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements; and

WHEREAS, the property owner requests a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial Zoning District; and

WHEREAS, the applicant would like to add seventy-two (72) square feet to his existing legal non-conforming sign, but Section 12.16 (D) of the Unified Development Ordinance (UDO) states that a legal non-conforming sign loses its status if it is enlarged; and

WHEREAS, the existing sign is currently fourteen feet (14') high and consists of two hundred fifty-two (252) square feet. With the additional seventy-two (72) square feet, the applicant will need a variance of one hundred seventy-four (174) square feet to sign square footage requirements; and

WHEREAS, due to the maximum sign height allowed at that location is ten feet (10'), the applicant will also need a four-foot (4') variance to sign height requirements; and

WHEREAS, Planning Commission conducted a public hearing on this request and recommended approval; and

WHEREAS, based on the information presented to the Council, the Mayor and Councilmembers hereby find that all criteria under Section 4.18.4 of the Unified Development Ordinance (have or have not) been met in this case;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City Council hereby (adopts or denies) the Gautier Planning Commission's recommendation to approve this variance;

IT IS 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:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 15, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Babs Logan, Planning Technician
Date: 10/08/2024
Subject: Consider a request for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial Zoning District. 2012 Highway 90, (GPC #24-39-VAR)

REQUEST:

The Planning Department has received a request from GCC, LLC (Gautier Commerce Center) for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial Zoning District at 2012 Highway 90, (GPC #24-39-VAR). The application fee of \$175 was paid on September 16, 2024. All public notice requirements have been met.

BACKGROUND:

The applicant would like to add to his existing legal non-conforming sign. Section 12.16 (D) of the Unified Development Ordinance (UDO) states that a legal non-conforming sign loses its status if it is enlarged. The applicant would like to add seventy-two (72) square feet to his existing sign. The existing sign is currently fourteen feet (14') high and consists of two hundred fifty-two (252) square feet. With the additional seventy-two (72) square feet he will need a variance of one hundred seventy-four (174) square feet to sign square footage requirements. Because the maximum sign height allowed at that location is ten feet (10'), he will also need a four-foot (4') variance to sign height requirements.

DISCUSSION:

The applicant is asking for a four-foot (4') variance to sign height requirements, and a one hundred seventy-four (174) square foot variance to sign square footage requirements because he would like to add additional signage to his existing legal non-conforming sign.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
- (a) for a purpose allowed in that zone (applicable to special exceptions), or
- (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property

involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

1. 30% of required off-street parking spaces and/or
2. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

1. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
3. That the special conditions and circumstances do not result from actions of the applicant; and
4. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION:

The Planning Commission recommends that City Council approve the variance as presented.

The City Council may:

Approve the variance request as presented;
Approve the variance request with changes; or
Deny variance request.

ATTACHMENTS:

1. Excerpt GPC Meeting 10.3.24 (#24-39-VAR)
2. Complete Packet 24-39-VAR

Excerpt from October 3, 2024, Planning Commission Meeting:

The Planning Department has received a request for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial Zoning District at 2012 Highway 90. (GPC #24-39-VAR)

Scott Ankerson, Planning Director, gave a brief overview of the case. The applicant is asking to expand the square footage of a legal nonconforming sign. The Ordinance will not allow you to expand a sign that is nonconforming. They are not actually asking to expand the height of the sign, but it is currently 4' higher than what is allowed, so the variance to the height is to bring it into compliance. They are only asking to add 72 square feet to the square footage of the sign, but the existing sign is over the allowed square footage, so they need a 174 square foot variance in order to add to the sign and to bring it into compliance.

REQUEST:

The Planning Department has received a request from GCC, LLC (Gautier Commerce Center) for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial Zoning District at 2012 Highway 90, (GPC #24-39-VAR). The application fee of \$175 was paid on September 16, 2024. All public notice requirements have been met.

BACKGROUND:

The applicant would like to add to his existing legal non-conforming sign. Section 12.16 (D) of the Unified Development Ordinance (UDO) states that a legal non-conforming sign loses its status if it is enlarged. The applicant would like to add seventy-two (72) square feet to his existing sign. The existing sign is currently fourteen feet (14') high and consists of two hundred fifty-two (252) square feet. With the additional seventy-two (72) square feet he will need a variance of one hundred seventy-four (174) square feet to sign square footage requirements. Because the maximum sign height allowed at that location is ten feet (10'), he will also need a four-foot (4') variance to sign height requirements.

DISCUSSION:

The applicant is asking for a four-foot (4') variance to sign height requirements, and a one hundred seventy-four (174) square foot variance to sign square footage requirements because he would like to add additional signage to his existing legal non-conforming sign.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning

Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the variance request as presented;
2. Recommend that City Council approve the variance request with changes; or
3. Recommend that City Council deny variance request.

Chairman Jamison asked the applicant to present his case.

Jack Pilger, the applicant, said he bought the 26,000 square foot building at 2012 Highway 90 known as the Gautier Commerce Center in 2018. He said they had put an elevator in and done quite a few renovations. He said for the first time the building is full.

The building has 16 tenants but the sign has only 12 places for tenant signage, which is why he is wanting to add to the existing sign.

Commissioner Davis asked if this variance would give him enough spots for a fully occupied building.

Mr. Pilger said it would. 16 units is all they have.

Suzanne Martin, who owns the building next door, said she has no problem with the sign expansion.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Ward made a motion to recommend that the City Council approve the variance as presented.

Chairman Jamison seconded the motion, and the following vote was recorded:

AYES: **Kay C. Jamison**
 Josh Ward
 Maurice Hudson
 William Davis
 Ricky Decoteau

ABSENT: **DeAnna McManus**
 Chris Hoover

Motion passed.

Gautier Planning Commission

Regular Meeting Agenda

October 3, 2024

GPC #24-39-VAR

2012 Highway 90

VII. NEW BUSINESS

3. Consider a request for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial Zoning District. 2012 Highway 90, (GPC #24-39-VAR)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: September 25, 2024

Subject: Consider a request for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial Zoning District at 2012 Highway 90, (GPC #24-39-VAR)

REQUEST:

The Planning Department has received a request from GCC, LLC (Gautier Commerce Center) for a four-foot (4') variance to sign height requirements and a one hundred seventy-four (174) square foot variance to sign square footage requirements in a C-3 Highway Commercial Zoning District at 2012 Highway 90, (GPC #24-39-VAR). The application fee of \$175 was paid on September 16, 2024. All public notice requirements have been met.

BACKGROUND:

The applicant would like to add to his existing legal non-conforming sign. Section 12.16 (D) of the Unified Development Ordinance (UDO) states that a legal non-conforming sign loses its status if it is enlarged. The applicant would like to add seventy-two (72) square feet to his existing sign. The existing sign is currently fourteen feet (14') high and consists of two hundred fifty-two (252) square feet. With the additional seventy-two (72) square feet he will need a variance of one hundred seventy-four (174) square feet to sign square footage requirements. Because the maximum sign height allowed at that location is ten feet (10'), he will also need a four-foot (4') variance to sign height requirements.

DISCUSSION:

The applicant is asking for a four-foot (4') variance to sign height requirements, and a one hundred seventy-four (174) square foot variance to sign square footage requirements because he would like to add additional signage to his existing legal non-conforming sign.

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

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Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as "use Variances" are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the variance request as presented;
2. Recommend that City Council approve the variance request with changes; or
3. Recommend that City Council deny variance request.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

24-39-VAR

TO BE HEARD BY GAUTIER PLANNING COMMISSION:

FEE:

Variance _____

\$176.00

*Includes \$1.00 filing fee per MS Code §25-60-5

Name of Applicant:

Jack Pilger

Name of Business:

GCC, LLC (Gautier Commerce Center)Phone: 228-365-1917

Property Address:

2012 Hwy 90

Mailing Address (if Different):

5905 Ridge Rd. Ocean Springs
Ms. 39564

E-Mail Address:

Jack Pilger 2@yahoo.com

Reason for request, location and intended use of Property:

Not enough signage fortenants in this rental building - building is now full for first timeATTACHMENTS REQUIRED AS APPLICABLE: (enlarge sign)See Attached 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.See Attached 2. A detailed project narrative.None 3. Copy of protective covenants or deed restrictions, if any.None 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.

_____ 5. Any other information requested by the Planning Director.

Signature of Applicant:

Jack Pilger

Date of Application:

Sept 6, 2024

FOR OFFICE USE ONLY

Date Received

9/16/24

Verify as Complete

Scott/Babs

Fee Amount Received

176.00

Initials of Employee Receiving Application

Babs

VARIANCE

Criteria for Approval

1. What special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels), or structures or buildings in the same district? *Rent A) Bldg is largest in area.*
2. Are these special conditions and circumstances a result of your actions? Explain. *yes - I am the rental agent along with my next door neighbor - Caldwell Barker Real Estate.*
3. How will the literal interpretation of the provisions of this Ordinance deprive you of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance? Explain. *The businesses renting space in the building need to have their name on a marquee sign.*
4. Will the granting of the Variance requested confer upon you any special privilege that is denied by this Ordinance to other similar sites (lots or parcels), structures or buildings in the same district? Explain. *There are not any similar sites in the neighborhood. Each business will theoretically have a conforming sign.*

Gautier Commerce Center

2012 Hwy 90
Gautier, MS 39563

September 9, 2024

Gautier is growing and so is my demand for rental space. I purchased the building in 2018 and since then have improved the building with an elevator to the 2nd floor. For the first time in 6 years, we will be full as of September 1st, 2024.

Our last tenant was the State of Mississippi and their new childcare operation. I have attached their flyer at the end of my application.

My son, David Pilger has Pilger Title Company in the building, along with his 10 other Title offices here in Mississippi, it is the largest Title Company in the state now. Another prominent one of our tenants is our medical tenant "Mississippi Cardio Vascular Center of Excellence", also Toddler Town a prominent day care center for the children of Gautier. The balance of our tenants are from various industries and signage is very important to them.

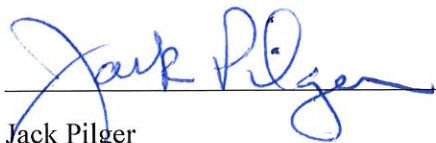
Our day care center, Toddler Town has been voted "Best in Gautier" for the 3rd year in a row!

Many of the children's parents are employed by the city of Gautier Fire Department, Police Department and Ingalls Shipyard, just to name a few.

My other son, Jason Pilger is also a business owner in Gautier. He owns Jason Pilger Hyundai on Hwy 90 and has owned this car dealership for some 10 years now.

My preference would be option 3 first, which would make the sign 24' x 10', and then option 2 which would make sign 12' x 18'.

Our next door neighbor Caldwell Banker has their sign about 24' high.



Jack Pilger

GCC, LLC.

Owner, Manager

OPTION 3:

18'

Gautier Commerce Center

Add. 12'

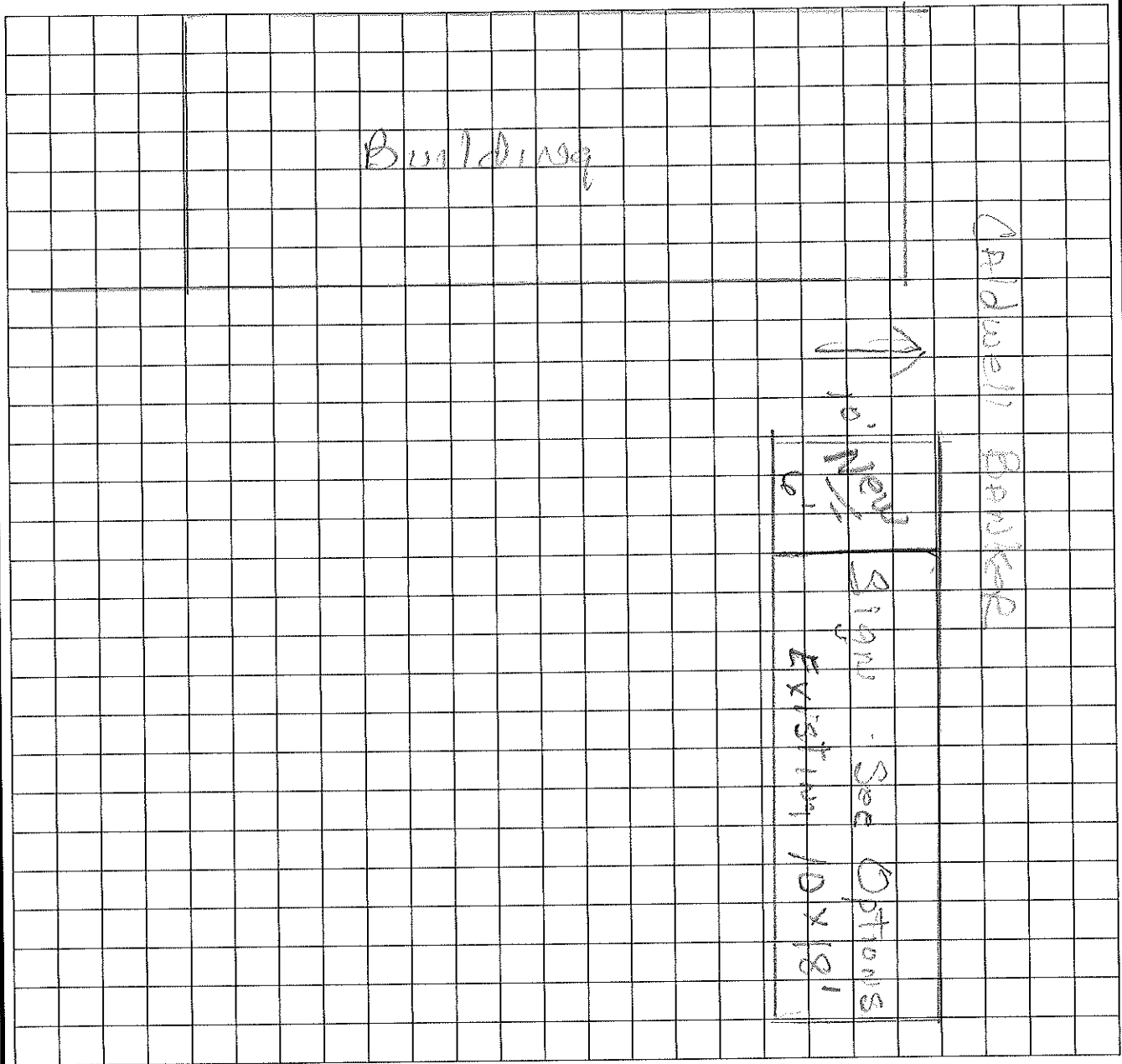
6'

14'

Extend the current stucco structure out to the north of the sign

view facing east

DIAGRAM



← West

Hwy- 90

East →

Gautier Commerce Center



Hanger
CLINIC

Empowering Human Potential



PILGER TITLE CO.

REAL ESTATE CLOSINGS



Lowest Cost Home Owners Insurance on the Gulf Coast

BISHOP
INSURANCE AGENCY

www.bishopins.com (228) 354-0877



Peace of Mind
Homecare Services, LLC

* Committed to Family Care *
228.201.5548



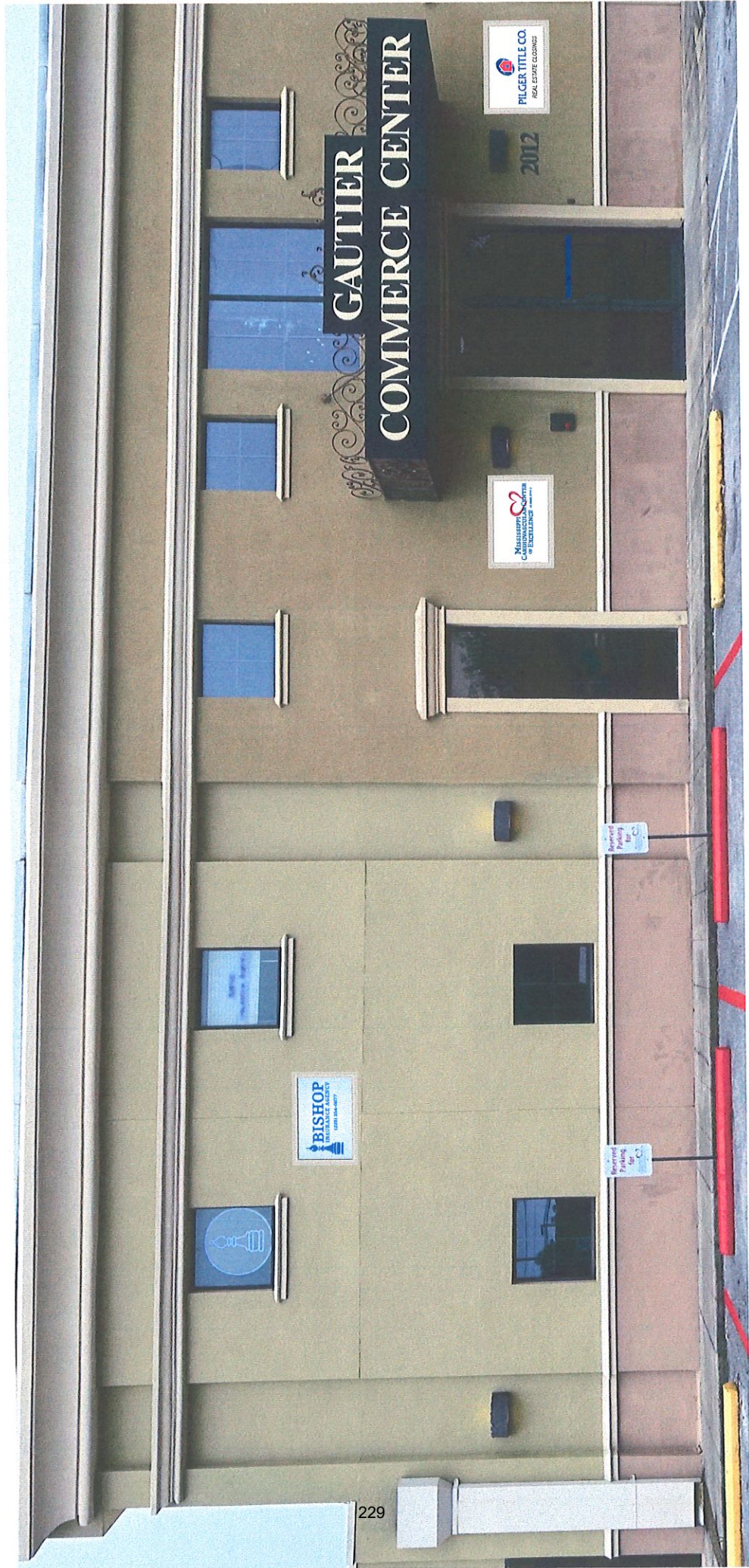
**TODDLER
TOWN
ACADEMY**



**COMPASSIONATE SENIOR
HEALTHCARE ASSOCIATES**

Life, Health, ACA and Medicare Insurance







85380400.000 GCC LLC

PIDN: 85380400.000

GISP: 777.36-02-0002.00

Owner Information

Percent of Ownership: 85

Name: GCC LLC

Name 2:

Mailing Address: 1406 BIENVILLE BLVD

OCEAN SPRINGS MS

39564

Site Address: 2012 HWY 90 GAUTIER

Land Information

Section: 36

Acreage: 0.96

Township: 7

Range: 7

Street Name HWY 90

Value and Tax Information

Total Assessed Value: 145035

Total Appraised Value: 966902

Improvement Value: 816362

Land Value: 150540

Tax Amount: 20458

SQ FT: 26046

Year Built: 1968

Legal Description

Description: COM NWC SW1/4 S89*E1495.75 S89*E
279.64 S89*E141.27 S72.13 N87*E
4.33 S7.77 S87*W3.04 S81.44 S83
* E28.1 S8.9 TO POB S30 E21.3 S2
5 E10.4 S2*W181.6 N79*W196.9 N14
9.34 THENCE ALG CRV N40*W42.4 N
48* E34 E169.15 TO POB PB 24-91
PARCEL 1 GAUTIER COMMERCE CENTER
CONDO PROP (2 MAP777.36-02)

Deed Book / Page: 1884 / 389

[illegible]

Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department

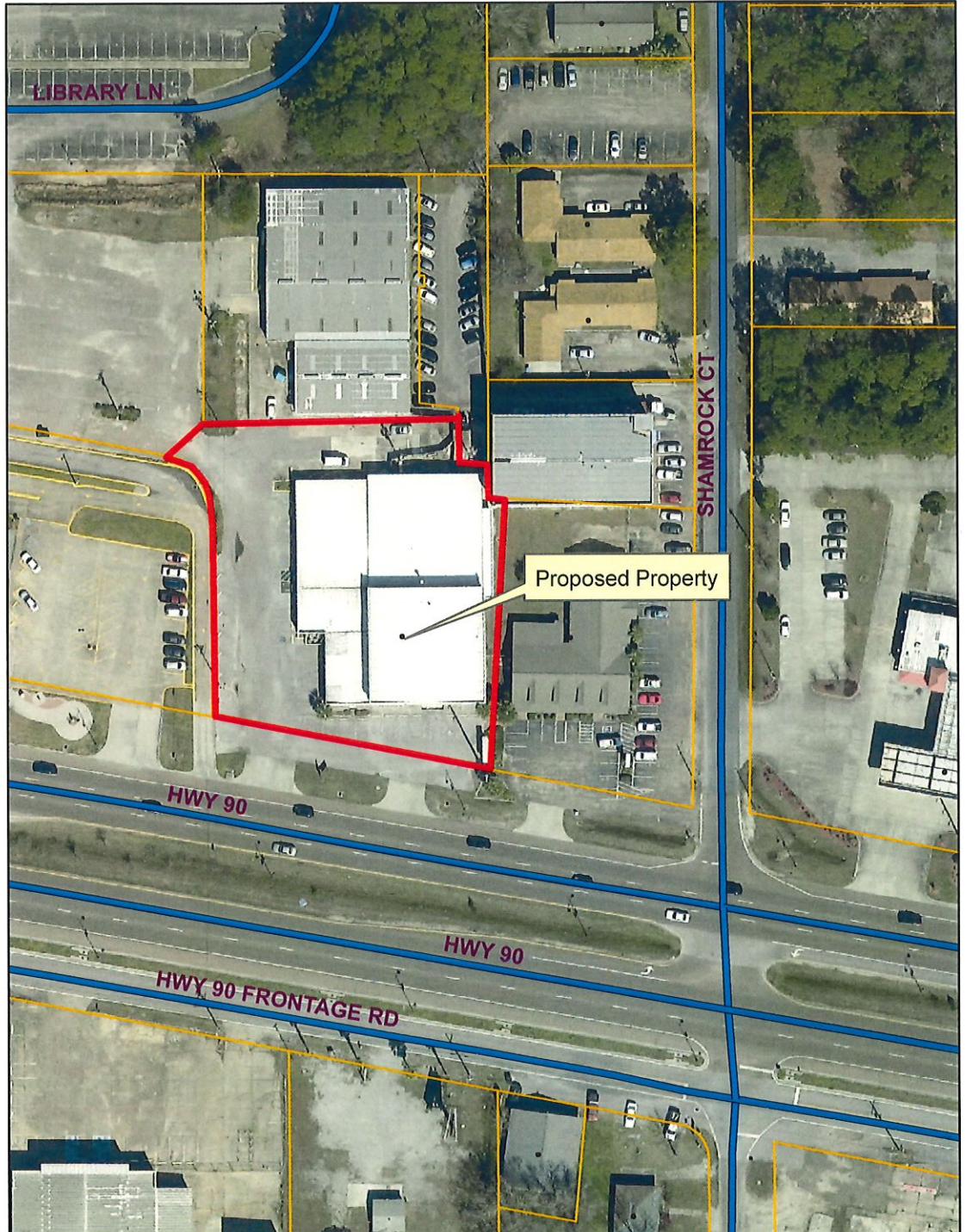


Exhibit B

Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning ZONECODE

- AG
- C-1
- C-2
- C-3
- I-2
- MURC-1
- MURC-2
- MURC-MW
- PL
- PUD
- R-1
- R-2
- R-3
- RE
- TC

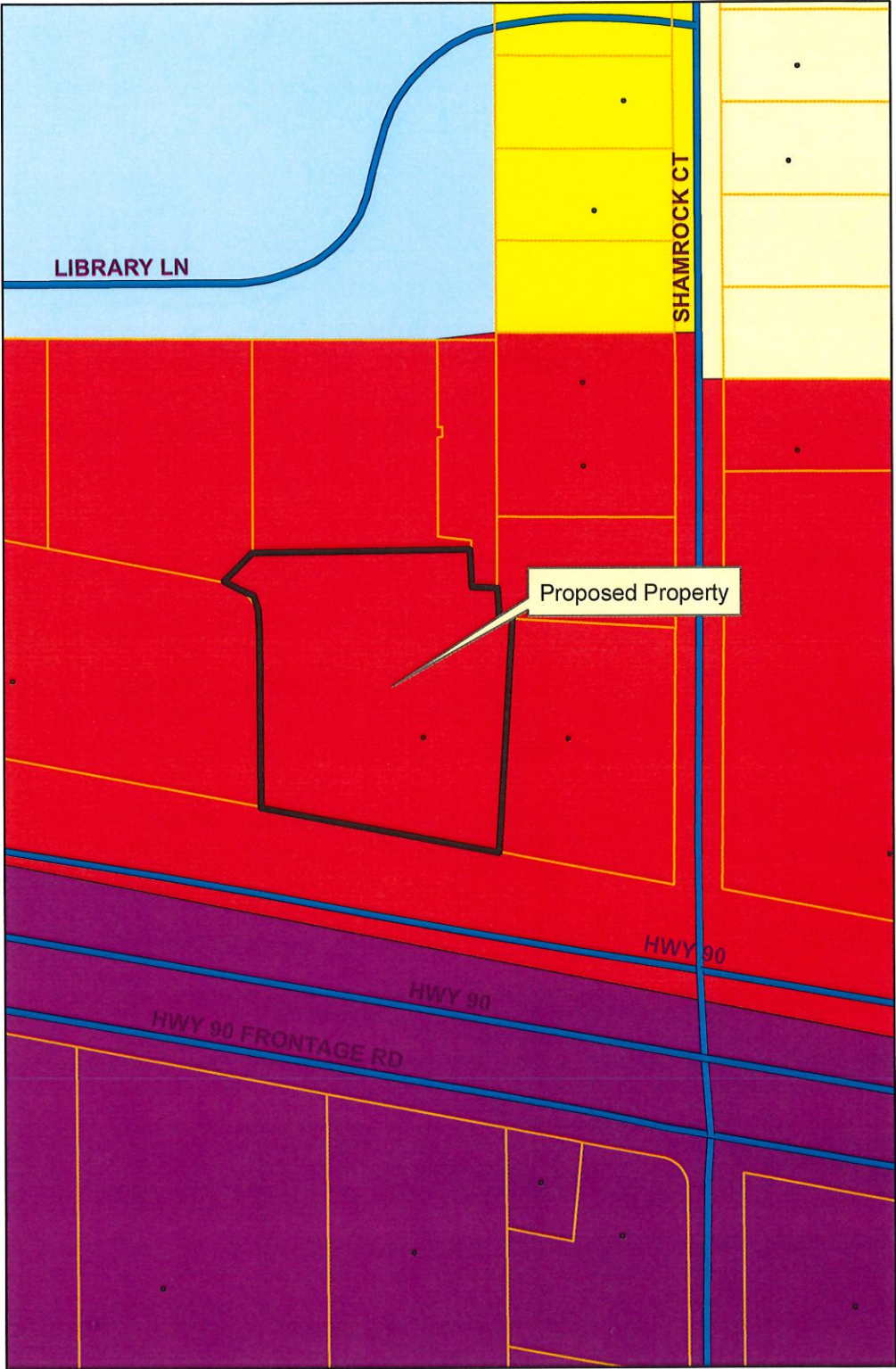


Exhibit C

Existing Land-Use

Prepared by:
City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

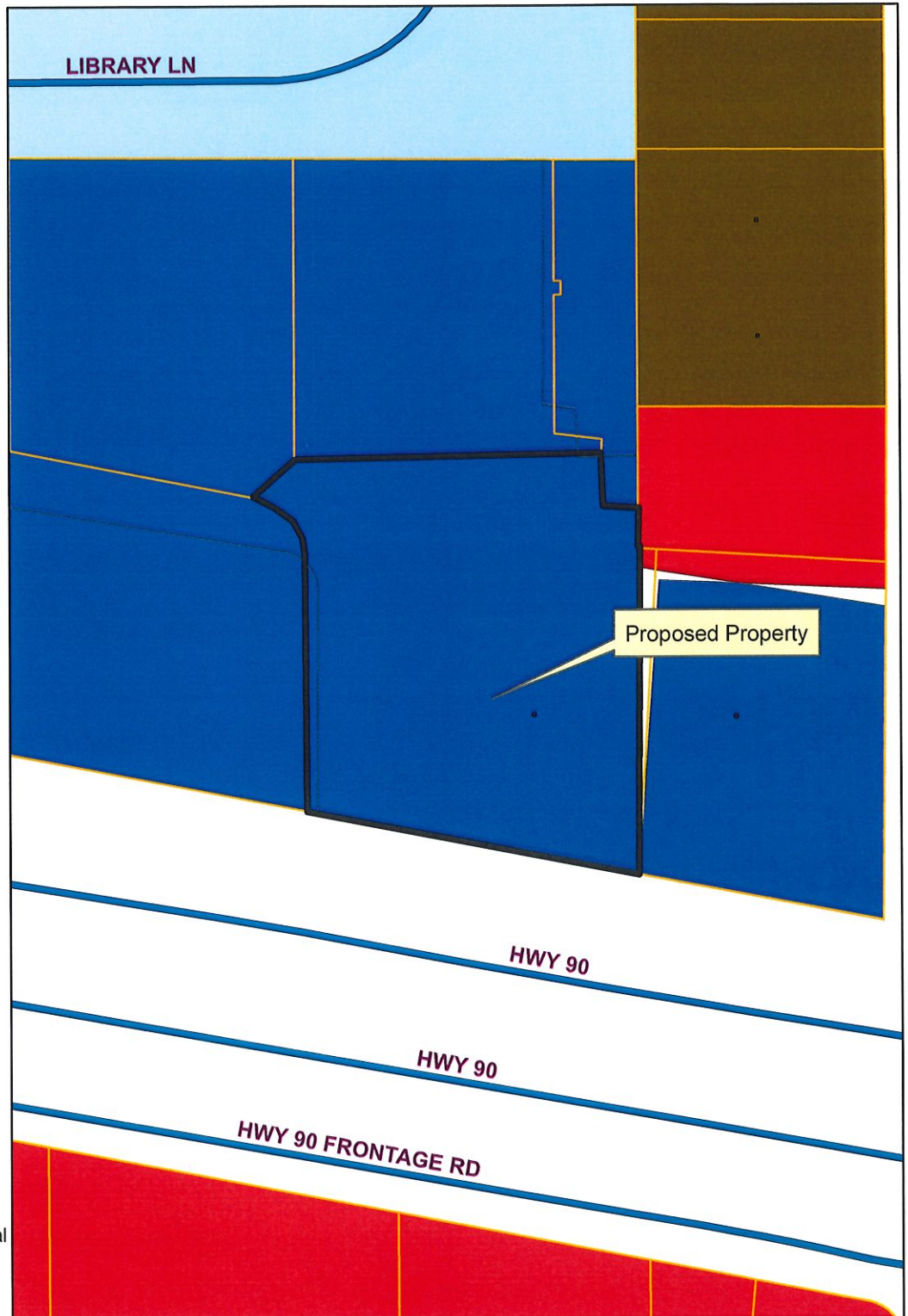


Exhibit D Future Land-Use



Prepared By:

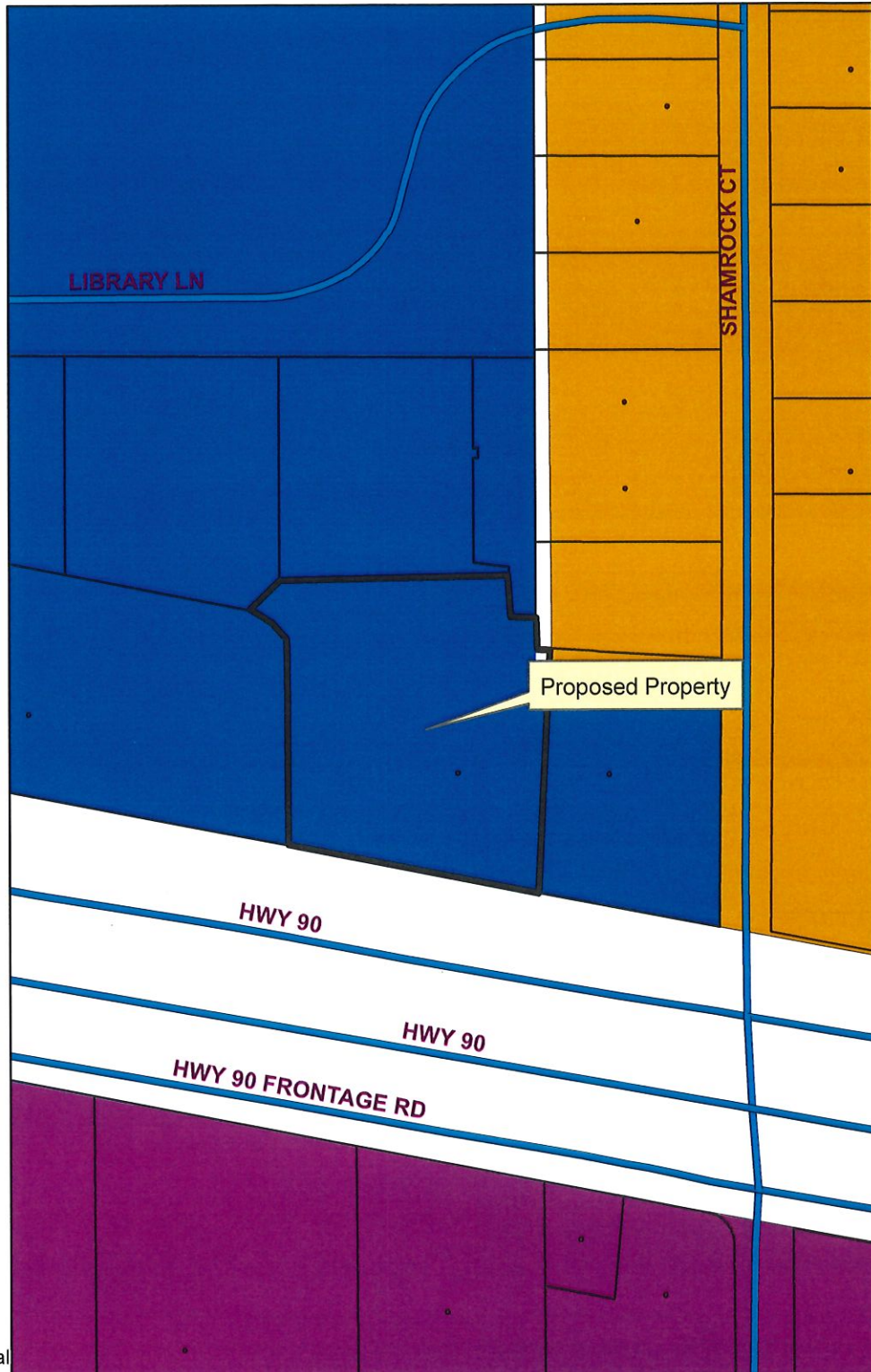
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

-  Civic
-  high impact commercial
-  Conservation
-  High Density Residential
-  Industrial
-  Low Density Residential
-  Medium Density Residential
-  Mobile Home Residential
-  low impact Commercial
-  Recreational
-  recreational commercial
-  Regional Scale Commercial
-  mixed use residential
-  Town Center
-  Very Low Density Residential



**CITY OF GAUTIER
Business Agenda Item #6
Fact Sheet**

Council Meeting: October 15, 2024
Title: Approval of the Docket of Claims

Introduced by:
Contact Person/Telephone Teresa Montgomery 497-8000

Summary Explanation: Approval of the Docket of Claims.

EXHIBITS FOR REVIEW

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

Staff Recommendation:
Approval

Motion Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

Second Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, Miss. Code Ann. 21-39-9 requires governing authority to review all unpaid claims and determine if there is an obligation. An obligation exists if the related materials and supplies were properly contracted for and received by the municipality; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Docket of Claims is hereby approved, provided that all entries thereon are true, correct, properly entered and not fraudulent.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was 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 October 15, 2024.

Docket of Claims
Release date from 10/15/2024 thru 10/15/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	HUB INTERNATIONAL	243523	10/15/2024	09/30/2024			2,925.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-625	BOAT COVERAGE-RENEWAL		3824909	09/30/2024			2,925.00
001	BORDIS & DANOS PLLC	250002	10/15/2024	10/01/2024			11,250.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-060-602	OCT 2024 RETAINER		136	10/01/2024			11,250.00
001	ADVANCE AUTO PARTS	250005	10/15/2024	10/07/2024			43.68	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-638	PK GLASS FUSE ASST		1403425540	09/11/2024			3.56
	001-161-638	19" ONYX WIPER BLADE(2): E6		1403425540	09/11/2024			40.12
001	AUTO TRUCK AND TRAILER PARTS INC	250006	10/15/2024	10/07/2024			181.03	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-638	TEFLON TAPE: E1		317294	09/04/2024			1.05
	001-161-638	N/C PRESSURE SWTCH(2): E1		317294	09/04/2024			32.50
	001-100-570	67060 FILTER (12): PD UNITS		317318	09/05/2024			31.80
	001-100-570	FL500S FILTER(12): PD UNITS		317318	09/05/2024			115.68
001	OCCUPATIONAL HEALTH CENTER INC	250007	10/15/2024	10/07/2024			170.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-604	ACADEMY PHYSICAL: LOVEJOY,J		374982	10/03/2024			170.00
001	PASCAGOULA TIRE & SERVICE INC	250008	10/15/2024	10/07/2024			378.76	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-638	BS TIRE W/ INST PKG: #16955		121073	09/16/2024			185.87
	001-100-638	FLAT REPR: #12075		121220	09/23/2024			22.00
	001-100-638	FS TIRE W/ INST PKG: #10636		121366	09/30/2024			170.89
001	STEINER SAW & MOWER	250009	10/15/2024	10/07/2024			47.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-639	CHOKE KNOB: HEDGE TRIMMER		097227	09/16/2024			5.00
	001-170-639	PLUG; FUEL CAP		097123	09/18/2024			18.00
	001-170-639	6PK STIHL 2CYC MIX (2)		097108	09/09/2024			24.00
001	CATALIS COURTS AND LAND RECORDS LLC	250010	10/15/2024	10/07/2024			1,614.60	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-010-698	OCT 2024 COURT SUPPORT		308328187	10/01/2024			1,614.60
001	C SPIRE WIRELESS	250011	10/15/2024	10/07/2024			265.95	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-606	NCIC EQUIP CHGS 3000652433		652433-40	10/01/2024			265.95
001	TRANSUNION RISK-ALTERNATE DATA SOLS INC	250012	10/15/2024	10/07/2024			362.67	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	SEP 2024 ACCT 6006920		202409-1	10/01/2024			362.67

Docket of Claims
Release date from 10/15/2024 thru 10/15/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	ACE DATA STORAGE INC	250013	10/15/2024	10/07/2024			105.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	SEP 2024 SHREDDING SERVICE		0101591	10/01/2024			105.00
001	TEC	250014	10/15/2024	10/07/2024			174.11	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-605	MONTHLY LONG DISTANCE		1167941	10/01/2024			174.11
001	RJ YOUNG COMPANY LLC	250015	10/15/2024	10/07/2024			94.79	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	LEXMARK C4150:BASE FEE		INV7121456	09/13/2024			38.00
	001-100-699	RICOH IMC2500:BASE FEE		INV7121456	09/13/2024			37.55
	001-100-699	IMC2500 USAGE: COLOR		INV7121456	09/13/2024			19.24
001	ACE CONTRACTORS INC	250016	10/15/2024	10/07/2024			675.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-698	REPR BB COURT LIGHTS: BACOT		1934	09/16/2024			675.00
001	RJ YOUNG COMPANY LLC	250017	10/15/2024	10/07/2024			224.47	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	FNK100-01 RENTAL FEE		INV7123478	09/16/2024			216.47
	001-100-699	ADMIN FEE		INV7123478	09/16/2024			8.00
001	ALLEYKAT CERAMICS LLC	250018	10/15/2024	10/07/2024			210.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-698	INSPECT KILN		D153	10/04/2024			210.00
001	CENTERPOINT ENERGY	250019	10/15/2024	10/07/2024			83.14	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-630	CENTRAL FIRE:8/23-9/25/24		11000885-1	10/02/2024			83.14
001	DIRECTV LLC	250020	10/15/2024	10/07/2024			180.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-698	WEST STN: 022727663 (NOV)		X241014	10/14/2024			180.00
001	RELX INC DBA LEXISNEXIS	250021	10/15/2024	10/07/2024			155.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	SEP 2024 4254VNBSY		3095379453	09/30/2024			155.00
001	SPORTABOUT	250022	10/15/2024	10/07/2024			175.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-001-509	SCREEN PRNT SHIRT(27):GMYC		11651	10/01/2024			175.00
001	SOUTHERN PEST CONTROL INC	250023	10/15/2024	10/07/2024			550.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	CITY FACILITIES		171-451083	09/09/2024			550.00

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	CENTERPOINT ENERGY	250024	10/15/2024	10/07/2024			52.66	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-630	SOUTH FIRE:8/23-9/25/24		11000999-0	10/02/2024			52.66
001	SPARKLIGHT	250025	10/15/2024	10/07/2024			154.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	OCT 2024:#107571481		10012024	10/01/2024			154.20
001	WASTE PRO - GAUTIER	250027	10/15/2024	10/07/2024			285.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-698	FRASIER PORT O LET		0001419791	09/30/2024			35.00
	001-170-698	BACOT PORT O LET(2)		0001419813	09/30/2024			250.00
001	SPARKLIGHT	250028	10/15/2024	10/07/2024			96.73	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-698	OCT 2024:SR BLDG 120793682		10012024	10/01/2024			96.73
001	SPARKLIGHT	250029	10/15/2024	10/07/2024			235.88	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-698	OCT 2024:BACOT #135939403		09232024	09/23/2024			235.88
001	STATE TREASURER	250030	10/15/2024	10/07/2024			15,887.17	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-000-300	SEP 2024 COURT ASSESSMENTS		09302024	10/01/2024			15,887.17
001	MS DEPT OF PUBLIC SAFETY	250031	10/15/2024	10/07/2024			1,026.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-000-300	SEP 2024 SPECIAL ASSESSMENTS		09302024	09/30/2024			1,026.00
001	SPARKLIGHT	250032	10/15/2024	10/07/2024			96.71	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-698	SEP 2024:NFD 122024383		09232024	09/23/2024			96.71
001	VICTIMS OF HUMAN TRAFFICKING FUND	250033	10/15/2024	10/07/2024			25.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-000-300	SEP 2024 STATE ASSESSMENT		09302024	09/30/2024			25.00
001	SPARKLIGHT	250034	10/15/2024	10/07/2024			111.66	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-698	OCT 2024:CFD 122024086		09232024	09/23/2024			111.66
001	SPARKLIGHT	250035	10/15/2024	10/07/2024			96.71	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-698	OCT 2024:SFD 122025091		09232024	09/23/2024			96.71
001	SUN HERALD ADVERTISING	250037	10/15/2024	10/07/2024			3,650.55	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-040-615	NOTICE: FY25 BUDGET HEARING		270520	09/30/2024			300.00
	001-040-615	NOTICE: FY25 TAX LEVY		270520	09/30/2024			640.05
	001-040-615	NOTICE: INC SW FEE 9/15/24		270520	09/30/2024			360.00

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	SUN HERALD ADVERTISING	250037	10/15/2024	10/07/2024			3,650.55	(CONTINUED)
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-040-615	NOTICE: INC SW FEE 9/22/24		270520	09/30/2024			360.00
	001-040-615	PUBLISH FY 2025 BUDGET		270520	09/30/2024			922.50
	001-040-615	NOTICE: INC SW FEE 9/29/24		270520	09/30/2024			360.00
	001-040-615	NOTICE: FY24 SW DISCLOSURE		270520	09/30/2024			708.00
001	LOWE'S	250038	10/15/2024	10/08/2024			1,735.02	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-559	KB 2.5LB PICK MATTOCK		996309	08/28/2024			26.58
	001-161-510	6PK MICROFIBER TOWEL		997240	08/28/2024			3.69
	001-161-559	DUAL AIR CHUCK;STD BLOW GUN		997240	08/28/2024			14.21
	001-161-559	2G GAS CAN; 1G GAS CAN		997240	08/28/2024			37.96
	001-161-559	TWAX CAR WASH (2)		997240	08/28/2024			15.16
	001-205-559	2PK CEMENT & PRIMER		998454	08/29/2024			12.62
	001-161-635	16CT 24X24 CEILING TILE		981813	09/03/2024			55.08
	001-161-635	2"BRSH;DUCT SEALNT;HVAC TAPE		983316	09/04/2024			62.24
	001-170-559	BRASS KEYS (19)		985610	09/05/2024			71.82
	001-170-634	PVC,CONDUIT,WIRE: TC GATE		972118	09/12/2024			223.70
	001-170-634	S40 PVC (2): TC GATE		973173	09/13/2024			3.20
	001-170-634	1.5" PVC CPLG: TC GATE		973072	09/13/2024			2.82
	001-161-559	2PK 34" TARP STRAPS: E2		973874	09/13/2024			9.01
	001-170-520	RED MULCH 2CU FT BAG (288)		980932	09/13/2024			1,088.64
	001-170-634	2-8-12 TRTD (2): GM PIER		983455	09/17/2024			27.90
	001-205-559	FLASHING FOLDING TOOL		986610	09/18/2024			51.95
	001-170-559	BRASS KEY: BACOT CONCESSION		986150	09/18/2024			3.78
	001-205-559	KB LT CUT SNIP;KB RT CUT SNIP		988555	09/19/2024			24.66
001	O'REILLY AUTO PARTS	250059	10/15/2024	10/09/2024			1,813.83	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-570	5Q OIL; FILTER: #39091		1978341754	08/29/2024			29.34
	001-205-570	BELT TNSR(2);IDLR PLY:95314		1978341755	08/29/2024			197.64
	001-205-570	BELT(2); IDLR PLY: 95314		1978341756	08/29/2024			107.23
	001-100-570	BRK ROTOR(2);BRK PADS: 12557		1978341759	08/29/2024			149.99
	001-100-570	GAL WASHER FLUID (6):PD UNITS		1978341759	08/29/2024			19.74
	001-100-570	CABIN FILTER: 12557		1978341768	08/29/2024			9.91
	001-100-570	HEADLAMP CAPSULE: CHR9 43		1978341971	08/30/2022			15.31
	001-100-570	THERMOSTAT;2G ANTIFRZ: 17530		1978342280	09/03/2024			34.97
	001-100-570	AIR FILTER: 17530		1978342281	09/03/2024			11.90
	001-100-570	LWR RADIATOR HOSE: PD UNIT		1978342320	09/03/2024			50.91
	001-100-570	BELT TENSIONER: 17823		1978342395	09/04/2024			62.22
	001-161-559	2.5 GAL BLUE DEF: GFD		1978342465	09/05/2024			25.99
	001-170-638	5 GAL TRACTOR FLD: BACKHOE		1978342896	09/09/2024			74.99
	001-170-559	WIRE BRUSH, CUP BRUSH		1978342899	09/09/2024			12.48
	001-100-570	WIPER BLADE (2): 11882		1978343176	09/11/2024			23.28
	001-205-570	6Q OIL; FILTER: 19415		1978343221	09/12/2024			35.85
	001-170-639	PULL CORD W/ HANDLE: HEDGER		1978343598	09/16/2024			9.59
	001-170-639	LUG NUT: EXMARK		1978343623	09/16/2024			2.13
	001-161-559	12OZ METAL POLISH: E6		1978343730	09/17/2024			17.99
	001-161-559	POLISH PAD; CUTTING PAD: GFD		1978343807	09/17/2024			20.04
	001-100-570	FUEL PUMP TRX UNIT: 19684		1978343852	09/18/2024			143.44
	001-205-570	FLASHER MODULE: 93645		1978343853	09/18/2024			18.04
	001-100-570	TIMING CHAIN TOOL: PD UNITS		1978343854	09/18/2024			59.99

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	O'REILLY AUTO PARTS	250059	10/15/2024	10/09/2024			1,813.83	(CONTINUED)
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-570	MULTI TURN SWITCH: 93645		1978344345	09/23/2024			143.44
	001-100-570	BATTERY: 10185		1978344370	09/23/2024			201.91
	001-100-570	FUEL FILTER (2):POLARIS 1-2		1978344489	09/24/2024			9.68
	001-205-570	BRK CALIPER,HOSE,ROTOR:06577		1978344585	09/25/2024			135.34
	001-100-570	BATTERY: 12458		1978344586	09/25/2024			145.06
	001-100-570	VALVE COVER SET: 17530		1978344589	09/25/2024			70.43
	001-205-570	CORE RTN: CALIPER 06577		1978344780	09/26/2024			-25.00
001	MS MUNICIPAL LEAGUE	250060	10/15/2024	10/09/2024			150.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-001-681	SMALL TOWN CONF: VAUGHAN		44131493	10/07/2024			150.00
001	ADRIANNE CRAWFORD RHOADS	250061	10/15/2024	10/09/2024			400.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-010-602	PUBLIC DEFENDER: 224774		09302024	10/07/2024			200.00
	001-010-602	PUBLIC DEFENDER: 220692		09302024	10/07/2024			200.00
001	DOROTHY D SHAW	250062	10/15/2024	10/09/2024			140.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-022-660	FY 2024 CSC MTGS (14)		09302024	10/07/2024			140.00
001	DUST BUNNY JANITORIAL	250063	10/15/2024	10/09/2024			492.03	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-512	CLEAN CRUISIN PARKING LOT		DBJS01284	10/06/2024			492.03
001	DAVID FRANKLIN BATES	250064	10/15/2024	10/09/2024			600.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-425	MEETING RE PLAYOFFS		09292024	10/07/2024			50.00
	001-170-425	FOOTBALL GAMES (3)		10052024	10/07/2024			300.00
	001-170-425	ON CALL 09/30-10/04/24		10072024	10/07/2024			250.00
001	GRIFFIN MATTHEW GARRIGA	250065	10/15/2024	10/09/2024			105.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-502	REFEREE FB GAME (3)		10052024	10/07/2024			105.00
001	HUNTER WILLIAMS	250066	10/15/2024	10/09/2024			105.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-502	REFEREE FB GAME (3)		10052024	10/07/2024			105.00
001	RICHARD TILLMAN	250067	10/15/2024	10/09/2024			150.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-502	REFEREE FB GAME (3)		10052024	10/07/2024			150.00
001	JACKSON COUNTY ADULT DETENTION CENTER	250068	10/15/2024	10/09/2024			6,044.72	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-010-696	SEP 2024 ADC CHGS		09302024	10/07/2024			5,985.00
	001-010-696	PHARMACY CHGS		09302024	10/07/2024			59.72

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	COREY CROCKETT SR	250069	10/15/2024	10/09/2024			120.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-502	REFEREE FB GAME (3)		09242024	10/07/2024			120.00
001	ELAN FINANCIAL SERVICES	250071	10/15/2024	10/09/2024			254.77	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-535	TEE(10);SWEATSUIT(3):ACADEMY		09102024	09/12/2024			288.90
	001-170-513	TREATS: HALLOWEEN EVENT		09232024	09/25/2024			90.87
	001-092-606	ONEWAY APP: OCT 2024		10022024	10/03/2024			75.00
	001-170-502	REFUND: RTN CHEER FIT KIT		09122024	09/13/2024			-200.00
001	SEYMOUR ENGINEERING PLLC	250072	10/15/2024	10/09/2024			6,262.50	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-603	CONST ADMIN: LS UPGS 40%		9188	09/30/2024			6,262.50
001	SEYMOUR ENGINEERING PLLC	250073	10/15/2024	10/09/2024			5,400.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-603	CA-RPR: W&S MALL PROP 10%		9189	09/30/2024			5,400.00
001	SEYMOUR ENGINEERING PLLC	250074	10/15/2024	10/09/2024			27,022.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-603	DESIGN/BIDDING: SS MAINS 60%		9193	09/30/2024			27,022.00
001	C SPIRE WIRELESS	250082	10/15/2024	10/09/2024			1,245.40	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-001-605	COUNCIL CELL PHONE		0030759348	09/30/2024			48.93
	001-021-605	CITY MGR CELL PHONE		0030759348	09/30/2024			48.93
	001-040-605	ADMIN CELL PHONE		0030759348	09/30/2024			83.41
	001-090-605	BLDG-PLNG CELL PHONES		0030759348	09/30/2024			258.66
	001-090-698	IPAD SERVICE (3)		0030759348	09/30/2024			103.44
	001-094-605	GRANT-PROJ CELL PHONES		0030759348	09/30/2024			146.79
	001-161-605	FIRE DEPT CELL PHONES		0030759348	09/30/2024			146.79
	001-170-605	RECREATION CELL PHONES		0030759348	09/30/2024			254.49
	001-205-605	MAINT CELL PHONES		0030759348	09/30/2024			153.96
001	CINTAS CORPORATION	250086	10/15/2024	10/09/2024			559.84	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-535	SEP 05 2024 MAINT		4204200503	09/05/2024			154.96
	001-205-535	SEP 11 2024 MAINT		4204829771	09/11/2024			124.96
	001-205-535	SEP 18 2024 MAINT		4205514870	09/18/2024			154.96
	001-205-535	SEP 25 2024 MAINT		4206272387	09/25/2024			124.96
001	FUELMAN	250089	10/15/2024	10/09/2024			3,393.37	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-525	UNL FUEL		NP67240182	10/07/2024			59.39
	001-100-525	UNL FUEL		NP67240182	10/07/2024			2,436.40
	001-161-525	UNL&DSL FUEL		NP67240182	10/07/2024			400.13
	001-170-525	UNL&DSL FUEL		NP67240182	10/07/2024			451.83
	001-205-525	DSL FUEL		NP67240182	10/07/2024			45.62

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001	FUELMAN	250091	10/15/2024	10/09/2024			3,306.38	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-525	UNL FUEL		NP67166941	09/30/2024		37.89	
	001-092-525	UNL FUEL		NP67166941	09/30/2024		113.75	
	001-100-525	UNL FUEL		NP67166941	09/30/2024		2,518.96	
	001-161-525	UNL&DSL FUEL		NP67166941	09/30/2024		405.43	
	001-170-525	UNL FUEL		NP67166941	09/30/2024		143.08	
	001-205-525	UNL&DSL FUEL		NP67166941	09/30/2024		87.27	
001	SINGING RIVER ELECTRIC COOPERATIVE	250094	10/15/2024	10/09/2024			2,816.63	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-631	POLICE STATION 66298004		09182024	09/25/2024		2,094.76	
	001-201-629	SIGNAL LIGHT 89113001		09182024	09/25/2024		68.22	
	001-170-631	CITY PARK RESTRMS 89912001		09182024	09/25/2024		142.60	
	001-201-633	STREET LIGHTS 90345002		09182024	09/25/2024		203.63	
	001-092-631	RECORDS BLDG 90790001		09182024	09/25/2024		258.84	
	001-170-631	FRAZIER RESTRMS 98546001		09182024	09/25/2024		48.58	
001	SINGING RIVER ELECTRIC COOPERATIVE	250095	10/15/2024	10/09/2024			938.79	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-201-633	DOLPHIN ST 94987002		09182024	09/25/2024		53.71	
	001-201-633	DOLPHIN ST 94988002		09182024	09/25/2024		60.16	
	001-201-633	DOLPHIN ST 94989002		09182024	09/25/2024		74.56	
	001-201-633	DOLPHIN ST 94990002		09182024	09/25/2024		705.75	
	001-092-631	BELK SIGN 97127001		09182024	09/25/2024		44.61	
001	SINGING RIVER ELECTRIC COOPERATIVE	250096	10/15/2024	10/09/2024			199.30	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-631	SPORTS PAVILION 66582005		09182024	09/25/2024		167.04	
	001-170-631	FITNESS TRAIL 109268001		09182024	09/25/2024		32.26	
001	SINGING RIVER ELECTRIC COOPERATIVE	250097	10/15/2024	10/09/2024			782.44	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-631	ROUNABOUT 102311004		09182024	09/25/2024		30.00	
	001-201-633	WM PAYNE 100245001		09182024	09/25/2024		63.16	
	001-170-631	BACOT LIGHTS 10137		09192024	09/26/2024		473.06	
	001-201-629	SIGNAL LIGHT 10138		09192024	09/26/2024		126.22	
	001-170-631	SRM PW BOX 8 104459007		09182024	09/25/2024		30.00	
	001-170-631	DOLPHIN PW BOX 6 110759006		09182024	09/25/2024		30.00	
	001-170-631	SRM VENUE 104312012		09182024	09/25/2024		30.00	
001	SINGING RIVER ELECTRIC COOPERATIVE	250098	10/15/2024	10/09/2024			444.84	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-631	SOUTH FD 76008001		09192024	09/26/2024		313.10	
	001-170-631	BACOT SPLASHPAD 103751001		09192024	09/26/2024		31.60	
	001-170-631	BACOT UPGRADES 113730001		09192024	09/26/2024		52.85	
	001-170-631	BACOT 114484001		09192024	09/26/2024		47.29	

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	SINGING RIVER ELECTRIC COOPERATIVE	250099	10/15/2024	10/09/2024			914.37	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-631	BROWN FD 95237002		09152024	09/23/2024			561.66
	001-161-631	MARTIN BLUFF FD 58380001		09172024	09/24/2024			271.12
	001-201-629	SIGNAL LIGHTS 17546		09172024	09/24/2024			39.67
	001-092-631	CITY LIMIT SIGN 17546		09172024	09/24/2024			41.92
001	SINGING RIVER ELECTRIC COOPERATIVE	250108	10/15/2024	10/10/2024			660.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	SERVICE: TC PARK EAST GATE		42434	10/08/2024			660.00
001	MS FIRE ACADEMY	250111	10/15/2024	10/10/2024			222.23	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-681	NFPA 1521 SAFTY OFCR: HOLLAND		32776	10/02/2024	241180		222.23
001	BELL AUTO PARTS INC	250112	10/15/2024	10/10/2024			382.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-639	MOWER STRUTS (2): EXMARK 3		D060237	09/16/2024	241287		258.00
	001-170-639	DOUBLE PULLEY: EXMARK MOWER		45518	09/26/2024	241316		124.00
001	OFFICE DEPOT 1104	250114	10/15/2024	10/10/2024			101.12	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-559	WRLS ROUTER: SENIOR CENTER		3876468670	09/19/2024	241315		101.12
001	IMAGES GALORE SIGNS LLC	250117	10/15/2024	10/10/2024			63.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-559	SIGN(2): INCL PLAYGROUND HRS		23-2528	09/27/2024	241320		63.00
001	SUN HERALD ADVERTISING	250118	10/15/2024	10/10/2024			66.24	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-615	PUBL NOTICE: GPC #24-37-RZ		270520	09/30/2024	241308		21.96
	001-090-615	PUBL NOTICE: GPC #24-38-VAR		270520	09/30/2024	241308		22.80
	001-090-615	PUBL NOTICE: GPC #24-39-VAR		270520	09/30/2024	241308		21.48
001	DOUBLE R GAUTIER LLC	250120	10/15/2024	10/10/2024			502.32	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-559	24 PACK BOTTLED WATER (168)		186370	10/01/2024	241324		502.32
001	STAPLES BUSINESS ADVANTAGE DEPT ATL	250121	10/15/2024	10/10/2024			734.08	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-022-500	CLASSIFICATION FOLDER 10/BX		6012224393	09/20/2024	241314		86.38
	001-040-500	YEL HIGHLIGHTER 12/BX		6012224393	09/20/2024	241314		5.89
	001-040-500	3X3 STICKY NOTES 12PK		6012224393	09/20/2024	241314		3.96
	001-040-500	CS COPY PAPER 8.5X11 (10)		6012224393	09/20/2024	241314		454.90
	001-040-500	INVISIBLE CLEAR TAPE 12PK		6012224394	09/20/2024	241314		7.56
	001-040-500	LEXMARK 501 HY TONER BLK		6012312090	09/21/2024	241314		175.39

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	TRI-STAR WASTE MGT AND DEMOLITION LLC	250123	10/15/2024	10/10/2024			3,980.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-601	DEMO-CLR: 2812 FAIRVIEW DR		10022024	10/02/2024	250024		3,980.00
001	THE SOUTHERN CONNECTION POLICE SUPPLIES	250124	10/15/2024	10/10/2024			2,430.87	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-535	POLY TROUSER NAVY (5)		32145	09/25/2024	241282		325.00
	001-100-535	FLEXRS COVERT PANT NAVY (6)		32145	09/25/2024	241282		474.00
	001-100-535	FLEXRS BASE SHIRT (3)		32145	09/25/2024	241282		177.00
	001-100-535	BLAUER LS ZIP POLY SHIRT (2)		32145	09/25/2024	241282		119.98
	001-100-535	BLAUER LS ZIP SHIRT 19556		32145	09/25/2024	241282		74.99
	001-100-535	BLAUER CLASSACT SHIRT SS (4)		32145	09/25/2024	241282		231.96
	001-100-535	FLEXRS LS BASE SHIRT 40312		32145	09/25/2024	241282		64.00
	001-100-535	REFLECTIVE RAIN COAT		32145	09/25/2024	241282		89.00
	001-100-535	SPORT-TEK SHORT (6)		32145	09/25/2024	241282		65.94
	001-100-535	PORT CORE JACKET		32145	09/25/2024	241282		45.00
	001-100-535	ID PANEL VINYL (2)		32145	09/25/2024	241282		24.00
	001-100-535	5.11 TAC PANT (10)		32145	09/25/2024	241282		690.00
	001-100-535	SHIPPING		32145	09/25/2024	241282		50.00
001	PACEM DEFENSE	250127	10/15/2024	10/10/2024			1,590.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-681	LESS LETHAL INSTR CRS:HARGROW		048388	10/02/2024	241310		795.00
	001-100-681	LESS LETHAL INSTR CRS:HILL		048388	10/02/2024	241310		795.00
001	OCCUPATIONAL HEALTH CENTER INC	250128	10/15/2024	10/10/2024			635.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-022-604	QUICK DRUG SCRIN: BALLOU,M		374982	10/03/2024	241321		35.00
	001-022-604	PRE EMP PHYS: MORGAN,K		374982	10/03/2024	241321		75.00
	001-022-604	QUICK DRUG SCRIN: MORGAN,K		374982	10/03/2024	241321		35.00
	001-161-604	PRE EMP PHYS: CHAPMAN,J		374982	10/03/2024	241322		75.00
	001-161-604	COC DRUG SCRIN: CHAPMAN,J		374982	10/03/2024	241322		70.00
	001-161-604	PFT: CHAPMAN,J		374982	10/03/2024	241322		45.00
	001-161-604	PRE EMP PHYSICAL: MORRIS,D		374982	10/03/2024	241322		75.00
	001-161-604	COC DRUG SCRIN: MORRIS,D		374982	10/03/2024	241322		70.00
	001-161-604	PFT: MORRIS,D		374982	10/03/2024	241322		45.00
	001-022-604	PRE EMP PHYS: ALBERT,D		377986	10/08/2024	250044		75.00
	001-022-604	QUICK DRUG SCRIN: ALBERT,D		377986	10/08/2024	250044		35.00
FUND TOTAL	1 Claims	to	Checks	71 Total	118,346.56 Manual	Held	Total	118,346.56

Docket of Claims
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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
003	GOTTFRIED CONSTRUCTION LLC Account Number 003-721-713	250075	10/15/2024	10/09/2024	9	10/08/2024	206,936.68	
		Description LS UPGRADES 65%		Invoice #	Date	P.O.	Amount	206,936.68
003	BOTTOM 2 TOP CONSTRUCTION LLC Account Number 003-724-769	250076	10/15/2024	10/09/2024	1	10/08/2024	171,577.24	
		Description W&S MALL PROPERTY 17%		Invoice #	Date	P.O.	Amount	171,577.24
FUND TOTAL	3 Claims	to	Checks	2 Total	378,513.92	Manual	Held	Total 378,513.92

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
004	LOWE'S	250040	10/15/2024	10/08/2024			557.16	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	004-510-586	S40 FITTING; KO SEAL	999721	08/29/2024			7.84	
	004-510-586	2G MTL ELEC BOX; CONDUIT	971255	08/30/2024			15.06	
	004-510-586	RTN CR: 2G MTL ELEC BOX	971171	08/30/2024			-9.86	
	004-510-586	2G MTL ELEC BOX	971087	08/30/2024			9.86	
	004-510-586	2G BX CVR;1G WP REC & CVR(6)	971087	08/30/2024			76.60	
	004-510-586	50A 125/250V OUTLET	971087	08/30/2024			10.91	
	004-510-586	1/2" PVC FLEX ELBOW (6)	971087	08/30/2024			51.78	
	004-510-586	3/4" PVC FLEX ELBOW (2)	971087	08/30/2024			23.34	
	004-510-586	200Z COLD GALVANIZING COMPND	971087	08/30/2024			9.48	
	004-510-586	2PK LOCKNUT; 1" TERM FTG(2)	971209	08/30/2024			3.37	
	004-510-586	50A 125/250V OUTLET	971209	08/30/2024			10.91	
	004-510-586	MTL 30.2 CU ELEC BOX	971209	08/30/2024			15.36	
	004-510-586	2G MTL ELEC BOX	971209	08/30/2024			11.76	
	004-510-586	RTN CR: 2G MTL ELEC BOX	971248	08/30/2024			-11.76	
	004-510-586	2G MTL BOX CVR	974432	08/31/2024			6.70	
	004-510-586	2" S40 45D ELBOW	981793	09/03/2024			4.35	
	004-510-586	8/4 600V POWER CORD 5'	986751	09/05/2024			22.35	
	004-510-559	18" RND DOLLY(6): TRASHCANS	994788	09/06/2024			256.38	
	004-510-586	4PK CONC SCREW;4PK SLV ANCHOR	981670	09/16/2024			15.64	
	004-510-586	2PK HEX BOLT 1.5" (2)	981903	09/16/2024			1.68	
	004-510-586	2PK 30A TIME DELAY FUSE	983845	09/17/2024			20.41	
	004-510-586	6' FOAM PIPE INSULATION	984265	09/17/2024			2.17	
	004-510-586	4CT ZINC CORNER BRACE	985696	09/18/2024			2.83	
004	ELAN FINANCIAL SERVICES	250070	10/15/2024	10/09/2024			939.20	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	004-510-559	TMILLS 27X54 TOWEL 36CT (3)	09042024	09/05/2024			939.20	
004	PUCKETT RENTS	250119	10/15/2024	10/10/2024			1,119.44	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	004-510-699	LIGHT TOWER 4000W DSL (4)	1070653001	09/30/2024	241318		672.44	
	004-510-699	ENVIRO FEE	1070653001	09/30/2024	241318		13.44	
	004-510-699	DELIVERY CHARGE: THE SOUND	1070653001	09/30/2024	241318		110.00	
	004-510-699	PICKUP CHARGE	1070653001	09/30/2024	241318		110.00	
	004-510-699	EQUIPMENT PROTECTION PLAN	1070653001	09/30/2024	241318		94.16	
	004-510-699	DSL FUEL	1070653001	09/30/2024	241318		119.40	
FUND TOTAL	4 Claims	to	Checks	3 Total	2,615.80 Manual	Held	Total	2,615.80

Release date from 10/15/2024 thru 10/15/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
130	GULF BREEZE CONSTRUCTION INC	250077	10/15/2024	10/09/2024			52,343.49	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	130-130-770	CONSTRUCTION 43.61%		23	10/02/2024		52,343.49	
FUND TOTAL 130 Claims	to	Checks	1 Total	52,343.49 Manual		Held	Total	52,343.49

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
156	GALLS LLC	250125	10/15/2024	10/10/2024			1,766.36	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	156-100-799	B1099 BADGE (12)		029176242	09/25/2024	240551		1,694.88
	156-100-799	FULL COLOR STATE SEAL (5)		029176242	09/25/2024	240551		32.00
	156-100-799	FULL COLOR SEAL (7)		029176242	09/25/2024	240551		39.48
FUND TOTAL 156 Claims	to	Checks	1 Total	1,766.36 Manual		Held		Total 1,766.36

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
171	VULCAN CONSTRUCTION MATERIAL LLC	250126	10/15/2024	10/10/2024			594.72	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	171-176-779	6.68 TN MS200 ROCK: SSP		1540680	08/13/2024	241084		394.12
	171-176-779	3.40 TN MS200 ROCK: SSP		1540091	08/13/2024	241084		200.60
FUND TOTAL 171 Claims	to	Checks	1 Total	594.72 Manual		Held	Total	594.72

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
173	SEYMOUR ENGINEERING PLLC	250078	10/15/2024	10/09/2024			7,500.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	173-300-762	PRELIM DESIGN 100%		9191	09/30/2024			7,500.00
FUND TOTAL 173 Claims	to	Checks	1 Total	7,500.00	Manual	Held	Total	7,500.00

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
176	SPARKLIGHT	250036	10/15/2024	10/07/2024			127.95	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-699	OCT 2024:SSP 136075116		09232024	09/23/2024			127.95
176	LOWE'S	250041	10/15/2024	10/08/2024			153.28	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-635	5G MS CLR WATER PROOFER (2)		985958	09/18/2024			153.28
176	BAY ICE COMPANY INC	250084	10/15/2024	10/09/2024			50.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-699	SEP 2024 BOX RENTAL		700922	09/30/2024			50.00
176	C SPIRE WIRELESS	250085	10/15/2024	10/09/2024			53.10	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-605	CELL PHONE		0030759348	09/30/2024			53.10
176	SINGING RIVER ELECTRIC COOPERATIVE	250100	10/15/2024	10/09/2024			2,601.46	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-631	PARK FACILITIES 76854002		09192024	09/26/2024			1,992.03
	176-170-631	HOUSE 76855002		09192024	09/26/2024			60.08
	176-170-631	SSP WELCOME CENTER 108928002		09192024	09/26/2024			519.35
	176-170-631	DUMP STATION 109931001		09192024	09/26/2024			30.00
FUND TOTAL 176 Claims		to	Checks	5 Total	2,985.79 Manual	Held	Total	2,985.79

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
177	SEYMOUR ENGINEERING PLLC Account Number 177-176-763	250079	10/15/2024	10/09/2024			6,500.00	
	Description CONST ADMIN/RPR 90%			Invoice # 9187	Date 09/30/2024	P.O.	Amount 6,500.00	
177	GULF COAST SOLUTIONS LLC Account Number 177-176-720	250080	10/15/2024	10/09/2024			68,961.17	
	Description SSP EXPANSION 96%			Invoice # 5	Date 09/30/2024	P.O.	Amount 68,961.17	
FUND TOTAL 177 Claims to		Checks	2 Total	75,461.17	Manual	Held	Total	75,461.17

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
305	LOWE'S	250042	10/15/2024	10/08/2024			819.54	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	305-300-720	RTN: 200A 40C OD BRKR-MTR		994897	08/27/2024		-312.55	
	305-300-720	INST AC UNITS: STORAGE/RSTRMS		995125	08/27/2024		416.58	
	305-300-720	200A 4SP 8C OD MN BRKR BOX		997698	08/28/2024		265.05	
	305-300-720	INST AC UNITS: RESTROOMS		983762	09/17/2024		151.26	
	305-300-720	INST AC UNITS: RESTROOMS		988545	09/19/2024		267.84	
	305-300-720	INST AC UNITS: RESTROOMS		988998	09/19/2024		12.40	
	305-300-720	INST AC UNITS: RESTROOMS		987847	09/19/2024		18.96	
FUND TOTAL 305 Claims	to	Checks	1 Total	819.54 Manual		Held	Total	819.54

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
362	SEYMOUR ENGINEERING PLLC	250081	10/15/2024	10/09/2024			20,530.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	362-600-762	ENG DESIGN 60%		9192	09/30/2024			20,530.00
FUND TOTAL 362 Claims	to	Checks	1 Total	20,530.00	Manual	Held	Total	20,530.00

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	COG DEPOSITORY ACCOUNT	243522	10/15/2024	09/30/2024			12,539.78	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-000-104	TR DMR WIRE: FUND 171		09302024	09/30/2024			10,139.78
	400-000-104	TR DMR WIRE: FUND 173		09302024	09/30/2024			2,400.00
400	HUB INTERNATIONAL	243524	10/15/2024	09/30/2024			73,443.73	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-625	PROP RENEWAL: WELLS/ION PLANT		3824909	09/30/2024			73,443.73
400	LOWE'S	250043	10/15/2024	10/08/2024			503.01	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-635	24X24 CEILING TILE 16CT		981813	09/03/2024			55.08
	400-650-635	MOTION SENSOR LIGHT SWITCH		982996	09/04/2024			21.83
	400-650-559	HI VIS VEST(4); LANYARD(2)		988232	09/06/2024			54.98
	400-651-683	CONCRETE WEDGE ANCHOR (15)		987749	09/06/2024			14.71
	400-650-559	HI VIS VEST; ANGLE BRUSH(2)		997637	09/10/2024			28.44
	400-651-583	4" PVC DWV SANITARY TEE (4)		973207	09/13/2024			81.64
	400-651-583	4" PVC DWV WYE (2)		987840	09/19/2024			50.32
	400-651-583	4" PVC SWV 45D ST ELBOW (2)		987840	09/19/2024			22.20
	400-651-583	4" PVC DWV 90D LNG SWP BEND		987840	09/19/2024			25.63
	400-651-583	4" PVC DWV 90D ELBOW		987840	09/19/2024			13.57
	400-651-583	4" PVC SWV 90D LSWP BEND (2)		990623	09/20/2024			51.26
	400-651-581	3/8" ADPTR CPLG FITTING		998545	09/23/2024			7.39
	400-650-635	T8 4 BULB FL LIGHT BALLAST(2)		971241	09/24/2024			75.96
400	HENZE ENTERPRISES INC	250052	10/15/2024	10/08/2024			5,505.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-585	20 CY FILL DIRT: WATER		33139	10/02/2024			3,400.00
	400-651-585	10 CY FILL DIRT: SEWER		33139	10/02/2024			1,700.00
	400-651-683	9 CY CRUSHED CONCRETE		33139	10/02/2024			405.00
400	SEYMOUR ENGINEERING PLLC	250083	10/15/2024	10/09/2024			5,000.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-603	SANDHILL PROMENADE (MDOT ROW)		9194	09/30/2024			5,000.00
400	C SPIRE WIRELESS	250087	10/15/2024	10/09/2024			146.79	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-605	CELL PHONES (3)		0030759348	09/30/2024			146.79
400	ANSER	250088	10/15/2024	10/09/2024			701.33	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-698	BASE RATE:09/25-10/22/24		277-092524	09/25/2024			650.00
	400-650-698	PAPER INVOICE FEE		277-092524	09/25/2024			5.00
	400-650-698	HOLIDAY CHG		277-092524	09/25/2024			20.00
	400-650-698	520 AGENT MTS:8/28-9/24/24		277-092524	09/25/2024			26.33
400	FUELMAN	250090	10/15/2024	10/09/2024			130.54	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-525	UNL FUEL		NP67240182	10/07/2024			130.54

Docket of Claims
Release date from 10/15/2024 thru 10/15/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	FUELMAN	250092	10/15/2024	10/09/2024			217.29	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-525	UNL FUEL		NP67166941	09/30/2024			217.29
400	SINGING RIVER ELECTRIC COOPERATIVE	250101	10/15/2024	10/09/2024			404.97	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	IONIZATION PLANT 99216002		09182024	09/25/2024			298.89
	400-651-631	LIFT STNS 89627001		09172024	09/24/2024			76.08
	400-651-631	LIFT STNS 89702001		09172024	09/24/2024			30.00
400	SINGING RIVER ELECTRIC COOPERATIVE	250102	10/15/2024	10/09/2024			1,098.34	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	CARTER RD WTR TANK 109812001		09152024	09/23/2024			31.18
	400-651-631	LIFT STATIONS 20649		09152024	09/23/2024			969.67
	400-651-631	LIFT STATIONS 28779		09152024	09/23/2024			97.49
400	SINGING RIVER ELECTRIC COOPERATIVE	250103	10/15/2024	10/09/2024			4,888.34	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	LIFT STNS 17875		09192024	09/26/2024			257.66
	400-651-631	LIFT STNS 17883		09192024	09/26/2024			2,345.47
	400-651-631	LIFT STNS 17884		09192024	09/26/2024			1,342.31
	400-651-631	LIFT STNS 114260001		09192024	09/26/2024			942.90
400	SINGING RIVER ELECTRIC COOPERATIVE	250104	10/15/2024	10/09/2024			2,092.84	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	CITY HALL WELL 114046001		09182024	09/25/2024			2,092.84
400	ARISTA INFORMATION SYSTEMS INC	250107	10/15/2024	10/10/2024			4,878.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-698	SEP 2024 PRINTING 2067001		0010688	09/30/2024			1,120.25
	400-650-698	SEP 2024 POSTAGE 2067001		0010688	09/30/2024			3,757.95
400	MICRO METHODS INC	250113	10/15/2024	10/10/2024			100.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-698	BACTI SNGL SAMPLE:WGATE WELL		2410017186	10/02/2024	250046		100.00
400	CONSOLIDATED PIPE & SUPPLY	250115	10/15/2024	10/10/2024			2,940.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-583	200' 3/4 CTS BL HDPE WTR TUBE		MS0374722	09/25/2024	241241		96.00
	400-651-583	100' 1" CTS BL HDPE WTR TUBE		MS0374722	09/25/2024	241241		76.00
	400-651-583	40Z 3X360 PP NO-WVN FABRC(4)		MS0374722	09/25/2024	241241		296.00
	400-651-583	3/4X5/8X3/4 MCD CB STP LF(30)		MS0374722	09/25/2024	241241		2,040.00
	400-651-583	170Z GREEN MARKING PAINT(72)		MS0374722	09/25/2024	241241		432.00
400	CENTRAL PIPE SUPPLY-JACKSON	250116	10/15/2024	10/10/2024			743.59	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-709	MUELLER BATT PK: HB MAG MTR		386787-001	10/04/2024	241293		743.59

Docket of Claims
Release date from 10/15/2024 thru 10/15/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	STAPLES BUSINESS ADVANTAGE DEPT ATL	250122	10/15/2024	10/10/2024			256.96	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-703	FABRIC OFFICE SWIVEL CHAIR	6012101198	09/18/2024	241298		156.97	
	400-650-500	VIEWSONIC 24" LED MONITOR	6012160815	09/19/2024	241307		99.99	
400	AUDIOWAVE INC	250129	10/15/2024	10/10/2024			50.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-500	ANTENNA CABLE: MTR TRUCK	A58123	09/24/2024	241295		50.00	
FUND TOTAL 400 Claims	to	Checks	19 Total	115,640.71 Manual		Held	Total	115,640.71

Docket of Claims
Release date from 10/15/2024 thru 10/15/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
404	DELTA SANITATION OF MS LLC Account Number 404-677-693	250026	10/15/2024	10/07/2024			106,226.40	
		Description		Invoice #	Date	P.O.	Amount	
		SEP 2024 RES GARBAGE (6323)		0001419742	09/30/2024		106,226.40	
FUND TOTAL 404 Claims	to	Checks	1 Total	106,226.40	Manual		Held	Total 106,226.40

SUMMARY OF ALL FUNDS

FUND	1 Claims	to	Checks	71 Total	118,346.56 Manual	Held	Total	118,346.56
FUND	3 Claims	to	Checks	2 Total	378,513.92 Manual	Held	Total	378,513.92
FUND	4 Claims	to	Checks	3 Total	2,615.80 Manual	Held	Total	2,615.80
FUND	130 Claims	to	Checks	1 Total	52,343.49 Manual	Held	Total	52,343.49
FUND	156 Claims	to	Checks	1 Total	1,766.36 Manual	Held	Total	1,766.36
FUND	171 Claims	to	Checks	1 Total	594.72 Manual	Held	Total	594.72
FUND	173 Claims	to	Checks	1 Total	7,500.00 Manual	Held	Total	7,500.00
FUND	176 Claims	to	Checks	5 Total	2,985.79 Manual	Held	Total	2,985.79
FUND	177 Claims	to	Checks	2 Total	75,461.17 Manual	Held	Total	75,461.17
FUND	305 Claims	to	Checks	1 Total	819.54 Manual	Held	Total	819.54
FUND	362 Claims	to	Checks	1 Total	20,530.00 Manual	Held	Total	20,530.00
FUND	400 Claims	to	Checks	19 Total	115,640.71 Manual	Held	Total	115,640.71
FUND	404 Claims	to	Checks	1 Total	106,226.40 Manual	Held	Total	106,226.40
Total for all Funds			Checks	109 Total	883,344.46 Manual	Held	Total	883,344.46

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

Council Meeting: October 15, 2024
Title: Approval of Minutes from the Regular Council Meeting held October 1, 2024

Introduced by:
Contact Person/Telephone Teresa Montgomery 497-8000

Summary Explanation: Approval of Minutes from the Regular Council Meeting held October 1, 2024.

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

Second Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, Miss. Code Ann. 21-15-33 requires that the minutes be adopted and approved by a majority of the members of the governing body at the next regular meeting or within thirty (30) days of the meeting they represent, whichever occurs first. Upon such approval, the minutes are valid from and after the date of the meeting; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the minutes from the Regular Meeting held October 1, 2024 is hereby approved.

IT IS 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:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 15, 2024.

Tuesday
October 1, 2024
Gautier, Mississippi

BE IT REMEMBERED THAT A REGULAR MEETING of the Mayor and Members of the Council of the City of Gautier, Mississippi was held October 1, 2024 at 6:30 PM in the City Hall Municipal Building, 3330 Highway 90, Gautier Mississippi.

Those present were Mayor Casey Vaughan, Council Members Adam Colledge, Cameron George, Richard Jackson, Gordon Gollott, Rusty Anderson, and Dante Elbin. Also present were Emily Cumbest, Deputy City Clerk; Paula Yancey, City Manager; Josh Danos, City Attorney and other concerned citizens. Absent was Teresa Montgomery, City Clerk.

**AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
October 1, 2024 @ 6:30 PM**

- I. Call to Order**
 - 1. Prayer**
 - 2. Pledge of Allegiance**
- II. Agenda Order Approval**
- III. Announcements**
 - 1. City of Gautier's Cruisin' Through the Decades Event will be October 6th, starting at 12pm at the former Singing River Mall property.**
 - 2. Outdoor Movie Night, featuring Teenage Mutant Ninja Turtles: Mutant Mayhem, will be October 18th, starting at 6:30pm at the City of Gautier's Sportsplex.**
 - 3. Gautier Mullet & Music Festival will be October 19th, from 9am until 6pm, at the former Singing River Mall Property.**
 - 4. Tasty Thursday will be October 24th, starting at 11am at the former Singing River Mall Property.**
- IV. Presentation Agenda**
- V. Business Agenda**
 - 1. Discussion regarding the appointment of Doug Mansfield as Civil Service**

Commissioner

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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2. Resolution approving Final Budget Amendments for FY 2024

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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3. Approval of the resolution to issue general obligation bonds or enter into a loan with the Mississippi Development Bank, not exceeding \$2,000,000, to finance various municipal improvements

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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4. Approval of the resolution to issue revenue bonds or enter into a loan with the Mississippi Development Bank, not exceeding \$5,300,000, to finance the City's water and sewer system improvements.

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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5. Approve the increase in charges related to Solid Waste Collection and Disposal

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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6. Approve FY 2025 Commercial Insurance Renewals

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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7. Authorization to advertise for bids for an annual paving contract for the City of Gautier.

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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8. Consideration for the Abatement at 1950 Highway 90, SQRL Gas Station, Gautier, MS

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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9. Approval of the Docket of Claims

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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VI. Consent Agenda (All items approved in one motion)

1. Approval of Minutes from the Budget Meeting held September 10, 2024 and Recessed Council Meeting held September 17, 2024.

2. Approval of an Amendment to the August 20, 2024 Recessed Council Meeting

Minutes

- 3. Approval of Municipal Compliance Questionnaire for FY 2023 – 2024**
- 4. Authorization of City Petty Cash Funds**
- 5. Approval of water and sewer adjustments for October 2024 in the amount of \$9,000.47**
- 6. Authorization to remove broken furniture and equipment from the City of Gautier's inventory.**
- 7. Approval of the updated inventory spreadsheet of the City of Gautier's assets**
- 8. Approval of a request from Mississippi Gulf Coast Community College for the use of four portable lights**
- 9. Authorization for the Recreation Department to accept the donation of four (4) fig trees to be planted at George Martin City Park**
- 10. Approval to accept a monetary donation for The City of Gautier's Cruisin' Through the Decades Event**
- 11. Resolution approving closure of roads and traffic control measures, as described in the application for a Special Event Permit, submitted by Gautier High School Alumni Association**
- 12. Authorization to advertise for bids for the San Lorenzo and Cypress/Ferry Point streambank stabilization and debris/sediment removal project**
- 13. Authorization for ATL Special FX to display pyrotechnic effects at The Sound Amphitheater on October 12, 2024**
- 14. Approval of the Revised Step Plan for Certified Police Officers**

VII. STUDY AGENDA

- 1. Discuss Citizen Comments**
- 2. Discuss Council Comments**
- 3. Discuss City Manager Comments**
- 4. Discuss City Clerk Comments**

5. Discuss City Attorney Comments

Recess until October 15, 2024 at 6:30pm

www.gautier-ms.gov

Mayor Vaughan called the Meeting to order at 6:30pm.

Councilman Gollott made the motion to approve the agenda order with the following revisions:

1. Correction to Consent Agenda Item 1 – correction on page 2 of the September 10, 2024 minutes and pages 25, 75, and 128 on the September 17, 2024 minutes.
2. Correction to Consent Agenda Item 2 – revised Waste Pro Contract
3. Remove Business Agenda Item 8 - Consideration for the Abatement at 1950 Highway 90, SQRL Gas Station, Gautier, MS

Councilman George seconded the motion. The vote was carried unanimously.

Announcements

1. City of Gautier's Cruisin' Through the Decades Event will be October 6th, starting at 12pm at the former Singing River Mall property.
 2. Outdoor Movie Night, featuring Teenage Mutant Ninja Turtles: Mutant Mayhem, will be October 18th, starting at 6:30pm at the City of Gautier's Sportsplex.
 3. Gautier Mullet & Music Festival will be October 19th, from 9am until 6pm, at the former Singing River Mall Property.
 4. Tasty Thursday will be October 24th, starting at 11am, at the former Singing River Mall Property.
-

Presentation

None

CITY OF GAUTIER'S



Cruisin'



THROUGH THE DECADES

OCTOBER 6, 2024

CRUISE-IN 12PM DRIVE-IN MOVIE 5:30 PM

2800 HWY 90 GAUTIER, MS

THEMED MUSIC

FOOD TRUCKS

RESERVED PARKING FOR ALL CRUISERS



COME VIEW CLASSIC BEAUTIES!

12PM-5PM SINGING RIVER MALL PROPERTY

2800 HWY 90 GAUTIER, MS

Giveaways for the 1st 300 Cruisers



5:30 pm Singing River Mall Property

For More Information, Call Gautier Recreation 228-497-2244 Facebook - City of Gautier Recreation & Community Events



GAUTIER PRESENTS

TASTY

THURSDAY!

4TH

THUR.

11 AM



**GOOD EATS
FROM AWESOME
FOOD TRUCKS**

**SINGING RIVER MALL PROPERTY
2800 HWY 90 GAUTIER, MS**

A discussion was held regarding the reappointment of Doug Mansfield as Civil Service Commissioner.

Councilman Gollott made the motion to reappoint Doug Mansfield as Civil Service Commissioner. Councilman Colledge seconded the motion. The vote was carried unanimously.

Councilman Colledge made the motion to approve the budget amendments for fiscal year 2024, as presented. Councilman George seconded the motion. The vote was carried unanimously.

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

RESOLUTION NUMBER 163-2024

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 Year End Budget Amendments for FY 2024 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 October 01, 2024.

Motion made by **Councilman Colledge**, seconded by **Councilman George**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

**FY 2024
BUDGET AMENDMENTS**

GENERAL FUND: FUND 001		Budget	Amendment	New Budget
REVENUES				
Grants		36,000.00	530,660.00	566,660.00
Miscellaneous		174,000.00	13,500.00	187,500.00
			544,160.00	
EXPENDITURES				
COURT				
Personnel Services		198,363.00	1,000.00	199,363.00
POLICE				
Other Services & Charges		220,900.00	9,000.00	229,900.00
Capital Outlay		5,000.00	497,800.00	502,800.00
FIRE				
Capital Outlay		16,500.00	23,860.00	40,360.00
RECREATION				
Supplies		136,700.00	10,900.00	147,600.00
Other Services & Charges		119,110.00	5,000.00	124,110.00
Capital Outlay		15,400.00	16,600.00	32,000.00
MAINTENANCE				
Capital Outlay		35,000.00	(20,000.00)	15,000.00
			544,160.00	

Allocate additional revenue. Adjust for inflation, insurance adjustments and emergency repairs.

FUND 002: HB1 MODERNIZATION ACT (USE TAX)		Budget	Amendment	New Budget
REVENUES				
MDOT Reimbursements		1,123,294.00	72,250.26	1,195,544.26
EXPENDITURES				
Unappropriated		1,529,371.45	72,250.26	1,601,621.71

Budget additional funds received.

FUND 003: ARPA FEDERAL FUNDS SLFR22621		Budget	Amendment	New Budget
EXPENDITURES				
Unappropriated (Restricted)		66,652.49	383,285.50	449,937.99
MCWI Capital Projects		5,817,466.00	(383,285.50)	5,434,180.50
			0.00	

Adjust budget for actual contract costs.

FUND 004: AMPHITHEATER VENUE		Budget	Amendment	New Budget
EXPENDITURES				
Supplies		0.00	25,000.00	25,000.00
Other Services & Charges		120,000.00	5,000.00	125,000.00
Capital Outlay		135,000.00	191,000.00	326,000.00
Transfers Out		300,000.00	(221,000.00)	79,000.00
			0.00	

Reallocate budget for start up costs.

FUND 130: \$7M CAPITAL IMPROVEMENT BOND ISSUE		Budget	Amendment	New Budget
REVENUES				
MDOT Reimbursements		4,365,687.22	1,221,986.10	5,587,673.32
EXPENDITURES				
Capital Improvements		5,597,535.75	1,221,986.10	6,819,521.85

Budget additional grant funding for Martin Bluff Road improvements.

FUND 156: LOCAL FORFEITURES		Budget	Amendment	New Budget
REVENUES				
Assets Forfeited		0.00	150,000.00	150,000.00
EXPENDITURES				
Capital Outlay		100,000.00	150,000.00	250,000.00

Budget funds received in FY 2024.

**FY 2024
BUDGET AMENDMENTS**

FUND 157: US JUSTICE EQUITABLE SHARING	Budget	Amendment	New Budget
REVENUES			
Assets Forfeited	0.00	49,097.68	49,097.68
EXPENDITURES			
Capital Outlay	13,434.43	49,097.68	62,532.11

Budget funds received in FY 2024.

FUND 304: TOWN COMMONS PARK PROJECT	Budget	Amendment	New Budget
REVENUES			
Interest	3,000.00	2,618.70	5,618.70
Transfers In (Fund 305)	0.00	2,833.40	2,833.40
		5,452.10	
EXPENDITURES			
Capital Outlay	5,960,635.99	5,452.10	5,966,088.09

Budget interest and transfer of funds for additional fencing.

FUND 305: S2019 MS PUBLIC IMPS GO BOND CONST	Budget	Amendment	New Budget
EXPENDITURES			
Capital Outlay (Recreation)	25,000.00	(2,833.40)	22,166.60
Transfer Out (Fund 304)	0.00	2,833.40	2,833.40
		0.00	

Budget fund transfer for additional fencing at Town Commons.

FUND 370: HEAD START DRAINAGE IMPROVEMENT	Budget	Amendment	New Budget
REVENUES			
JCBS Inter Local Funds	226,908.95	22,409.35	249,318.30
EXPENDITURES			
Capital Improvements	74,039.01	17,926.79	91,965.80
Other Funding Sources (Cash)	0.00	4,482.56	4,482.56
		22,409.35	

Adjust for PY expenditure and budget actual costs.

FUND 371: ANIMAL SHELTER WATER MAIN EXT	Budget	Amendment	New Budget
REVENUES			
JCBS Inter Local Funds	282,075.50	(51,726.48)	230,349.02
Transfers In (Fund 400)	0.00	86,900.00	86,900.00
		35,173.52	
EXPENDITURES			
Capital Outlay: Water System Imps	102,300.00	32,625.02	134,925.02
Other Funding Sources (Cash)	0.00	2,548.50	2,548.50
		35,173.52	

Adjust source of funding and budget actual costs.

FUND 400: WATER & SEWER	Budget	Amendment	New Budget
REVENUES			
Miscellaneous Funds	428,000.00	50,900.00	478,900.00
EXPENDITURES			
ADMIN: Other Services & Charges	3,288,400.00	(36,000.00)	3,252,400.00
OP-MAINT: Supplies	290,000.00	20,000.00	310,000.00
OP-MAINT: Other Services & Charges	3,373,072.00	30,000.00	3,403,072.00
OP-MAINT: Capital Outlay	155,000.00	(50,000.00)	105,000.00
Transfer to Capital Project (Fund 371)	0.00	86,900.00	86,900.00
		50,900.00	

Allocate revenue to contracted projects and reallocate budget as needed.

Budget transfer to Fund 371 for City funded portion of water main extension.

FUND 401: S2023 GO NOTE EQUIPMENT FUND	Budget	Amendment	New Budget
REVENUES			
Loan Proceeds	0.00	1,380,000.00	1,380,000.00
EXPENDITURES			
Capital Outlay: Water System Imps	0.00	1,380,000.00	1,380,000.00

Budget note issued to replace vehicle and equipment inventory for Utility services.

There came on for consideration the matter of the issuance of general obligation bonds of the City of Gautier, Mississippi and, after a discussion of the subject matter, Councilman Gollott offered and moved the adoption of the following resolution:

RESOLUTION NUMBER 164-2024

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI FINDING AND DETERMINING THAT A NOTICE OF RESOLUTION OF INTENT TO EITHER ISSUE GENERAL OBLIGATION BONDS OF SAID CITY, ISSUE A GENERAL OBLIGATION BOND OF SAID CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK AND/OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000), TO RAISE MONEY FOR THE PURPOSE OF FINANCING THE COST OF (A) ERECTING MUNICIPAL BUILDINGS, PURCHASING BUILDINGS AND/OR LAND FOR PUBLIC PURPOSES, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME, INCLUDING, BUT NOT LIMITED TO, DEMOLISHING STRUCTURES ON PUBLIC LAND, (B) CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, PROVIDING STREET LIGHTING AND PURCHASING LAND THEREFOR, AND (C) PROVIDING FOR SUCH OTHER COSTS AS ARE AUTHORIZED BY SECTIONS 21-33-301, MISSISSIPPI CODE OF 1972, AS AMENDED AND SUPPLEMENTED, WAS DULY PUBLISHED AS REQUIRED BY LAW AND THAT NO WRITTEN PROTEST OR OTHER OBJECTION OF ANY KIND OR CHARACTER AGAINST THE ISSUANCE OF SUCH GENERAL OBLIGATION BOND OR BONDS OR FOR SUCH LOAN HAS BEEN FILED BY QUALIFIED ELECTORS OF SAID CITY; DECLARING THE NECESSITY FOR AND AUTHORIZING AND DIRECTING THE ISSUANCE OF THE CITY OF GAUTIER, MISSISSIPPI GENERAL OBLIGATION BONDS (PUBLIC IMPROVEMENTS ISSUE), SERIES 2024 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000); PRESCRIBING THE FORM AND DETAILS OF SAID BONDS; PROVIDING CERTAIN COVENANTS OF SAID CITY IN CONNECTION WITH SAID BONDS; PROVIDING THE FORM OF AND AUTHORIZING THE PUBLICATION OF A NOTICE OF SALE OF SAID BONDS; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH SAID BONDS; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Gautier, Mississippi (the "Governing Body"), acting for and on behalf of the City of Gautier, Mississippi (the "City"), are authorized by Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "City Bond Act"), to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (a) erecting municipal buildings, purchasing buildings and/or land

for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited to, demolishing structures on public land, (b) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and (c) providing for such other costs as are authorized by Section 21-33-301 of the City Bond Act (the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is authorized by the City Bond Act to issue general obligation bonds of the City for the purpose of providing financing for the Project; and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Bank Act"), and other applicable laws of the State of Mississippi (the "State"), to (a) 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/or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the City Bond Act and the Bank Act; and

WHEREAS, on September 3, 2024, the Governing Body adopted a resolution (the "Intent Resolution") declaring its intention to either (a) issue and sell general obligation bonds of the City (the "Bonds"), (b) issue a general obligation bond of the City to be sold to the Bank (the "City Bond"), and/or (c) enter into a loan with the Bank to borrow money from the Bank (the "Loan"), all in a total aggregate principal amount not to exceed Two Million Dollars (\$2,000,000); and

WHEREAS, as of August 1, 2024, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, One Hundred Thirty-Seven Million Two Hundred Eighty-One Thousand One Hundred Eighty-Three Dollars (\$137,281,183), 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 Seven Million Six Hundred Eighty-One Thousand Dollars (\$7,681,000), 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 Seven Million Six Hundred Eighty-One Thousand Dollars (\$7,681,000); and

WHEREAS, the Bonds, the City Bond, or the Loan, 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 or the City Bond or entering into the Loan, 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; and

WHEREAS, there has been no increase in said bonded and floating general obligation indebtedness of the City since August 1, 2024; and

WHEREAS, as required by the Intent Resolution and Section 21-33-307 of the City Bond Act, a Notice of Resolution of Intent (the "Notice of Intent") was published in the *Sun Herald*, a newspaper having a general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented, on September 8, 15, 22 and 29, 2024, said publication being for at least three (3) consecutive weeks, with the first publication of the Notice of Intent being made not less than twenty-one (21) days prior to October 1, 2024, and the last publication being made not more than seven (7) days prior to such date; and

WHEREAS, a proof of publication of the Notice of Intent is attached hereto as Exhibit A; and

WHEREAS, as of the hour of 6:30 p.m. on October 1, 2024, no qualified elector of the City had filed a written protest or objection of any kind or character against the Project or the issuance of the Bonds or the City Bond or the Loan with the Clerk of the City (the "Clerk") or any member of the Governing Body; and

WHEREAS, the Governing Body is now authorized and empowered by the provisions of the City Bond Act and/or the Bank Act to issue the Bonds, the City Bond or enter into the Loan in an aggregate principal amount not to exceed Two Million Dollars (\$2,000,000) without an election on the question thereof; and

WHEREAS, the Governing Body has determined that it is in the best interest of the City to issue the Bonds to be designated as the City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024 in the aggregate principal amount of Two Million Dollars (\$2,000,000), for the purpose of providing financing for the Project; and

WHEREAS, the issuance of the Bonds does not exceed any statutory or constitutional limitation; and

WHEREAS, there are no other available funds on hand or from regular sources of income for such purposes; and

WHEREAS, there has been prepared and submitted to this meeting the following documents:

- (a) a Notice of Bond Sale (the "Notice of Sale") providing for the sale of the Bonds,
- (b) an Official Bid Form (the "Bid Form") in connection with the sale of the Bonds, and
- (c) a preliminary official statement (the "Preliminary Official Statement") describing the Bonds, the sale of the Bonds, the City, the Project and other related matters; and

WHEREAS, it appears that each of such documents, which are now before the Governing Body, is in appropriate form and is an appropriate document for the purposes identified; and

WHEREAS, it is necessary and advisable and in the best interest of the City for the Governing Body, acting for and on behalf of the City, to issue the Bonds as hereinafter provided.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, ACTING FOR AND ON BEHALF OF SAID CITY, AS FOLLOWS:

SECTION 1. Each and all of the facts and findings set forth in the premises clauses of this resolution are hereby found and determined to be true and accurate and are incorporated herein by this reference thereto as though set forth again in words and figures.

SECTION 2. The Governing Body does hereby find and determine that, as required by Section 21-33-307 of the City Bond Act and the Intent Resolution, the Notice of Intent was published in the *Sun Herald*, a newspaper having a general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented, on September 8, 15, 22 and 29, 2024, said publication being for at least three (3) consecutive weeks, with the first publication of the Notice of Intent being made not less than twenty-one (21) days prior to October 1, 2024, and the last publication being made not more than seven (7) days prior to such date.

SECTION 3. The proof of publication of the Notice of Intent is hereby accepted.

SECTION 4. The Governing Body does further find and determine that as of the hour of 6:30 p.m. on October 1, 2024, no qualified elector of the City had filed a written protest or objection of any kind or character against the Project, the issuance of the Bonds or the City Bond or the Loan with the City or any member of the Governing Body.

SECTION 5. Pursuant to the provisions of the City Bond Act and specifically Section 21-33-307 thereof, the Governing Body is now authorized and empowered to issue the Bonds or the City Bond or enter into the Loan on behalf of the City without an election on the question thereof at any time within a period of two (2) years after the date of the adoption of this resolution.

SECTION 6. The Governing Body has determined that it is necessary and advisable to issue, and does hereby authorize and direct the sale and issuance of, the City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024 in the aggregate principal amount of \$2,000,000 pursuant to the City Bond Act for the purpose of providing financing for the cost of the Project and the costs incident to the sale and issuance of the Bonds.

SECTION 7. The Bonds 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. For the purposes of effectuating and providing for the payment of the principal of and interest on the Bonds, as the same shall respectively mature and accrue, there shall be levied a direct, continuing special tax upon all of the taxable property within the geographical limits of the City, adequate and sufficient, after allowance shall have been made for the expenses of collection and delinquencies in the payment of taxes, to produce sums required for the payment of the principal of and the interest on the Bonds; 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 established for the Bonds, or has made other

provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the City. Said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the City are collected, and the rate of tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to rate or amount. The avails of said tax shall be irrevocably pledged for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue.

SECTION 8. (a) The Bonds shall be registered as to both principal and interest; shall be dated the date of delivery thereof, shall be issued in the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity; shall be numbered from one upward in the order of issuance; shall bear interest from the date thereof at a rate or rates of interest not to exceed eleven percent (11%) per annum, computed on the basis of a three hundred sixty (360) day year of twelve (12), thirty (30) day months and payable semiannually on May 1 and November 1 of each year, commencing November 1, 2025; and shall mature and become due and payable, with option of prior payment, on November 1 in the years and principal amounts as follows:

Year	Principal Amount
2025	\$ 60,000
2026	65,000
2027	65,000
2028	70,000
2029	75,000
2030	80,000
2031	80,000
2032	85,000
2033	90,000
2034	90,000
2035	100,000
2036	105,000
2037	110,000
2038	115,000
2039	120,000
2040	125,000
2041	130,000
2042	140,000
2043	145,000
2044	150,000

(b) The Bonds maturing November 1, 2035 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2034, either in whole or in part on any date, as selected by the City among maturities, and by lot within each maturity, at the principal amount thereof, together with accrued interest to the date fixed for redemption and without premium.

Notice of each such redemption, which may be conditional, shall be mailed, postage prepaid, not less than thirty (30) days prior to the redemption date, to all registered owners of the

Bonds to be redeemed at their addresses as they appear on the registration books of the City kept by a bank or trust company located within or without the State to serve as paying agent, transfer agent and registrar of the Bonds to be designated by subsequent resolution of the Governing Body (the "Paying and Transfer Agent").

On the date designated for redemption, notice having been mailed to the registered owners of the Bonds to be redeemed as provided in the second paragraph of this subparagraph (b), and monies sufficient for the payment of the redemption price of said Bonds being held by the Paying and Transfer Agent or an escrow agent, the Bonds so called for redemption shall become due and payable at the redemption price provided for the redemption of such Bonds on such date, interest on such Bonds shall cease to accrue, such Bonds shall cease to be entitled to any lien, benefit or security under this resolution and shall no longer be deemed to be outstanding hereunder, and the registered owners shall have no rights in respect thereof except to receive payment of the redemption price thereof (including interest accrued to such redemption date) from the funds held for that purpose.

SECTION 9. (a) Notwithstanding anything to the contrary in this resolution, so long as the Bonds are being held under a book-entry system, transfers of beneficial ownership of the Bonds will be affected pursuant to rules and procedures established by the Securities Depository. For the purposes of this resolution, "Securities Depository" shall mean a recognized securities depository (or its successor or substitute) selected by the City to act as the securities depository maintaining a book-entry transfer system for the Bonds.

(b) As long as a book-entry system is in effect for the Bonds, the Securities Depository Nominee will be recognized as the registered owner of the Bonds for the purposes of (1) paying the principal of or interest on such Bonds, (2) giving any notice permitted or required to be given to registered owners under this resolution, (3) registering the transfer of such Bonds, and (4) requesting any consent or other action to be taken by the registered owners of such Bonds, and for all other purposes whatsoever, and neither the City nor the Paying and Transfer Agent shall be affected by any notice to the contrary. For the purposes of this resolution, "Securities Depository Nominee" shall mean, with respect to the Bonds and as to any Securities Depository, such Securities Depository or the nominee of such Securities Depository in whose name the Bonds shall be registered on the registration books of the City maintained by the Paying and Transfer Agent during the time such Bonds are held under a book-entry system through such Securities Depository.

(c) Neither the City nor the Paying and Transfer Agent shall have any responsibility or obligation to any participant, any beneficial owner or any other person claiming a beneficial ownership in any Bonds which are registered to a Securities Depository Nominee under or through the Securities Depository with respect to any action taken by the Securities Depository as registered owner of such Bonds.

(d) The Paying and Transfer Agent shall pay all principal of and interest on the Bonds issued under a book-entry system, only to the Securities Depository, or the Securities Depository Nominee, as the case may be, for such Bonds, and all such payments shall be valid and effectual to fully satisfy and discharge the obligations with respect to the principal of and interest on such Bonds.

(e) In the event that the City determines that it is in the best interest of the City to discontinue the book-entry system of transfer for the Bonds, or that the interests of the beneficial owners of the Bonds may be adversely affected if the book-entry system is continued, then the City shall notify the Securities Depository and the Paying and Transfer Agent of such determination. In such event, the City shall execute and the Paying and Transfer Agent shall, pursuant to subsequent resolution of the City, authenticate, register and deliver physical certificates for the Bonds in exchange for the Bonds registered in the name of the Securities Depository Nominee. Such certificates shall be in fully registered form and transferable only upon the registration books of the City maintained by the Paying and Transfer Agent, by the registered owner thereof or by his attorney, duly authorized in writing, upon surrender thereof, together with a written instrument of transfer satisfactory to the Paying and Transfer Agent, duly executed by the registered owner or his duly authorized attorney in accordance with this resolution.

(f) In the event that the Securities Depository for the Bonds discontinues providing its services, the City shall either engage the services of another Securities Depository or deliver physical certificates in the manner described in subparagraph (e) above.

(g) In connection with any notice or other communication to be provided to the registered owners of the Bonds by the City or by the Paying and Transfer Agent with respect to any consent or other action to be taken by the registered owners, the City or the Paying and Transfer Agent, as the case may be, shall establish a record date for such consent or other action and give the Securities Depository Nominee notice of such record date not less than fifteen (15) days in advance of such record date to the extent possible.

(h) The Bonds shall be issued initially under the book-entry system maintained by The Depository Trust Company, New York, New York ("DTC"), and shall be registered in the name of Cede & Co., as the initial Securities Depository Nominee for the Bonds. As long as the Bonds are maintained by DTC under its book-entry system, all payments with respect to the principal of and interest on the Bonds and notices shall be made and given, respectively, to DTC.

(i) As long as the book-entry-only system is used for the Bonds, any notice of redemption or any other notices required to be given to registered owners will be given only to DTC. Any failure of DTC to advise any DTC participant ("DTC Participant"), or of any DTC Participant to notify any indirect participant ("Indirect Participant"), or of any DTC Participant or Indirect Participant to notify any purchaser of a beneficial ownership interest in the Bonds ("Beneficial Owner"), of any such notice and its content or effect will not affect the validity of the redemption of the Bonds called for redemption or of any other action premised on such notice. Conveyance of notices and other communications by DTC to DTC Participants, by DTC Participants to Indirect Participants and by DTC Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory and regulatory requirements as may be in effect from time to time. Beneficial Owners may desire to make arrangements with a DTC Participant or Indirect Participant so that all notices of redemption or other communications to DTC which affect such Beneficial Owners will be forwarded in writing by such DTC Participant or Indirect Participant.

SECTION 10. Subject to the provisions of Section 9 hereof, principal of the Bonds shall be payable in lawful money of the United States of America upon presentation and surrender thereof as the same shall become due at the corporate trust office of the Paying and Transfer Agent (the "Principal Office") and interest will be payable by check or draft drawn upon the Paying and

Transfer Agent, made payable to the registered owner named in, and mailed to the address of the registered owner as it shall appear on the registration books of the City for the Bonds as of the close of business on the date which shall be the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date, which registration books shall be held by the Paying and Transfer Agent.

SECTION 11. Pursuant to the authority granted by the City Bond Act and the Registered Bond Act, being Section 31-21-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Registered Bond Act"), the Bonds shall be executed by the manual or facsimile signature of the Mayor of the City (the "Mayor") and the official seal of the City shall be affixed or lithographed or otherwise reproduced thereon, attested by the Clerk, and the Bonds shall be authenticated by the Paying and Transfer Agent. The Paying and Transfer Agent shall authenticate each Bond by executing the Paying and Transfer Agent's Certificate thereon and no Bond shall be valid or become obligatory for any purpose until such certificate shall have been duly executed by the Paying and Transfer Agent. Such certificate, when duly executed on behalf of the City, shall be conclusive evidence that the Bond so authenticated has been duly authenticated and delivered. The validation certificate, for which provision is hereinafter made, to appear on each Bond, shall be executed by the Clerk, and the said certificate may be executed by the manual or facsimile signature of the Clerk. The Bonds shall be delivered to the purchaser of the Bonds (the "Purchaser") upon payment of the purchase price therefore in accordance with the terms and conditions of their sale and award, together with a complete certified transcript of the proceedings had and done in the matter of the authorization, sale, issuance and validation of the Bonds, and the final, unqualified approving opinion of Butler Snow LLP, Ridgeland, Mississippi ("Bond Counsel"). Prior to or simultaneously with the delivery by the Paying and Transfer Agent of any of the Bonds, the City shall file with the Paying and Transfer Agent: (a) a copy, certified by the Clerk, of the transcript of proceedings of the Governing Body in connection with the authorization, sale, issuance and validation of the Bonds; and (b) an authorization to the Paying and Transfer Agent, signed by the Mayor, to authenticate and deliver the Bonds to the Purchaser. At delivery, the Paying and Transfer Agent shall authenticate the Bonds and deliver them to the Purchaser upon payment of the purchase price of the Bonds to the City.

If the Bonds are no longer being held under a book-entry system as provided in Section 9 hereof, certificates, blank as to denomination, rate of interest, date of maturity and CUSIP number and sufficient in quantity in the judgment of the City to meet the reasonable transfer and reissuance needs on the Bonds, shall be printed and delivered to the Paying and Transfer Agent, and held by the Paying and Transfer Agent until needed for transfer or reissuance, whereupon the Paying and Transfer Agent shall imprint the appropriate information as to denomination, rate of interest, date of maturity and CUSIP number prior to the registration, authentication and delivery thereof to the transferee holder. The Paying and Transfer Agent is hereby authorized upon the approval of the Governing Body to have printed from time to time as necessary additional certificates bearing the facsimile seal of the City and facsimile signatures of the persons who were the officials of the Governing Body as of the date of original issue of the Bonds. When the Bonds shall have been validated and executed as herein provided, they shall be registered as an obligation of the City in a book maintained for that purpose, and the Clerk shall cause to be imprinted upon each of the Bonds, over her manual or facsimile signature and manual or facsimile seal, her certificate in substantially the form set out in Section 12.

SECTION 12. The Bonds, the certificates to appear thereon and the Paying and Transfer Agent's Certificate shall be in substantially the following forms:

[FORM OF BOND]

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO THE PAYING AND TRANSFER AGENT FOR REGISTRATION OF TRANSFER, EXCHANGE, OR PAYMENT, AND ANY BOND ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

Number R-_____

\$_____

UNITED STATES OF AMERICA

STATE OF MISSISSIPPI

**CITY OF GAUTIER, MISSISSIPPI
GENERAL OBLIGATION BOND
(PUBLIC IMPROVEMENTS ISSUE),
SERIES 2024**

Interest Rate	Maturity Date	Dated Date	CUSIP
%	November 1, 20__	November __, 2024	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM:

THE CITY OF GAUTIER, MISSISSIPPI (the "City"), a body politic existing under the Constitution and laws of the State of Mississippi (the "State"), hereby acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above or registered assigns, on the maturity date stated above, upon presentation and surrender of this Bond at the corporate trust office of _____ in _____, _____ (such bank and any successor thereto hereinafter called collectively, the "Paying and Transfer Agent"), the principal sum stated hereon in lawful money of the United States of America, and to pay to the registered owner hereof or registered assigns interest on such principal sum, in like money, from the dated date of this Bond until the maturity date thereof (or earlier redemption date), at the interest rate per annum stated hereon, payable on the first day of May and November of each year, commencing November 1, 2025, by check or draft drawn upon the Paying and Transfer Agent, made payable to the registered owner named in, and mailed to the address of the registered owner as it shall appear on the registration books held by the Paying and Transfer Agent as of the close of business on the

date which shall be the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date. Interest on this Bond will be computed on the basis of a 360-day year consisting of twelve (12) thirty (30) day months.

For the performance in apt time and manner of every official act herein required, and for the prompt payment of this Bond, both as to principal and interest, the full faith, credit and taxing power of the City are irrevocably pledged. The Bonds (as hereinafter defined) are and will continue to be 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. The City will levy annually a special tax upon all taxable property within the geographical limits of the City adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due; 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 (as defined in the Resolution, as hereinafter defined), or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the City, in accordance with the provisions of the Resolution.

This Bond is one of an authorized issue of General Obligation Bonds (Public Improvements Issue), Series 2024 (the "Bonds") of like date, tenor and effect, except as to rate of interest and date of maturity, issued by the City pursuant to and in conformity with the Constitution and laws of the State, including, among others, Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Act"), and pursuant to resolutions duly adopted by the Mayor and City Council of the City on September 3, 2024, October 1, 2024 and October __, 2024 (collectively, the "Resolution"), to raise money for the purpose of (a) financing the cost of erecting municipal buildings, purchasing buildings and/or land for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited to, demolishing structures on public land, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and providing for such other costs as are authorized by Section 21-33-301 of the Act, and (b) paying the costs incident to the sale and issuance of the Bonds, all in accordance with the Act. Reference is hereby made to the Resolution, copies of which are on file at the office of the Paying and Transfer Agent in _____, _____ (the "Principal Office") and at the Office of the City Clerk in Gautier, Mississippi, to all of the provisions of which the registered owner hereof assents by acceptance of this Bond.

This Bond is transferable only upon the books kept for that purpose at the Principal Office of the Paying and Transfer Agent, upon surrender at said office, together with a written instrument of transfer satisfactory to the Paying and Transfer Agent duly executed by the registered owner or his authorized attorney, and thereupon a new bond or bonds of like maturity, interest rate and aggregate principal amount shall be issued to the transferee. In like manner, this Bond may be exchanged for an equal aggregate principal amount of Bonds of any other authorized denominations. Bonds are issuable in the authorized denominations of \$5,000 or any integral multiple thereof. The issuance, transfer, exchange and replacement of the Bonds of this issue and other similar matters are governed by conditions on file at the Principal Office of the Paying and Transfer Agent and at the Office of the City Clerk.

The Bonds maturing November 1, 2035 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2034, either in

whole or in part on any date, as selected by the City among maturities, and by lot within each maturity, at the principal amount thereof, together with accrued interest to the date fixed for redemption and without premium.

Notice of each such redemption, which may be conditional, shall be mailed, postage prepaid, not less than thirty (30) days prior to the redemption date, to all registered owners of the Bonds to be redeemed at their addresses as they appear on the registration books of the City kept and maintained by the Paying and Transfer Agent.

All Bonds for the payment or redemption of which sufficient monies, or, to the extent permitted by the laws of the State, (a) direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America ("Government Obligations"), or (b) certificates of deposit or other securities fully secured by Government Obligations, or (c) evidences of ownership of proportionate interests in future interest or principal payments on Government Obligations held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the Government Obligations and which Government Obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated, or (d) municipal obligations, the payment of the principal of, interest and premium, if any, on which are irrevocably secured by Government Obligations and which Government Obligations are not subject to redemption prior to the date on which the proceeds attributable to the principal of such obligations are to be used and have been deposited in an escrow account which is irrevocably pledged to the payment of the principal of and interest and premium, if any, on such municipal obligations (all of which collectively, with Government Obligations, "Defeasance Securities"), shall have been deposited with an escrow agent appointed for such purpose, which may be the Paying and Transfer Agent, all to the extent provided in the Resolution, shall be deemed to have been paid, shall cease to be entitled to any lien, benefit or security under the Resolution and shall no longer be deemed to be outstanding thereunder, and the registered owners shall have no rights in respect thereof except to receive payment of the principal of, premium, if any, and interest on such Bonds from the funds held for that purpose. Defeasance Securities shall be considered sufficient under the Resolution if said investments, with interest, mature and bear interest in such amounts and at such times as will assure sufficient cash to pay currently maturing interest and to pay principal when due on such Bonds.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and to be performed precedent to and in the issuance of this Bond do exist, have happened and have been performed in due time, form and manner as required by law, and that the issuance of this Bond and the issue of which it forms a part, together with all other obligations of the City, does not exceed or violate any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until this Bond shall have been authenticated by the execution by the Paying and Transfer Agent of the Paying and Transfer Agent's Certificate hereon.

The City and the Paying and Transfer Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Paying and Transfer Agent shall be affected by any notice to the contrary.

IN WITNESS WHEREOF, the City of Gautier, Mississippi, acting by and through its Mayor and City Council, has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the City, and has caused the official seal of the City to be affixed thereto, attested by the manual or facsimile signature of its City Clerk.

(SEAL)

CITY OF GAUTIER, MISSISSIPPI

By _____
Mayor

ATTEST

City Clerk

PAYING AND TRANSFER AGENT'S CERTIFICATE

This Bond is one of the Bonds of the above designated issue of Bonds delivered in accordance with the terms of the within mentioned Resolution.

_____, as Paying
and Transfer Agent

By _____
Authorized Signature

Date of Registration and Authentication: _____

REGISTRATION AND VALIDATION CERTIFICATE

STATE OF MISSISSIPPI)
) ss:
COUNTY OF JACKSON)

I, Teresa Montgomery, City Clerk of the City of Gautier, Mississippi, do hereby certify that the issuance of the Bonds of which the within Bond is one has been duly registered by me as an obligation of said City pursuant to law in a book kept by said City for that purpose and has been validated and confirmed by decree of the Chancery Court of Jackson County, Mississippi, rendered on the _____ day of _____, 2024 pursuant to the Act.

City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____ as registrar and transfer agent to transfer the said Bond on the records kept for registration thereof with full power of substitution in the premises.

Signature guaranteed:

(Bank, Trust Company or Paying Agent)

(Authorized Officer)

Date of Assignment: _____

Insert Social Security Number or other Tax
Identification Number of Assignee

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears upon the face of the within Bond in every particular, without any alteration whatever, and must be guaranteed by a commercial bank or trust company or a member of a national securities exchange who is a member of a Medallion Signature Guarantee Program.

[END OF FORM OF BOND]

SECTION 13. The Governing Body hereby adopts, pursuant to the authority granted by the City Bond Act and the Registered Bond Act, the following conditions (the "Conditions") which are to apply to the transfer, exchange and replacement of the Bonds, and other similar matters.

CONDITIONS AS TO THE ISSUANCE, TRANSFER, EXCHANGE AND REPLACEMENT OF THE BONDS

"Paying and Transfer Agent" as used in these Conditions means, as to Bonds designated herein, the bank or banks designated by action of the Governing Body as the Paying and Transfer Agent with respect to the Bonds and whose duties and responsibilities shall be as further limited or set forth in the form of Bonds for such issue of Bonds.

The terms and provisions of this Section shall be subject to the terms and provisions of Section 9 hereof.

The principal of all Bonds shall be payable at the Principal Office of the Paying and Transfer Agent, and payment of the interest on each Bond shall be made by the Paying and Transfer Agent on each interest payment date to the person appearing on the registration books of the City (hereinafter provided for) as the registered owner thereof as of the close of business on the date which shall be the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding such interest payment date, by check or draft mailed to such registered owner at his address as it appears on such registration books. Payment of the principal of all Bonds shall be made upon the presentation and surrender for cancellation of such Bonds as the same shall become due and payable.

Bonds, upon surrender thereof at said Principal Office of the Paying and Transfer Agent with a written instrument of transfer satisfactory to such Paying and Transfer Agent duly executed by the registered owner or his authorized attorney, may be exchanged for Bonds of like series, maturity and interest rate of any other authorized denominations. Each such Bond shall be dated as of the date six (6) months preceding the interest payment date thereon next following the date of delivery of such Bond in registered form, unless such date of delivery shall be an interest payment date in which case it shall be dated as of such date of delivery, and every such Bond in registered form shall bear interest from its date.

So long as the Bonds shall remain outstanding, the City shall cause the Paying and Transfer Agent to maintain and keep, at its Principal Office, registration books for the registration and transfer of Bonds, and, upon presentation thereof for such purpose at such Principal Office, the City shall cause the Paying and Transfer Agent to register or cause to be registered thereon, and permit to be transferred thereon, under such reasonable regulations as the Paying and Transfer Agent may prescribe, any Bond. So long as any of the Bonds remain outstanding, the City shall make all necessary provisions to permit the exchange of Bonds at the Principal Office of the Paying and Transfer Agent.

All Bonds shall be transferable only upon the registration books which shall be kept for that purpose at the Principal Office of the Paying and Transfer Agent for the City, by the registered owner thereof in person or his authorized attorney, upon surrender thereof, together with a written instrument of transfer satisfactory to the Paying and Transfer Agent, duly executed by the registered owner or his authorized attorney, and upon such transfer there shall be issued in the name of the transferee

a new Bond or Bonds in registered form of the same series in the same aggregate principal amount and of like maturity and interest rate as the Bond or Bonds surrendered. Bonds issued in connection with transfers shall be dated in the same manner provided above for the dating of Bonds issued in connection with exchanges.

Neither the City nor the Paying and Transfer Agent shall be required (a) to exchange or transfer Bonds for a period of fifteen (15) days next preceding an interest payment date on the Bonds or next preceding any selection of Bonds to be redeemed or thereafter until the first mailing of any notice of redemption, or (b) to transfer or exchange any Bond called for redemption.

All Bonds surrendered in any exchanges or transfers shall forthwith be canceled by the Paying and Transfer Agent and thereafter transmitted to the City.

Prior to the issuance or delivery of any Bond, whether upon original issuance, transfer, exchange or replacement, the Paying and Transfer Agent shall manually execute the certificate of authentication provided thereon. No Bond shall be valid or obligatory for any purpose until such certificate of authentication shall have been duly executed by the Paying and Transfer Agent. Such certificate of the Paying and Transfer Agent upon any Bond executed on behalf of the City shall be conclusive evidence that the Bond so authenticated has been duly authenticated and delivered.

Bonds bearing the facsimile signature of any person who shall have been the Mayor or Clerk at the time such Bonds were originally dated or delivered by the City shall bind the City notwithstanding the fact that he or she may have ceased to be such officer prior to the delivery of such Bonds or was not such officer at the date of such Bonds.

Except as otherwise required by law, if (a) any mutilated Bond is surrendered to the Paying and Transfer Agent at its Principal Office, or the Paying and Transfer Agent receives evidence to its satisfaction of the destruction, loss or theft of any Bond and (b) there is delivered to the Paying and Transfer Agent such security or indemnity as may be required by it to save harmless the City and the Paying and Transfer Agent, and as otherwise required by law, then, in the absence of notice to the Paying and Transfer Agent that such Bond has been acquired by a bona fide purchaser as such term is defined in the Uniform Commercial Code as it is then in effect in the State of Mississippi, the Paying and Transfer Agent shall authenticate and deliver, in exchange for any such mutilated Bond, or in lieu of any such destroyed, lost or stolen Bond, a new Bond of like tenor and principal amount, bearing a number not contemporaneously outstanding. The Paying and Transfer Agent shall thereupon cancel any Bond so surrendered.

In case any mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the Paying and Transfer Agent in its discretion may, instead of issuing a new Bond, pay such Bond.

Each new Bond issued pursuant to this Section in lieu of any surrendered, destroyed, lost or stolen Bond shall constitute an additional contractual obligation of the City and shall be entitled to all benefits equally and proportionately with any and all other Bonds duly issued. All Bonds shall be held and owed upon the express condition that the foregoing provisions are exclusive with respect to the replacement or payment of mutilated, destroyed, lost or stolen Bonds, and shall preclude (to the extent lawful) all other rights or remedies with respect to the replacement or payment of mutilated, destroyed, lost or stolen Bonds or securities.

Notwithstanding the foregoing provisions of these Conditions, no Bonds shall be exchanged for other Bonds or be registered or transferred or issued or delivered by or on behalf of the City or the Paying and Transfer Agent pursuant to this Section at the request of a holder or owner of a Bond, except upon payment to such Paying and Transfer Agent by or on behalf of such holder or owner of a charge sufficient to reimburse the City and such Paying and Transfer Agent for any tax, fee, or other governmental charge required to be paid with respect to the transaction.

The City and the Paying and Transfer Agent may treat and consider the person in whose name any Bond shall be registered upon the registration books as herein provided as the holder and absolute owner thereof, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal thereof and interest thereon and for all other purposes whatsoever; provided, however, payment of, or on account of, the principal of and interest on such Bond shall be made only to, or upon the order of, such registered owner, and such payment so made shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor any Paying and Transfer Agent shall be affected by any notice to the contrary.

SECTION 14. (a) So long as any of the Bonds shall remain outstanding, the City shall maintain with the Paying and Transfer Agent records for the registration and transfer of the Bonds. The Paying and Transfer Agent is hereby appointed registrar for the Bonds, in which capacity the Paying and Transfer Agent shall register in such records and permit to be transferred thereon, under such reasonable regulations as may be prescribed, any Bond entitled to registration or transfer.

(b) The City shall pay or reimburse the Paying and Transfer Agent for reasonable fees for the performance of the services normally rendered and the incurring of normal expenses reasonably and necessarily paid as are customarily paid to paying agents, transfer agents and bond registrars, subject to agreement between the City and the Paying and Transfer Agent. Fees and reimbursements for extraordinary services and expenses, so long as not occasioned by the negligence, misconduct or willful default of the Paying and Transfer Agent, shall be made by the City on a case-by-case basis, subject, where not prevented by emergency or other exigent circumstances, to the prior written approval of the Governing Body.

(c) (i) A Paying and Transfer Agent may at any time resign and be discharged of its duties and obligations as Paying and Transfer Agent, by giving at least sixty (60) days written notice to the City and may be removed as Paying and Transfer Agent at any time by resolution of the Governing Body delivered to the Paying and Transfer Agent. The resolution shall specify the date on which such removal shall take effect and the name and address of the successor Paying and Transfer Agent and shall be transmitted to the Paying and Transfer Agent being removed within a

reasonable time prior to the effective date thereof. Provided, however, that no resignation or removal of a Paying and Transfer Agent shall become effective until a successor Paying and Transfer Agent has been appointed pursuant to this resolution.

(ii) Upon receiving notice of the resignation of the Paying and Transfer Agent, the City shall promptly appoint a successor Paying and Transfer Agent by resolution of the Governing Body. Any appointment of a successor Paying and Transfer Agent shall become effective upon acceptance of appointment by the successor Paying and Transfer Agent. If no successor Paying and Transfer Agent shall have been so appointed and have accepted appointment within thirty (30) days after the notice of resignation, the resigning Paying and Transfer Agent may petition any court of competent jurisdiction for the appointment of a successor Paying and Transfer Agent, which court may thereupon, after such notice as it may deem appropriate, appoint a successor Paying and Transfer Agent.

(iii) In the event of a change of Paying and Transfer Agents, the predecessor Paying and Transfer Agent shall cease to be custodian of any funds held pursuant to this resolution in connection with its role as such Paying and Transfer Agent, and the successor Paying and Transfer Agent shall become such custodian; provided, however, that before any such delivery is required to be made, all fees, advances and expenses of the retiring or removed Paying and Transfer Agent shall be fully paid. Every predecessor Paying and Transfer Agent shall deliver to its successor Paying and Transfer Agent all books of account, registration records, lists of holders of the Bonds and all other records, documents and instruments relating to its duties as such Paying and Transfer Agent.

(iv) Any successor Paying and Transfer Agent appointed under the provisions hereof shall be a bank, trust company or national banking association having Federal Deposit Insurance Corporation insurance of its accounts, duly authorized to exercise corporate trust powers and subject to examination by and in good standing with the federal and/or state regulatory authorities under the jurisdiction of which it falls.

(v) Every successor Paying and Transfer Agent appointed hereunder shall execute, acknowledge and deliver to its predecessor Paying and Transfer Agent and to the City an instrument in writing accepting such appointment hereunder, and thereupon such successor Paying and Transfer Agent, without any further act, shall become fully vested with all the rights, immunities and powers, and be subject to all the duties and obligations, of its predecessor.

(vi) Should any transfer, assignment or instrument in writing be required by any successor Paying and Transfer Agent from the City to more fully and certainly vest in such successor Paying and Transfer Agent the estates, rights, powers and duties hereby vested or intended to be vested in the predecessor Paying and Transfer Agent, any such transfer, assignment and written instruments shall, on request, be executed, acknowledged and delivered by the City.

(vii) The City will provide any successor Paying and Transfer Agent with certified copies of all resolutions, orders and other proceedings adopted by the Governing Body relating to the Bonds.

(viii) All duties and obligations imposed hereby on a Paying and Transfer Agent or successor Paying and Transfer Agent shall terminate upon the accomplishment of all duties, obligations and responsibilities imposed by law or required to be performed by this resolution.

(d) Any corporation or association into which a Paying and Transfer Agent may be converted or merged, or with which it may be consolidated or to which it may sell or transfer its assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, shall be and become successor Paying and Transfer Agent hereunder and vested with all the powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of either the City or the successor Paying and Transfer Agent, anything herein to the contrary notwithstanding, provided only that such successor Paying and Transfer Agent shall be satisfactory to the City and eligible under the provisions of Section 14(c)(iv) hereof.

SECTION 15. If (a) the City shall pay or cause to be paid to the owners of the Bonds the principal of, and interest to become due thereon at the times and in the manner stipulated therein and herein, (b) all fees and expenses of the Paying and Transfer Agent shall have been paid, and (c) the City shall have kept, performed and observed all and singular the covenants and promises in the Bonds and in this resolution expressed as to be kept, performed and observed by it or on its part, then the Bonds shall cease to be entitled to any lien, benefit or security under this resolution and shall no longer be deemed to be outstanding hereunder. If the City shall pay or cause to be paid to the owners of outstanding Bonds of a particular maturity, the principal of, and interest to become due thereon at the times and in the manner stipulated therein and herein, such Bonds shall cease to be entitled to any lien, benefit or security under this resolution and shall no longer be deemed to be outstanding hereunder.

All Bonds for the payment or redemption of which sufficient monies, or, to the extent permitted by the laws of the State, (a) direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America ("Government Obligations"), or (b) certificates of deposit or other securities fully secured by Government Obligations, or (c) evidences of ownership of proportionate interests in future interest or principal payments on Government Obligations held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the Government Obligations and which Government Obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated, or (d) municipal obligations, the payment of the principal of, interest and premium, if any, on which are irrevocably secured by Government Obligations and which Government Obligations are not subject to redemption prior to the date on which the proceeds attributable to the principal of such obligations are to be used and have been deposited in an escrow account which is irrevocably pledged to the payment of the principal of and interest and, premium, if any, on such municipal obligations (all of which collectively, with Government Obligations, are hereinafter called "Defeasance Securities"), shall have been deposited with an escrow agent appointed for such purpose, which may be the Paying and Transfer Agent, (whether upon or prior to the maturity or the redemption date of such Bonds) shall be deemed to have been paid within the meaning of this Section, shall cease to be entitled to any lien, benefit or security under this resolution and shall no longer be deemed to be outstanding hereunder, and the registered owners shall have no rights in respect thereof except to receive payment of principal of, premium, if any, and interest on such Bonds from the funds held for that purpose; provided, however, that if such Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been duly given as provided herein or arrangements shall have been made for the giving thereof. Defeasance Securities will be

considered sufficient if said investments, with interest, mature and bear interest in such amounts and at such times as will assure sufficient cash to pay currently maturing interest and to pay principal when due on the Bonds. For the purpose of this Section, Defeasance Securities shall mean and include only (a) such Defeasance Securities which shall not be subject to redemption prior to their maturity other than at the option of the holder thereof or (b) Defeasance Securities which, if subject to redemption shall, nevertheless, in all events, regardless of when redeemed, provide sufficient and timely funds for payment of the principal of, premium, if any, and interest on the Bonds to be paid thereby.

SECTION 16. As authorized by the City Bond Act, the Bonds herein authorized to be issued shall be submitted to validation in the Chancery Court of Jackson County, Mississippi, in the manner and with the force and effect provided by Section 31-13-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented. The actions of Bond Counsel and the Clerk in preparing a certified transcript of the proceedings of the Governing Body in connection with the issuance and sale of the Bonds for review by the State's Bond Attorney are hereby ratified and confirmed.

SECTION 17. (a) In the event the Purchaser shall fail to designate the names, addresses and social security or tax identification numbers of the registered owners of the Bonds within thirty (30) days of the date of sale, or at such other later date as may be designated by the City, one Bond registered in the name of the Purchaser may be issued in the full amount for each maturity. Ownership of the Bonds shall be in the Purchaser until the initial registered owner has made timely payment and, upon request of the Purchaser within a reasonable time of the initial delivery of the Bonds, the Paying and Transfer Agent shall re-register any such Bond upon its records in the name of the registered owner to be designated by the Purchaser in the event timely payment has not been made by the initial registered owner.

(b) Except as hereinabove provided, the person in whose name any Bond shall be registered in the records of the City kept and maintained by the Paying and Transfer Agent may be deemed the absolute owner thereof for all purposes, and payment of or on account of the principal of or interest on any Bond shall be made only to or upon the order of the registered owner thereof, or his legal representative, but such registration may be changed as herein provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

SECTION 18. (a) The City shall maintain with a qualified depository thereof a special fund, hereby created, in the name of the City designated the "2024 Public Improvements Bond Fund" (the "Bond Fund") in its name for the payment of the principal of and interest on the Bonds and the payment of the Paying and Transfer Agents' fees in connection therewith. There shall be deposited into the Bond Fund as and when received:

- (i) the accrued interest, if any, received upon delivery of the Bonds;
- (ii) the avails of any of the ad valorem taxes levied and collected pursuant to Section 7 hereof;
- (iii) any income received from investment of monies in the Bond Fund; and
- (iv) any other funds available to the City which may be lawfully used for payment of the principal of and interest on the Bonds, and which the

Governing Body, in its discretion, may direct to be deposited into the Bond Fund.

(b) As long as any principal of and interest on the Bonds remains outstanding, the Clerk is hereby irrevocably authorized and directed to withdraw from the Bond Fund sufficient monies to make the payments herein provided for and to transfer same to the account of the Paying and Transfer Agent in time to reach said Paying and Transfer Agent at least five (5) days prior to the date on which said interest or principal and interest shall become due.

SECTION 19. (a) The principal proceeds along with any premium received upon the sale of the Bonds shall be deposited with a qualified depository of the City in a special fund, hereby created, in the name of the City designated the "2024 Public Improvements Construction Fund" from which there shall first be paid all expenses, premiums, fees and commissions incurred in connection with the authorization, issuance, sale, validation and delivery of the Bonds, including, but not limited to, the fees and expenses of Bond Counsel, the fees and expenses of counsel to the City, the fees and expenses of the Municipal Advisor (as hereinafter defined) and the fees and expenses of the Paying and Transfer Agent.

(c) The balance of such proceeds shall be used (1) for the Project; (2) to pay engineering, fiscal, trustee, printing, accounting, financial advisory, construction manager, feasibility consultant, legal fees and expenses, and development expenses incurred in connection with the Project and the issuance of the Bonds; and (3) to pay the costs related to any suits and proceedings in connection with the Project, including any costs of settlement thereof.

SECTION 20. It is specifically provided, notwithstanding the dates set out in this resolution for the date of the Bonds and the payment dates for principal and interest, that in the event the delivery of the Bonds is delayed by a contest of the validation of the Bonds or otherwise and the Purchaser shall decline to take delivery of the Bonds, then the Bonds may be reoffered for sale. In such event, all principal maturities may be adjusted so that such maturities will fall due in the same amounts and intervals as herein provided but beginning one (1) year from the actual date of the Bonds as provided by the subsequent resolution directing the offer for sale thereof and continuing through the twentieth (20th) year from such actual date of the Bonds. The interest payments may also be adjusted accordingly, with interest payments due semiannually, commencing twelve (12) months from such actual date of the Bonds. If closing of the Bonds is delayed, the City may change the designation of the series of the Bonds without further action of the Governing Body. After the validation of the Bonds, no amendment, revision or supplement contemplated by this Section 20 shall be cause for the resubmission of the proceedings for the issuance of the Bonds, as amended, revised or supplemented, to any further validation proceedings, it being the intent of this resolution that any such amendments, revisions or supplements be covered by the initial validation proceeding.

SECTION 21. (a) The City covenants and certifies to and for the benefit of the Purchaser and subsequent holders of the Bonds that it will neither take any action nor omit to take any action nor make any investment or use of the proceeds from the issue and sale of the Bonds, including amounts treated as proceeds, if any, which will cause the Bonds to be classified as arbitrage bonds within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended and supplemented (the "Code"), and the regulations thereunder as such may be applicable to the Bonds at the time of such action, investment or use. In addition, the City further covenants to maintain the excludability of interest on the Bonds from gross income for federal income tax purposes under

the Code, and in furtherance thereof, to comply with the covenants concerning arbitrage rebate contained in a certificate of the City to be executed and delivered concurrently with the issuance and delivery of the Bonds, or such other covenants as may, from time to time, be required to be complied with in order to maintain such excludability of interest on the Bonds from gross income for federal income tax purposes. Notwithstanding any other provisions to the contrary, so long as necessary in order to maintain such excludability of interest on the Bonds from gross income for federal income tax purposes under the Code, the covenants contained in this Section 21 shall survive the payment of the Bonds and the interest thereon, including any payment or defeasance thereof.

(b) The Mayor or the Clerk is hereby authorized to sign and file or cause to be filed a completed I.R.S. Form 8038-G "Information Return for Governmental Obligations" in connection with the Bonds as required by Section 149(e) of the Code.

(c) The Mayor or the Clerk is hereby authorized to execute a non-arbitrage certification in connection with the Bonds to comply with Section 148 of the Code.

(d) Pursuant to the City Bond Act, interest on the Bonds is exempt from State income taxes.

(e) The Governing Body, acting for and on behalf of the City, hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City (including any subordinate entity or entities issuing tax exempt obligations on behalf of the City within the meaning of Section 265(b)(3) of the Code) has not issued, and does not reasonably expect to issue, tax exempt obligations within calendar year 2024 which, together with the Bonds, will exceed \$10,000,000.

SECTION 22. The Bonds shall be offered for sale on sealed bids pursuant to the Notice of Bond Sale (the "Notice of Bond Sale") and the Official Bid Form set forth in Exhibit B of this resolution and shall be sold pursuant to a subsequent resolution of the Governing Body. In no event shall the Bonds be issued at a rate of interest in excess of that allowed under applicable law and the Bonds shall in all other respects comply with the requirements of the City Bond Act.

SECTION 23. The Mayor and the Clerk (together, the "Representatives"), Bond Counsel, Bordis Danos Pierce ("City Counsel") and Government Consultants, Inc. (the "Municipal Advisor") are hereby authorized and directed to carry out their respective responsibilities as set forth in this resolution.

SECTION 24. The Representatives are hereby authorized and directed (a) to take such actions and do such things as they shall deem appropriate and lawful to expedite the sale and issuance of the Bonds, (b) to authorize Bond Counsel, City Counsel and the Municipal Advisor to take such actions and do such things the Representatives shall deem appropriate and lawful to expedite the sale of the Bonds, and (c) to take such actions and do such things as the Representatives shall deem appropriate to comply with the applicable requirements of the City Bond Act.

SECTION 25. Bond Counsel is hereby authorized and directed to cause the Notice of Bond Sale to be published at least two (2) times, the first of which shall not be less than ten (10) days prior to the date of the sale of the Bonds, in the *Sun Herald*, a newspaper having a general circulation in the City.

SECTION 26. The Clerk shall obtain from the publisher of the aforesaid newspaper the customary publisher's affidavit proving publication of the Notice of Bond Sale for the time and in the manner required by law, and such proof of publication shall be filed in the Clerk's office and exhibited before the Governing Body on the date fixed for the receipt of bids for the purchase of the Bonds.

SECTION 27. Pursuant to SEC Rule 15c2-12(b)(5), the City covenants and agrees to provide to the Purchaser of the Bonds a continuing disclosure agreement, dated the date of issuance and delivery of the Bonds, setting forth the City's agreement with regard to continuing disclosure (the "Continuing Disclosure Agreement"), and to comply with the covenants set forth therein and carry out all of the provisions of the Continuing Disclosure Agreement. In the event the City fails to comply with the provisions of the Continuing Disclosure Agreement, any registered owner may take such actions as may be necessary and appropriate, including mandamus or specific performance by court order, to cause the City to comply with its obligations set forth in the Continuing Disclosure Agreement and this Section.

SECTION 28. The form of the Preliminary Official Statement in the form submitted to this meeting and attached to this resolution as Exhibit C and made a part hereof, shall be, and the same hereby is, approved in substantially said form. The Representatives are hereby authorized and directed to make all final determinations necessary to prepare the Preliminary Official Statement for distribution and to distribute and furnish to prospective bidders for the Bonds, and to other interested persons, the Preliminary Official Statement and such other materials and information convenient to the public advertising of the sale and the sale of the Bonds and, to the successful bidder for the Bonds, a final Official Statement relating to the Bonds. The City deems the Preliminary Official Statement to be "final" as described in SEC Rule 15c2 12(b)(1) for the purposes of such rule.

SECTION 29. The Mayor, upon the advice of the Municipal Advisor and Bond Counsel, is hereby authorized and directed to make all final determinations necessary to prepare (a) the Notice of Bond Sale for publication, including the date of sale, the dated date of the Bonds, the maturity schedule relating to the Bonds, the redemption terms of the Bonds and any other terms thereof, and (b) the Official Bid Form; provided, however, that such determinations shall be subject to ratification by the Governing Body.

SECTION 30. The proper officers and members of the Governing Body are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of this resolution and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable in connection with the issuance of the Bonds, the Preliminary Official Statement, a final Official Statement or other documents necessary to conclude the sale and issuance of the Bonds and to document the City's compliance with the City Bond Act and the Code.

SECTION 31. All acts and doings of the officers and members of the Governing Body which are in conformity with the purposes and intents of this resolution and in furtherance of the sale and issuance of the Bonds and the execution, delivery and performance of the Official Statement, shall be, and the same hereby are, in all respects approved and confirmed.

SECTION 32. The Bonds shall be sold and issued pursuant to this and subsequent resolutions of the Governing Body.

SECTION 33. In the event that any scrivener's errors shall be discovered in this resolution after the adoption hereof, but prior to the issuance of the Bonds, the Governing Body hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this resolution prior to the issuance of the Bonds.

SECTION 34. All resolutions or parts thereof in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 35. This resolution shall become effective immediately upon the adoption hereof.

SECTION 36. 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.

Councilman George seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Mayor Casey Vaughan voted:	AYE
Councilman Adam Colledge voted:	AYE
Councilman Cameron B. George voted:	AYE
Councilman Richard "DJ" Jackson voted:	AYE
Councilman Gordon T. Gollott voted:	AYE
Councilman Rusty Anderson voted:	AYE
Councilman Dante Elbin voted:	AYE

The motion having received the affirmative vote of a majority of the members of the Mayor and City Council present, being a quorum of said City Council, the Mayor declared the motion carried and the resolution adopted this 1st day of October, 2024

(SEAL)

CITY OF GAUTIER, MISSISSIPPI

By _____
Mayor

Attest:

City Clerk

EXHIBIT A

PROOF OF PUBLICATION OF NOTICE OF RESOLUTION OF INTENT



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph-Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
18803	589746	Print Legal Ad-IPL01926720 - IPL0192672		\$1,025.08	4	85 L

Attention: AP

BUTLER SNOW LLP

1020 Highland Colony Parkway, Suite 1400

Ridgeland, Mississippi 39157

accounts.payable@butlersnow.com

NOTICE OF RESOLUTION OF INTENT

The Mayor and City Council of the City of Gautier, Mississippi (the "City") took up for consideration the matter of providing financing for certain capital improvements for 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 CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY, ISSUE A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK AND/OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN A TOTAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000) TO RAISE MONEY FOR THE PURPOSE OF (A) ERECTING MUNICIPAL BUILDINGS, PURCHASING BUILDINGS AND/OR LAND FOR PUBLIC PURPOSES, AND FOR REPAIRING, IMPROVING, ADORNMENT AND EQUIPPING THE SAME, INCLUDING, BUT NOT LIMITED, DEMOLISHING STRUCTURES ON PUBLIC LAND, (B) CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, PROVIDING STREET LIGHTING AND PURCHASING LAND THEREFOR, AND (C) PROVIDING FOR SUCH OTHER COSTS AS ARE AUTHORIZED BY SECTIONS 21-33-301, MISSISSIPPI CODE OF 1972, AS AMENDED AND SUPPLEMENTED; DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Gautier, Mississippi (the "Governing Body"), acting for and on behalf of the City of Gautier, Mississippi (the "City"), are authorized by Sections 21-33-301 et seq., Mississippi Code of 1972, as amended and supplemented (the "City Bond Act"), to issue general obligation bonds for the purposes set forth therein, including, but not limited to, (a) erecting municipal buildings, purchasing buildings and/or land for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited, demolishing structures on public land, (b) constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and (c) providing for such other costs as are authorized by Section 21-33-301 of the City Bond Act (the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is authorized by the City Bond Act to issue general obligation bonds of the City for the purpose of providing financing for the Project; and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the City Bond Act and Sections 31-25-1 et seq., Mississippi Code of 1972, as amended and supplemented from (the "Bank Act"), and other applicable laws of the State of Mississippi (the "State"), to (a) 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/or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Project is in accordance with and in furtherance of the provisions of the City Bond Act and the Bank Act; and

WHEREAS, the Governing Body is authorized pursuant to the City Bond Act and/or the Bank Act to provide financing for the costs of the Project (a) through the issuance of general obligation bonds of the City (the "Bonds"), (b) through the issuance of a general obligation bond of the City to be sold to the Bank (the "City Bond"), and/or (c) by entering into a loan with the Bank to borrow money from the Bank (the "Loan"), all in a total aggregate principal amount not to exceed Two Million Dollars (\$2,000,000); and

WHEREAS, as of August 1, 2024, the assessed value of all taxable property within the City, according to the last completed assessment for taxation, One Hundred Thirty-Seven Million Two Hundred Eighty-One Thousand One Hundred Eighty-Three Dollars (\$137,281,183), 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 Seven Million Six Hundred Eighty-One Thousand Dollars (\$7,681,000), 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 Seven Million Six Hundred Eighty-One Thousand Dollars (\$7,681,000); and

WHEREAS, the Bonds, the City Bond, or the Loan, 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 or the City Bond or entering into the Loan, 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; and

WHEREAS, there has been no increase in said bonded and floating general obligation indebtedness of the City since August 1, 2024; and

WHEREAS, 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 or by entering into the Loan, all in accordance with the City Bond Act and/or the Bank Act; and

WHEREAS, in connection with the Project, the City expects to incur expenses for which the City will advance internal funds; and

WHEREAS, the City desires to be able to reimburse itself for all or a portion of such expenses of the Project from the proceeds of the Bonds, the City Bond and/or the Loan; and

WHEREAS, the Governing Body is authorized and empowered by the City Bond Act and/or the Bank Act to issue the Bonds or the City Bond or enter into the Loan 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.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY, 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 (a) issue and sell the Bonds, (b) issue and sell the City Bond to the Bank, and/or (c) enter into the Loan with the Bank to borrow money from the Bank, all in a total aggregate principal amount of not to exceed Two Million Dollars (\$2,000,000).

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

SECTION 3. The Bonds 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. The Loan, if entered into, will be payable from available revenues of the City and will not constitute an indebtedness of the City within the meaning of any constitutional or statutory restrictions, limitations, or provisions, and the taxing power of the City will not be pledged to the payment of the Loan.

SECTION 4. The Governing Body proposes to direct the issuance of all or any portion of the Bonds or the City Bond or to authorize the Loan in the amount and for the purposes the City has declared as aforesaid at a meeting of the Governing Body to be held at its usual meeting in City Hall, located at 3330 US Highway 90, Gautier, Mississippi, at the hour of 6:30 o'clock p.m. on October 1, 2024, 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 Clerk of the City (the "City Clerk") against the issuance of the Bonds or the City Bond or the authorization of the Loan on or before the aforesaid date and hour, then the Bonds or the City Bond shall not be issued or the Loan shall not be entered into 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 or the City Bond may be issued and sold in one or more series or the City may enter into the Loan without an election on the question of the issuance thereof at any time within a period of two (2) years after October 1, 2024.

SECTION 5. The City Clerk is hereby directed to publish a copy of this resolution once a week for at least three (3) consecutive weeks in the Sun Herald, a newspaper having a general circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended and supplemented, with the first publication being not less than twenty-one (21) days prior to the date set forth in Section 4 of this resolution, and the last publication being made not more than seven (7) days prior to such date.

SECTION 6. The City Clerk 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 provided in Section 4 hereof.

SECTION 7. The City hereby declares its official intent to reimburse itself from the proceeds of the Bonds, the City Bond and/or the Loan for expenses incurred with respect to the Project subsequent to the date of this resolution. This resolution is intended as a declaration of official intent under Treasury Regulation 1.150-2. The Bonds, the City Bond and/or the Loan will not exceed the total aggregate principal amount of Two Million Dollars (\$2,000,000).

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.

Upon motion duly made and seconded, the foregoing resolution was adopted by a majority of the members of the Governing Body present, being a quorum of said Governing Body, and the Mayor declared the motion carried and the resolution adopted the 3rd day of September, 2024.

IPL0192672
Sep 8, 2024 2:29 PM

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

4 insertion(s) published on:

09/08/24, 09/15/24, 09/22/24, 09/29/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

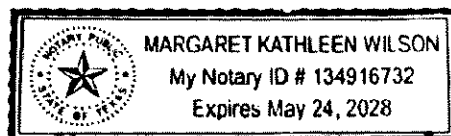
Mary Castro

Sworn to and subscribed before me this 30th day of September in the year of 2024

Margaret K. Wilson

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

EXHIBIT B

FORM OF NOTICE OF BOND SALE AND OFFICIAL BID FORM

NOTICE OF BOND SALE

**\$2,000,000
CITY OF GAUTIER, MISSISSIPPI
GENERAL OBLIGATION BONDS
(PUBLIC IMPROVEMENTS ISSUE),
SERIES 2024**

NOTICE IS HEREBY GIVEN that the Mayor and City Council (the "Governing Body") of the City of Gautier, Mississippi (the "City") will receive sealed bids, either electronically, in the manner described herein below, or by hand delivery, in the Office of the City Clerk in the City Hall of the City located at 3330 US Highway 90 in the City until the hour of _____.m. on October ____, 2024, at which time said bids will be publicly opened by the City Clerk and read for the purchase at not less than par plus accrued interest, if any, to the date of delivery of \$2,000,000 aggregate principal amount City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024 (the "Bonds"). Bids will be considered by the Governing Body at their meeting to be held on _____, October ____, 2024 at _____.m.

The Bonds will be dated the date of delivery thereof, will be delivered in definitive form as fully registered Bonds, will be in the denominations of \$5,000 or any integral multiple thereof, will be payable as to principal at a bank or banks to be named by the City (the "Paying and Transfer Agent") and will bear interest, payable semiannually on May 1 and November 1 of each year, commencing on November 1, 2025, at the rate or rates of interest specified in the bid submitted by the successful bidder in accordance with this Notice of Bond Sale (this "Notice").

The Bonds will be issued in registered, book-entry-only form and all bidders for the Bonds must be participants of The Depository Trust Company, New York, New York ("DTC"), or affiliated with its participants. The Bond certificates will be deposited with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants and for the transfer of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of the individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any multiple thereof through book entries made on the books and records of DTC and its participants. Unless the book-entry-only system is discontinued, Bond principal and interest payments will be made by the City to DTC through the Paying and Transfer Agent. DTC will then be responsible for distributing such payments to DTC participants for subsequent remittance to the owners of beneficial interests in the Bonds. Payment of principal and interest on the Bonds to DTC is the responsibility of the City, disbursement of such payments to DTC participants shall be the responsibility of DTC, and disbursements of such payments to the owners of beneficial interests shall be the responsibility of DTC participants and not the responsibility of the City. The City will have no responsibility or obligation to DTC participants or owners of beneficial interests in the Bonds, with respect to the payment by DTC or any DTC participants, of the principal of or interest on the Bonds or the providing of notice to DTC participants or owners of beneficial interests in the Bonds or with respect to: (a) the accuracy of any records maintained by DTC or any DTC participant; or (b) any consent given or other action taken by DTC as owner of the Bonds.

The Bonds will mature on November 1 in the years and in the principal amounts shown below:

Year	Principal Amount
2025	\$ 60,000
2026	65,000
2027	65,000
2028	70,000
2029	75,000
2030	80,000
2031	80,000
2032	85,000
2033	90,000
2034	90,000
2035	100,000
2036	105,000
2037	110,000
2038	115,000
2039	120,000
2040	125,000
2041	130,000
2042	140,000
2043	145,000
2044	150,000

The Bonds maturing November 1, 2035 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2034, either in whole or in part on any date, as selected by the City among maturities, and by lot within each maturity, at the principal amount thereof, together with accrued interest to the date fixed for redemption and without premium.

The Bonds will be issued pursuant to the provisions of Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Act") and resolutions adopted or to be adopted by the Governing Body. The Bonds are being issued to raise money for the purpose of (a) financing the cost of erecting municipal buildings, purchasing buildings and/or land for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited to, demolishing structures on public land, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and providing for such other costs as are authorized by Section 21-33-301 of the Act, and (b) paying the costs incident to the sale and issuance of the Bonds.

The Bonds shall be general obligations of the City, and the full faith, credit and resources of the City shall be pledged for the payment of the principal of and interest on the Bonds. For the purposes of effectuating and providing for the payment of the principal of and interest on the

Bonds, as the same shall respectively mature and accrue, there shall be levied a direct, continuing special tax upon all of the taxable property within the geographical limits of the City, adequate and sufficient, after allowance shall have been made for the expenses of collection and delinquencies in the payment of taxes, to produce sums required for the payment of the principal of and the interest on the Bonds; 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 established for the Bonds, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the City. Said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the City are collected, and the rate of tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to rate or amount. The avails of said tax shall be irrevocably pledged for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue.

The Bonds are to be sold at not less than \$2,000,000 aggregate par plus interest on the Bonds accrued to the date of delivery, if any, and are to be awarded to the bidder complying with the terms hereof and offering to purchase all of the Bonds at the lowest net interest cost to the City. The net interest cost will be determined by computing the aggregate interest on the Bonds over the life of the issue at the rate or rates of interest specified by the bidder, less premium offered, if any. It is requested that each bid be accompanied by a statement of the net interest cost (computed to six decimal places), but such statement will not be considered a part of the bid. No Bond shall bear more than one (1) rate of interest; each Bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bid; all Bonds of the same maturity shall bear the same rate of interest from their date to maturity; the lowest rate of interest specified for any of the Bonds shall not be less than seventy percent (70%) of the highest rate of interest specified for any of the Bonds; and the highest rate of interest specified for any of the Bonds shall not exceed eleven percent (11%) per annum. Each interest rate specified in any bid must be a multiple of one-eighth of one percent ($1/8$ of 1%) or a multiple of one-tenth of one percent ($1/10$ of 1%) and a zero rate of interest cannot be named.

Bidders must acknowledge in their respective bids that they have received and reviewed the City's preliminary official statement in connection with the issuance of the Bonds (the "Preliminary Official Statement"). The City deems the Preliminary Official Statement to be "final" as described in SEC Rule 15c2-12(b)(1) for the purposes of such Rule. Upon award of the Bonds to the successful bidder, the City will prepare a final official statement in connection with the Bonds (the "Official Statement") in substantially the form of the Preliminary Official Statement, subject to minor amendments and supplementations. A reasonably sufficient number of Official Statements will be made available to the successful bidder at the expense of the City within seven (7) business days of the award of the Bonds to such bidder. Copies of the Preliminary Official Statement may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 or the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison, Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

In order to assist bidders in complying with SEC Rule 15c2-12(b)(5), the City, pursuant to a resolution of the Governing Body and a continuing disclosure agreement, will agree to provide annual reports and notices of certain events. A summary of the City's procedures with regard to

continuing disclosure is set forth in the Preliminary Official Statement and will also be set forth in the Official Statement.

All hand delivered bids must be on the Official Bid Form prepared by the City and enclosed in a sealed envelope and should be addressed to the Governing Body, at their offices located at City Hall, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 attention: Ms. Teresa Montgomery, City Clerk, City of Gautier, and worded on the outside, in substance, "Bid for City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024."

All electronic bids must be submitted to PARITY® via the BiDCOMP Competitive Bidding System. Each prospective electronic bidder shall be solely responsible to register to bid via PARITY® and may contact PARITY® at (212)849-5021. Each qualified prospective electronic bidder shall be solely responsible to make necessary arrangements to access PARITY® for the purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice. Neither the City nor PARITY® shall have any duty or obligation to provide or assure access to PARITY® to any prospective bidder, and neither the City nor PARITY® shall be responsible for a bidder's failure to register to bid or for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY®. The City is using PARITY® as a communication mechanism, and not as the City's agent, to conduct the electronic bidding for the Bonds. No other form of electronic bid or provider of electronic bidding services will be accepted. The City is not bound by any advice and determination of PARITY® to the effect that any particular bid complies with the terms of this Notice. An electronic bid made through the facilities of PARITY® shall be deemed an offer to purchase in response to this Notice and shall be binding upon the bidder as if made by a signed sealed written bid made to the City. To the extent any instructions or directions set forth in PARITY® conflict with the terms of this Notice, the terms of this Notice shall control. The City shall not be responsible for any malfunction or mistake made by or as a result of the use of electronic bidding facilities. The use of such facilities is at the sole risk of the bidders. If the Bonds are awarded to a bidder submitting a bid via the facilities of PARITY®, then the successful bidder is required to provide the City with a copy of the successful bid on a fully completed and executed Official Bid Form no later than the next business day following the award. Any bidder submitting its bid via PARITY® may, prior to the time set for the receipt of bids herein, (1) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn) constitute its bid for the Bonds, or (2) withdraw its proposed bid. Once the bids are communicated electronically via PARITY® to the City, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained on PARITY® shall constitute the official time. All costs and expenses incurred by prospective bidders in connection with their registration and submission of bids via PARITY® are the sole responsibility of the bidders; and the City is not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying or withdrawing a bid for the Bonds, he should telephone PARITY® at (212)849-5021 and notify the City's Municipal Advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

Both written bids and electronic bids must be unconditional and received by the City and/or PARITY®, respectively, on or before _____.m., Mississippi Time, on _____, October

____, 2024, as stated above. The City is not liable for any costs incurred in the preparation, delivery, acceptance, or rejection of any bid.

AS A CONDITION PRECEDENT TO THE CONSIDERATION OF ITS BID, EACH BIDDER MUST PROVIDE TO THE CITY, AS A GOOD FAITH DEPOSIT, A WIRE TRANSFER, OR PROOF THEREOF, OR A CERTIFIED CHECK, CASHIER'S CHECK OR EXCHANGE PAYABLE TO THE ORDER OF THE CITY OF GAUTIER, MISSISSIPPI, ISSUED OR CERTIFIED BY A BANK LOCATED WITHIN OR WITHOUT THE STATE OF MISSISSIPPI, IN THE AMOUNT OF FORTY THOUSAND AND NO/100THS DOLLARS (\$40,000.00). No interest will be allowed on any good faith deposit. Bids will be accepted or rejected by the Governing Body on the date above shown for the sale of the Bonds. When a bid is rejected by the Governing Body, the good faith deposit accompanying said bid will be returned to the bidder. When a bid is accepted by the Governing Body, the good faith deposit accompanying said bid will be applied as part payment for the Bonds or, if the successful bidder fails to comply with this agreement to purchase the Bonds, will be retained as liquidated damages. Pending the application of the good faith deposit of the successful bidder as aforesaid, such deposit may be invested in direct obligations of, or obligations guaranteed by the United States of America or in repurchase agreements with banks fully secured by such obligations, and the City shall be entitled to any income from any such investment.

The Governing Body reserves the right to reject any or all bids as well as the right to waive any irregularity or informality in any bid. All bids, except electronic bids which must comply with the provisions above, shall be submitted on the Official Bid Form which may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000, or the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

In the opinion of Butler Snow LLP ("Bond Counsel"), assuming compliance by the City with certain tax covenants, under existing statutes, regulations, published rulings and judicial decisions, interest on the Bonds is excludable from gross income of the owners thereof for federal income tax purposes. Interest on the Bonds is not a separate tax preference item for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Internal Revenue Code of 1986, as amended and supplemented) for the purpose of computing the alternative minimum tax imposed on corporations. Bond Counsel will express no other opinion regarding other federal tax consequences resulting from the ownership, receipt or accrual of interest on or disposition of the Bonds. In addition, Bond Counsel is further of the opinion that under and pursuant to the Act, the Bonds and interest thereon are exempt from income taxation in the State of Mississippi.

The Bonds have been designated by the Governing Body as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended and supplemented.

The final approving opinion of Bond Counsel, relating to the validity and tax exemption of the Bonds, together with a non-litigation certificate of the City dated the date of delivery of the

Bonds, and a transcript of the proceedings relating to the Bonds will be delivered to the successful bidder without charge.

It is anticipated that CUSIP identification numbers will be secured and printed on the Bonds, but neither the failure to secure or print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with its agreement to purchase the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the City; provided, however, that the CUSIP Global Services charge for the assignment of said numbers shall be paid for by the successful bidder.

The successful bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at the closing for the Bonds an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, in a form reasonably required by the City and Bond Counsel.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

- (a) the City shall disseminate this Notice to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (b) all bidders shall have an equal opportunity to bid;
- (c) the City may receive bids from at least three (3) underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (d) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice.

Any bid submitted pursuant to this Notice shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

In the event that the competitive sale requirements are not satisfied, the City shall so advise the winning bidder. The City shall treat the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The City will not require bidders to comply with the "hold-the-offering-price rule" and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds.

If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing of the Bonds has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice. Further, for purposes of this Notice:

(a) "public" means any person other than an underwriter or a related party,

(b) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public),

(c) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(d) "sale date" means the date that the Bonds are awarded by the City to the winning bidder.

The successful bidder will be given at least seven (7) business days advanced notice of the proposed date of delivery of the Bonds when that date has been tentatively determined. It is expected that the Bonds will be delivered in New York, New York and payment therefor shall be made in federal or other immediately available funds.

The successful bidder shall have the right, at its option, to cancel its agreement to purchase the Bonds if the Bonds to be delivered by the City in accordance with the preceding paragraph are not tendered for delivery within sixty (60) days from the date of sale thereof, and in such event the City shall return to said bidder its good faith deposit without interest. The City shall have the right, at its option, to cancel its agreement to sell the Bonds if within five (5) days after the tender of the Bonds for delivery the successful bidder shall not have accepted delivery of and paid for the Bonds, and in such event the City shall retain the successful bidder's good faith deposit as liquidated damages.

The successful bidder shall be responsible for payment of its own legal and administrative costs.

Further information with respect to the Bonds may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 and the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

DATED: October __, 2024

CITY OF GAUTIER, MISSISSIPPI

By /s/Teresa Montgomery
City Clerk

OFFICIAL BID FORM

**\$2,000,000
CITY OF GAUTIER, MISSISSIPPI
GENERAL OBLIGATION BONDS
(PUBLIC IMPROVEMENTS ISSUE),
SERIES 2024**

October __, 2024

Mayor and City Council
City of Gautier
3330 US Highway 90
Gautier, Mississippi 39553

Ladies and Gentlemen:

For Two Million and No/100ths Dollars (\$2,000,000) aggregate principal amount General Obligation Bonds (Public Improvements Issue), Series 2024 (the "Bonds") of the City of Gautier, Mississippi (the "City"), bearing interest at the rate or rates specified below, we will pay you the aggregate par value thereof of \$2,000,000.00 plus a premium of \$_____. The Bonds will be dated and bear interest from the date of delivery thereof and will mature on November 1 in the years set forth in the Notice of Bond Sale, dated October 1, 2024, in connection with the Bonds (the "Notice of Bond Sale").

The Bonds maturing on November 1 in the years indicated shall bear interest at the rates set opposite each, as follows:

Year	Principal Amount	Interest Rate/ Coupon	Year	Principal Amount	Interest Rate/ Coupon
2025	\$ 60,000	_____ %	2035	100,000	_____ %
2026	65,000	_____	2036	105,000	_____
2027	65,000	_____	2037	110,000	_____
2028	70,000	_____	2038	115,000	_____
2029	75,000	_____	2039	120,000	_____
2030	80,000	_____	2040	125,000	_____
2031	80,000	_____	2041	130,000	_____
2032	85,000	_____	2042	140,000	_____
2033	90,000	_____	2043	145,000	_____
2034	90,000	_____	2044	150,000	_____

The following is a computation of the net interest cost and average annual net interest rate (calculated in accordance with the provisions of the Notice of Bond Sale), respectively, in the

above bid and is submitted for information purposes only and is not a part of this bid unless it is in conformity with the above enumerated interest rates and premium, if any.

Gross Interest Cost..... \$ _____
Less Premium..... _____
Net Interest Cost _____
Average Annual Net Interest Rate %

This bid is subject to all of the terms and conditions of the Notice of Bond Sale, which Notice of Bond Sale by this reference thereto is hereby made a part hereof.

We hereby acknowledge that we have received and reviewed the Preliminary Official Statement of the City, dated October ____, 2024, prepared in connection with the Bonds.

A WIRE TRANSFER, OR PROOF THEREOF, OR A CERTIFIED CHECK, CASHIER'S CHECK OR EXCHANGE PAYABLE TO THE ORDER OF THE CITY OF GAUTIER, MISSISSIPPI, ISSUED OR CERTIFIED BY A BANK LOCATED WITHIN OR WITHOUT THE STATE OF MISSISSIPPI, IN THE AMOUNT OF FORTY THOUSAND AND NO/100THS DOLLARS (\$40,000.00) accompanies this bid as evidence of good faith and said good faith deposit shall be returned to the undersigned if this bid is not accepted, or if the City should fail to deliver said Bonds to the undersigned in accordance with the terms of the Notice of Bond Sale; otherwise said good faith deposit shall be held by the City and shall be applied as and when the Bonds are delivered and paid for under the terms of this bid, as part payment therefor, or be applied as and for liquidated damages in the event that the undersigned fails to take up and pay for the Bonds. Pending the application of the good faith deposit of the successful bidder as aforesaid, such deposit may be invested in direct obligations of, or obligations guaranteed by, the United States of America or in repurchase agreements with banks fully secured by such obligations, and the City shall be entitled to any income from any such investment.

This bid is for immediate acceptance.

Bidder¹ _____

By _____
(Print Name)

(Signature)

Address _____

Telephone Number _____

(Note: No addition to or alteration in this bid is to be made, and any erasure may cause a rejection of this bid. Bids must be filed with the Mayor and City Council of the City of Gautier, Mississippi in the Office of the City Clerk in the City Hall located at 3330 US Highway 90, Gautier, Mississippi

39553, attention: Ms. Teresa Montgomery, City Clerk, sealed and worded on the outside, in substance, "Bid for City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024", before _____ o'clock __.m., Mississippi time, on October __, 2024. No interest will be allowed the bidder on the good faith deposit which accompanies this bid.)

ACCEPTANCE

The above bid accepted by the Mayor and City Council of the City of Gautier, Mississippi, this ____ day of October, 2024, and receipt of the within mentioned check is hereby acknowledged.

CITY OF GAUTIER, MISSISSIPPI

By _____
Mayor

Attest:

City Clerk

Return of the good faith check is hereby acknowledged.

By _____

Title _____

¹ Please list on an exhibit all members, if any, of your syndicate.

89646863.v1

EXHIBIT C
PRELIMINARY OFFICIAL STATEMENT

PRELIMINARY OFFICIAL STATEMENT
Dated October __, 2024

ONE (1) NEW ISSUE
BOOK-ENTRY ONLY

NON-RATED

In the opinion of Butler Snow LLP, Ridgeland, Mississippi ("Bond Counsel"), under existing statutes, regulations, published rulings and judicial decisions, interest on the Series 2024 Bonds described herein is excludable from gross income of the owners thereof for federal income tax purposes. Interest on the Series 2024 Bonds is not a separate tax preference item for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Internal Revenue Code of 1986, as amended (the "Code")) for the purpose of computing the alternative minimum tax imposed on corporations. See "TAX MATTERS" for information concerning assumptions as to compliance with the Code, upon which the foregoing opinions are based. Bond Counsel is further of the opinion that under existing laws, regulations, rulings and judicial decisions, interest on the Series 2024 Bonds is exempt from income taxation in the State of Mississippi. See APPENDIX C - FORM OF OPINION OF BOND COUNSEL attached hereto.

\$2,000,000
CITY OF GAUTIER, MISSISSIPPI
GENERAL OBLIGATION BONDS
(PUBLIC IMPROVEMENTS ISSUE), SERIES 2024

Dated: Date of Delivery

Due: November 1, as shown on the inside cover

Interest on the \$2,000,000 City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024 (the "Series 2024 Bonds") will be payable semiannually on May 1 and November 1 of each year, commencing November 1, 2025. The Series 2024 Bonds are being issued by the City of Gautier, Mississippi (the "City") to raise money for the purpose (a) financing the cost of erecting municipal buildings, purchasing buildings and/or land for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited to, demolishing structures on public land, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and providing for such other costs as are authorized by Section 21-33-301 of the Act (as defined herein), and (b) paying the costs of the sale and issuance of the Series 2024 Bonds. The Mayor and the City Council of the City have designated _____, _____, _____, to serve as paying agent, transfer agent and registrar of the Series 2024 Bonds (the "Paying and Transfer Agent").

The Series 2024 Bonds will be issued as fully registered bonds in denominations of \$5,000 or any integral multiple thereof and registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository for the Series 2024 Bonds under a book-entry-only system, as described herein. So long as the Series 2024 Bonds are held in book-entry form, beneficial owners of Series 2024 Bonds will not receive physical delivery of bond certificates.

The principal of, and interest on, the Series 2024 Bonds will be payable by the Paying and Transfer Agent to DTC, which will in turn remit such principal and interest to its Direct Participants (as defined herein) and Indirect Participants (as defined herein), which will in turn remit such principal, and interest to the beneficial owners of the Series 2024 Bonds. If the date for payment is not a business day, then the payment shall be made on the next succeeding business day with the same force and effect as if made on the payment date. See "DESCRIPTION OF THE SERIES 2024 BONDS – Book-Entry Only System" herein.

The Series 2024 Bonds are general obligations of the City and are secured by a pledge of the full faith, credit and taxing power of the City.

The Series 2024 Bonds are being offered as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The Series 2024 Bonds will be subject to redemption prior to maturity as provided herein.

The Series 2024 Bonds are offered subject to the final approving opinion of Butler Snow LLP, Ridgeland, Mississippi, Bond Counsel. Certain legal matters will be passed upon for the City by its counsel, Bordis Danos Pierce, Ocean Springs, Mississippi. Government Consultants, Inc., Madison, Mississippi, serves as the Municipal Advisor to the City in connection with the sale and issuance of the Series 2024 Bonds. It is expected that delivery of the Series 2024 Bonds in definitive form will be made in New York, New York, on or about November __, 2024.

Dated: October __, 2024

\$2,000,000
CITY OF GAUTIER, MISSISSIPPI
GENERAL OBLIGATION BONDS
(PUBLIC IMPROVEMENTS ISSUE), SERIES 2024

MATURITY SCHEDULE

Year (November 1)	Principal Amount	Interest Rate	Yield	CUSIPS¹
2025	\$ 60,000			
2026	65,000			
2027	65,000			
2028	70,000			
2029	75,000			
2030	75,000			
2031	80,000			
2032	85,000			
2033	90,000			
2034	95,000			
2035	100,000			
2036	105,000			
2037	110,000			
2038	115,000			
2039	120,000			
2040	125,000			
2041	130,000			
2042	140,000			
2043	145,000			
2044	150,000			

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CITY OF GAUTIER, MISSISSIPPI

MAYOR AND CITY COUNCIL

Casey Vaughan, Mayor
Adam College
Cameron B. George
Richard "DJ" Jackson
Gordon T. Gollott
Rusty Anderson
Dante Elbin

CITY CLERK

Teresa L. Montgomery

GENERAL COUNSEL

Bordis Danos Pierce
Ocean Springs, Mississippi

MUNICIPAL ADVISOR

Government Consultants, Inc.
Madison, Mississippi

BOND COUNSEL

Butler Snow LLP
Ridgeland, Mississippi

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OFFICIAL STATEMENT SUMMARY

THE OFFERING

\$2,000,000

**CITY OF GAUTIER, MISSISSIPPI
GENERAL OBLIGATION BONDS
(PUBLIC IMPROVEMENTS ISSUE), SERIES 2024**

The Issuer.....	City of Gautier, Mississippi (the "City").
Issue and Date	\$2,000,000 City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024, dated the date of delivery thereof (the "Series 2024 Bonds").
Authority.....	Sections 21-33-301 <i>et seq.</i> , Mississippi Code of 1972, as amended and supplemented (the "Act").
Use of Proceeds	The Series 2024 Bonds are being issued to raise money for the purpose of (a) financing the cost of erecting municipal buildings, purchasing buildings and/or land for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited to, demolishing structures on public land, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and providing for such other costs as are authorized by Section 21-33-301 of the Act, and (b) paying the costs of the sale and issuance of the Series 2024 Bonds (see "DESCRIPTION OF THE PROJECT" herein).
Amounts and Maturities	The Series 2024 Bonds will mature on November 1 in the years and amounts as set forth on the inside cover page hereof.
Interest Payment Dates	May 1 and November 1 of each year, commencing November 1, 2025.
Redemption Provisions.....	The Series 2024 Bonds will be subject to redemption prior to maturity and without premium, at the option of the City, as provided herein (see "DESCRIPTION OF THE SERIES 2024 BONDS - Redemption Provisions" herein).
Security for Payment.....	Pursuant to the Act, the Series 2024 Bonds will be general obligations of the City and will be secured by a pledge of the full faith, credit and taxing power of the City (see "DESCRIPTION OF THE SERIES 2024 BONDS - Security" herein).
Tax Exemption	In the opinion of Bond Counsel, assuming compliance by the City with certain tax covenants, under existing statutes, regulations, published rulings and judicial decisions, interest on the Series 2024 Bonds described herein is excludable from gross income of the owners thereof for federal income tax purposes. Interest on the Series 2024 Bonds is not a separate tax preference item for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Internal Revenue Code of 1986, as amended) for the purpose of computing the alternative minimum tax imposed on corporations. See "TAX MATTERS" herein for a description of certain other federal tax consequences of ownership of the Series 2024 Bonds. Bond Counsel is further of the opinion that under and pursuant to the Act, the Series 2024 Bonds and interest thereon are exempt from all income taxes imposed by the State of Mississippi.
Disclosure Certificates	The original purchaser of the Series 2024 Bonds, concurrently with the delivery of the Series 2024 Bonds, shall receive a certificate signed by certain officials of the City regarding the adequacy of disclosure contained in this Official Statement (see "DOCUMENTS ACCOMPANYING DELIVERY OF THE SERIES 2024 BONDS" herein).

The above information is qualified in its entirety by the detailed information and financial information appearing elsewhere in this Official Statement, including the Appendices.

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No dealer, broker, sales representative or other person has been authorized by the City of Gautier, Mississippi (the "City") to give any information or to make any representations other than those contained herein and, if given or made, such other information or representation must not be relied upon as having been authorized by the City. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the Series 2024 Bonds by any person in any jurisdiction in which it is unlawful for such person to make such an offer, solicitation or sale. The information and expressions of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the City since the date hereof.

The prices at which the Series 2024 Bonds are offered to the public by the Purchaser (as defined herein) (and the yields resulting therefrom) may vary from the initial public offering prices or yields appearing on the inside cover page hereof. In addition, the Purchaser may allow concessions or discounts from such initial public offering prices to dealers and others. In order to facilitate distribution of the Series 2024 Bonds, the Purchaser may engage in transactions intended to stabilize the price of the Series 2024 Bonds at a level above that which might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

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OFFICIAL STATEMENT

\$2,000,000
CITY OF GAUTIER, MISSISSIPPI
GENERAL OBLIGATION BONDS
(PUBLIC IMPROVEMENTS ISSUE), SERIES 2024

October ____, 2024

INTRODUCTION

The purpose of this Official Statement, which includes the cover page, the inside cover page and the Appendices hereto, is to set forth certain information concerning the City of Gautier, Mississippi (the "City") and the City's \$2,000,000 General Obligation Bonds (Public Improvements Issue), Series 2024 (the "Series 2024 Bonds").

Reference is made to the Act (as hereinafter defined), the Resolution (as hereinafter defined) and any and all modifications and amendments thereof for a description of the nature and extent of the security of the Series 2024 Bonds, the pledge of tax revenues for the payment of the principal of and interest on the Series 2024 Bonds, the nature and extent of said pledge and the terms and conditions under which the Series 2024 Bonds are issued.

DESCRIPTION OF THE SERIES 2024 BONDS

General

The Series 2024 Bonds will be issued pursuant to the provisions of Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Act ") and certain resolutions adopted by the Mayor and the City Council of the City (the "Governing Body") on September 3, 2024, October 1, 2024 and October ____, 2024 (collectively, the "Resolution"). The Series 2024 Bonds are being issued to raise money for the purpose of (a) financing the cost of erecting municipal buildings, purchasing buildings and/or land for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited to, demolishing structures on public land, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and providing for such other costs as are authorized by Section 21-33-301 of the Act, and (b) paying the costs of the sale and issuance of the Series 2024 Bonds (see "DESCRIPTION OF THE PROJECT" herein).

In order to issue the Series 2024 Bonds, the Governing Body adopted a resolution declaring its intention to issue the Series 2024 Bonds and gave notice of such intention by publication of said resolution in a newspaper having general circulation in the City. If ten percent, or 1,500, whichever had been less, of the qualified electors of the City had filed a written protest against the issuance of the Series 2024 Bonds on or before the date specified in said resolution, an election on the question of the issuance of the Series 2024 Bonds would have been held. October 1, 2024 was set by the Governing Body as the date on or before which written protest was required to have been filed. No written or other protest having been received on or before said date, the Governing Body is now authorized and empowered by the Act to issue the Series 2024 Bonds without the necessity of calling and holding an election on the question of the issuance thereof.

The Series 2024 Bonds will be general obligations of the City and the full faith, credit and taxing power of the City shall be pledged as security for the payment of the principal of and the interest on the Series 2024 Bonds.

The Series 2024 Bonds will initially be dated the date of delivery thereof and will be issued as fully registered bonds in denominations of \$5,000 or any integral multiple thereof, bearing interest at the rates per annum set forth on the inside cover page hereof, payable semiannually on May 1 and November 1 of

each year, commencing on November 1, 2025. The Governing Body has designated _____, _____, _____, to serve as paying agent, transfer agent and registrar of the Series 2024 Bonds (the "Paying and Transfer Agent").

The Series 2024 Bonds will initially be held in a book-entry-only system administered by The Depository Trust Company, New York, New York ("DTC"). Principal of and interest on the Series 2024 Bonds held in book-entry form shall be payable as described herein under the heading "DESCRIPTION OF THE SERIES 2024 BONDS - Book-Entry-Only System."

The principal of and interest on, the Series 2024 Bonds will be payable by the Paying and Transfer Agent to DTC, which will in turn remit such principal and interest to its Direct Participants (as hereinafter defined) and Indirect Participants (as hereinafter defined), which will in turn remit such principal and interest to the beneficial owners of the Series 2024 Bonds. If the date for payment is not a business day, then the payment shall be made on the next succeeding business day with the same force and effect as if made on the payment date. The record date for the payment of interest on the Series 2024 Bonds is the close of business on the date which shall be the 15th day (whether or not a business day) of the calendar month next preceding each interest payment date.

The Series 2024 Bonds will mature on November 1 in the years and in the amounts set forth on the inside cover page hereto.

Security

The Series 2024 Bonds will be general obligations of the City. The full faith, credit and taxing power of the City are irrevocably pledged to secure the payment of the principal of and interest on the Series 2024 Bonds, which are payable out of and secured by the avails of a direct and continuing tax to be levied annually without limitation as to rate or amount upon 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 (as defined in the Resolution for the Series 2024 Bonds), or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Series 2024 Bonds due during the ensuing fiscal year of the City. The City, when necessary, will levy annually a special tax upon all taxable property within the geographical limits of the City adequate and sufficient to provide for the payment of principal of and interest on the Series 2024 Bonds as the same falls due.

The qualified electors of the State of Mississippi (the "State") voted in a general election held on November 7, 1995, to amend the Mississippi Constitution of 1890 (the "Constitution") to add the following new Section 172A (the "Amendment"):

SECTION 172A. Neither the Supreme Court nor any inferior court of this state shall have the power to instruct or order the state or any political subdivision thereof, or an official of the state or any political subdivision, to levy or increase taxes.

The Amendment does not affect the underlying obligation to pay the principal of and interest on the Series 2024 Bonds as they mature and become due nor does it affect the obligation to levy a tax sufficient to accomplish that purpose. However, even though it appears that the Amendment was not intended to affect registered owners' remedies in the event of a payment default, it potentially prevents registered owners from obtaining a writ of mandamus to compel the levying of taxes to pay the principal of and interest on the Series 2024 Bonds in a court of the State. It is not certain whether the Amendment would affect the right of a federal court to direct the levy of a tax to satisfy a contractual obligation. Other effective remedies are available to the Bondholders in the event of a payment default with respect to the Series 2024 Bonds.

Redemption Provisions

Series 2024 Bonds. The Series 2024 Bonds maturing November 1, 2035 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2034, either in whole or in part on any date (as selected by the City among maturities and by lot within

each maturity), at the principal amount thereof, together with the interest accrued thereon to the date fixed for redemption and without premium.

Notice of Redemption. Notice of each such redemption, which may be conditional, shall be mailed, postage prepaid, not less than 30 days prior to the redemption date, to all registered owners of the Series 2024 Bonds to be redeemed at their addresses as they appear on the records of the Paying and Transfer Agent.

Defeasance of Series 2024 Bonds

Under the Resolution, Series 2024 Bonds for the payment of which sufficient moneys, or, to the extent permitted by the laws of the State, (a) direct obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America ("Government Obligations"), or (b) certificates of deposit or municipal obligations fully secured by Government Obligations, or (c) evidences of ownership of proportionate interests in future interest or principal payments on Government Obligations held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the Government Obligations and which Government Obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated, or (d) municipal obligations, the payment of the principal of, interest and redemption premium, if any, on which are irrevocably secured by Government Obligations and which Government Obligations are not subject to redemption prior to the date on which the proceeds attributable to the principal of such obligations are to be used and have been deposited in an escrow account which is irrevocably pledged to the payment of the principal of and interest and redemption premium, if any, on such municipal obligations (all of which collectively, with Government Obligations, "Defeasance Securities"), shall have been deposited with an escrow agent appointed for such purpose, which may be the Paying and Transfer Agent, all to the extent provided in the Resolution, shall be deemed to have been paid, shall cease to be entitled to any lien, benefit or security under the Resolution and shall no longer be deemed to be outstanding thereunder, and the registered owners shall have no rights in respect thereof except to receive payment of the principal of and interest on such Series 2024 Bonds from the funds held for that purpose. Defeasance Securities shall be considered sufficient under the Resolution if said investments, with interest, mature and bear interest in such amounts and at such times as will assure sufficient cash to pay currently maturing interest and to pay principal when due on such Series 2024 Bonds.

Ownership

The City, the Paying and Transfer Agent, and any other person may treat the person in whose name any Series 2024 Bond is registered as the absolute owner of such Series 2024 Bond for the purpose of making payment of the principal thereof and premium, if any, thereon, and for the further purpose of making payment of the interest thereon, and for all other purposes, whether or not such Series 2024 Bond is overdue. Neither the City nor the Paying and Transfer Agent shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the owner of any Series 2024 Bond in accordance with the Resolution shall be valid and effective and shall discharge the liability of the City and the Paying and Transfer Agent for such Series 2024 Bond to the extent of the sums paid.

Registration

Series 2024 Bonds Subject to the Book-Entry-Only System. For so long as DTC acts as securities depository for the Series 2024 Bonds, the registration and transfer of ownership interests in Series 2024 Bonds shall be accomplished by book entries made by DTC and the Direct Participants and, where appropriate, the Indirect Participants (as such terms are hereinafter defined), as described herein under the heading "DESCRIPTION OF THE SERIES 2024 BONDS-Book-Entry-Only System."

Series 2024 Bonds Not Subject to Book-Entry-Only System. Should the Series 2024 Bonds no longer be held in book-entry form, each Series 2024 Bond shall be thereafter evidenced by a bond certificate in fully registered form and transferable only upon the registration records of the City maintained by the Paying and Transfer Agent, by the registered owner thereof or by his attorney, duly authorized in writing, upon surrender thereof, together with a written instrument of transfer satisfactory to the Paying and

Transfer Agent, duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any Series 2024 Bond, the City shall issue, in the name of the transferee, a new Series 2024 Bond or Series 2024 Bonds of the same interest rate and maturity of like tenor and effect in any authorized denomination equal to the unpaid principal amount of the surrendered Series 2024 Bond.

Series 2024 Bonds, upon surrender thereof at the office of the Paying and Transfer Agent with a written instrument of transfer satisfactory to the Paying and Transfer Agent duly executed by the registered owner or his duly authorized attorney, may be exchanged for a principal amount of Series 2024 Bonds of the same interest rate and maturity and of like tenor and effect in any authorized denomination equal to the unpaid principal amount of the surrendered Series 2024 Bonds. The Paying and Transfer Agent will not be required to register the transfer of or exchange any Series 2024 Bond after the mailing of notice calling such Series 2024 Bond for redemption has been given as provided in the Resolution, nor during the period of 15 days next preceding the giving of such notice of redemption.

Book-Entry-Only System

The City has determined that it will be beneficial to have the Series 2024 Bonds held by a central depository system and to have transfers of the Series 2024 Bonds affected by book-entry on the books of DTC as such central depository system. Accordingly, Beneficial Ownership interests in the Series 2024 Bonds will be available in book-entry-only form, in the principal amount of \$5,000 or integral multiples thereof. Purchasers of Beneficial Ownership interests in the Series 2024 Bonds (the "Beneficial Owners") will not receive certificates representing their interests in the Series 2024 Bonds purchased.

The information provided under this caption has been provided by DTC. No representation is made by the City, the Purchaser (as defined herein) or the Paying and Transfer Agent as to the accuracy or adequacy of such information, or as to the absence of material adverse changes in such information subsequent to the date hereof.

DTC will act as securities depository for the Series 2024 Bonds. The Series 2024 Bonds will be initially issued as fully registered Series 2024 Bonds registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by the authorized representative of DTC. One fully registered Series 2024 Bond certificate for each maturity will be issued for the Series 2024 Bonds in the aggregate principal amount of each maturity and will be deposited with DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instrument from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions, in deposited securities through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations. DTC is a wholly owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has S&P's rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Series 2024 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for such Series 2024 Bonds on DTC's records. The ownership interest of each actual purchaser or Beneficial Owner of each Series 2024 Bond is in turn to be recorded

on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Series 2024 Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Series 2024 Bonds, except in the event that use of the book-entry system for the Series 2024 Bonds is discontinued.

To facilitate subsequent transfers, all Series 2024 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Series 2024 Bonds with DTC and their registration in the name of Cede & Co. or such other nominee do not affect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Series 2024 Bonds. DTC's records reflect only the identity of the Direct Participants to whose accounts such Series 2024 Bonds are credited, which may or may not be the Beneficial Owners. The Direct Participants and the Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to DTC. If less than all of the Series 2024 Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such maturity, or maturities, to be redeemed.

Neither DTC nor Cede & Co. (nor such other DTC nominee) will consent or vote with respect to the Series 2024 Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an "Omnibus Proxy" to the Paying and Transfer Agent as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Series 2024 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal payments and interest payments on the Series 2024 Bonds will be made to Cede & Co. or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the City or the Paying and Transfer Agent, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC nor its nominee, the Paying and Transfer Agent, or the City subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, principal payments and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the City or the Paying and Transfer Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Series 2024 Bonds at any time by giving reasonable notice to the City. Under such circumstances, and in the event that a successor depository is not obtained, Series 2024 Bond certificates are required to be printed and delivered.

In addition, the City may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, Series 2024 Bond certificates will be printed and delivered to DTC.

The information in this section and elsewhere in this Official Statement concerning DTC and DTC's book-entry system has been obtained from sources that the City believes to be reliable, but the City takes no responsibility for the accuracy thereof.

So long as Cede & Co. is the registered holder of the Series 2024 Bonds as nominee of DTC, references herein to the holders or registered owners of the Series 2024 Bonds mean Cede & Co. and not the Beneficial Owners of the Series 2024 Bonds.

THE CITY AND THE PAYING AND TRANSFER AGENT CANNOT AND DO NOT GIVE ANY ASSURANCES THAT THE DIRECT PARTICIPANTS OR THE INDIRECT PARTICIPANTS WILL DISTRIBUTE TO THE BENEFICIAL OWNERS OF THE SERIES 2024 BONDS (A) PAYMENTS OF PRINCIPAL OF OR INTEREST OR REDEMPTION PREMIUM, IF ANY, ON THE SERIES 2024 BONDS; (B) CERTIFICATES REPRESENTING AN OWNERSHIP INTEREST OR OTHER CONFIRMATION OF BENEFICIAL OWNERSHIP INTERESTS IN THE SERIES 2024 BONDS; OR (C) REDEMPTION OR OTHER NOTICES SENT TO DTC OR CEDE & CO., ITS NOMINEE, AS THE REGISTERED OWNERS OF THE SERIES 2024 BONDS, OR THAT THEY WILL DO SO ON A TIMELY BASIS OR THAT DTC OR DIRECT OR INDIRECT PARTICIPANTS WILL SERVE AND ACT IN THE MANNER DESCRIBED IN THIS OFFICIAL STATEMENT. THE CURRENT "RULES" APPLICABLE TO DTC ARE ON FILE WITH THE SECURITIES AND EXCHANGE COMMISSION AND THE CURRENT "PROCEDURES" OF DTC TO BE FOLLOWED IN DEALING WITH DIRECT OR INDIRECT PARTICIPANTS ARE ON FILE WITH DTC.

NEITHER THE CITY NOR THE PAYING AND TRANSFER AGENT WILL HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO SUCH DIRECT OR INDIRECT PARTICIPANTS OR THE BENEFICIAL OWNERS WITH RESPECT TO (A) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DIRECT OR INDIRECT PARTICIPANT; (B) THE PAYMENT BY ANY DIRECT OR INDIRECT PARTICIPANT OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL AMOUNT OF OR INTEREST OR REDEMPTION PREMIUM, IF ANY, ON THE SERIES 2024 BONDS; (C) THE DELIVERY BY ANY DIRECT OR INDIRECT PARTICIPANT OF ANY NOTICE TO ANY BENEFICIAL OWNER WHICH IS REQUIRED OR PERMITTED UNDER THE TERMS OF THE RESOLUTION TO BE GIVEN TO BONDHOLDERS; (D) THE SELECTION OF THE BENEFICIAL OWNERS TO RECEIVE PAYMENT IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE SERIES 2024 BONDS; OR (E) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS BONDHOLDER.

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Debt Service Requirements for the Series 2024 Bonds

The following tables set forth the estimated annual debt service requirements for the Series 2024 Bonds:

Year (November 1)	Principal	Interest	Total Debt Service on the Series 2024 Bonds
2025	\$ 60,000.00		
2026	65,000.00		
2027	65,000.00		
2028	70,000.00		
2029	75,000.00		
2030	75,000.00		
2031	80,000.00		
2032	85,000.00		
2033	90,000.00		
2034	95,000.00		
2035	100,000.00		
2036	105,000.00		
2037	110,000.00		
2038	115,000.00		
2039	120,000.00		
2040	125,000.00		
2041	130,000.00		
2042	140,000.00		
2043	145,000.00		
2044	150,000.00		
TOTAL	<u>\$ 2,000,000.00</u>		

Additional Information

For additional details regarding the description of the Series 2024 Bonds, reference is made to the Notice of Bond Sale of the Series 2024 Bonds included in this Official Statement as APPENDIX A.

APPLICATION OF THE PROCEEDS OF THE SERIES 2024 BONDS

Estimated Sources of Funds

	Series 2024
Par Amount of Series 2024 Bonds	\$ 2,000,000.00
[Plus Net Original Issue Premium]	
Total Sources of Funds	

Estimated Uses of Funds

Deposit to the Construction Fund for the Series 2024 Bonds ¹
Total Uses of Funds

¹ Includes payments for costs of issuance, which include but are not limited to, legal fees and expenses, rating agency fees and municipal advisory fees and expenses.

DESCRIPTION OF THE PROJECT

The Series 2024 Bonds are being issued to raise money for the purpose of (a) financing the cost of erecting municipal buildings, purchasing buildings and/or land for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited to, demolishing structures on public land, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and providing for such other costs as are authorized by Section 21-33-301 of the Act, and (b) paying the costs of the sale and issuance of the Series 2024 Bonds.

THE CITY

General Description

The City was established in 1867 at the mouth of the Pascagoula River Basin by Fernando Gautier. The City was incorporated in 1986 and is located in Jackson County, Mississippi (the "County") and abuts the Mississippi Gulf Coast waterfront. The City is approximately 105 miles east of New Orleans, Louisiana, approximately 17 miles east of Biloxi, Mississippi, and approximately 182 miles south of Jackson, Mississippi, the capitol of the State.

Population

City and State population figures have been recorded as follows:

	1990	2000	2010	2020	2023 (estimate)
City	10,130	11,681	18,572	19,024	19,021
State	2,573,216	2,844,658	2,967,297	2,961,279	2,939,690

SOURCE: United States Department of Commerce, Bureau of the Census, www.census.gov, September 2024.

Government

The City operates under a council-manager form of government. The City's governing authority is comprised of the Mayor and a six-member City Council with five members of the City Council being elected from designated wards or precincts, and the Mayor and one member of the City Council being elected at large. The current Mayor and members of the City Council, elected for concurrent four-year terms expiring on July 1, 2025, are as follows.

Name and Title ¹	Position	Position Held Since
Casey Vaughan	Mayor	2021
Adam Colledge	Councilman At-Large	2009
Cameron B. George	Councilman	2017
Richard "DJ" Jackson	Councilman	2017
Gordon T. Gollott	Councilman	2021
Rusty Anderson	Councilman	2013
Dante Elbin	Councilman	2021

Major Employers

The following is a partial listing of the County's major employers, their products or services and their approximate number of employees:

Employers	Product or Service	Employees
Huntington Ingalls Industries	Manufacturing/Shipbuilding	12,250
Chevron U.S.A. Inc.	Oil Refinery	3,600
Singing River Health System	Medical Services	2,300
Jackson County School District	Education	1,200
Pascagoula-Gautier School District	Education	1,302
VT Halter Marine	Manufacturing/Shipbuilding	1,700
Ocean Springs School District	Education	750
Wal-Mart (Ocean Springs)	Retail	450
Wal-Mart (Pascagoula)	Retail	450
SUPSHIP	Government	400

SOURCE: Jackson County Economic Development Foundation, Inc., September 2024.

Per Capita Income

Year	County	Mississippi	United States	County as Percentage of United States
2022	\$45,912	\$46,370	\$65,470	70%
2021	45,875	46,577	64,430	71
2020	41,475	42,513	59,153	70
2019	38,539	39,157	55,547	69
2018	37,091	37,624	53,309	70

SOURCE: Bureau of Economic Analysis: Regional Economic Accounts at website: www.bea.gov, (BEA data last updated November 16, 2023). Information available as of September 2024.

County Employment Statistics

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Residence Based Employment					
Civilian Labor Force	58,720	57,740	58,650	58,530	58,300
Unemployed	3,650	5,430	3,420	2,430	1,910
Unemployment Rate	6.2	9.4	5.8	4.2	3.3
Employed	55,070	52,310	55,230	56,100	56,390

SOURCE: *Annual Labor Force Report*, Labor Market Information Department, Mississippi Employment Security Commission, Annual Averages 2011 forward, last revision May 2024. Note: This represents the most current information available as of September 2024.

County Unemployment Statistics

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug	Sep.	Oct.	Nov.	Dec.	Annual Ave.
2019	6.7	6.3	6.0	5.6	5.7	7.1	7.2	6.6	6.0	5.5	5.7	5.6	6.2
2020	6.1	5.8	7.8	20.0	16.3	11.6	10.2	8.1	7.7	6.6	6.7	6.7	9.4
2021	7.0	7.0	6.5	6.0	6.2	7.3	6.7	5.9	5.1	4.5	4.1	3.9	5.8
2022	5.0	4.5	3.8	3.8	4.0	5.0	4.8	4.4	4.0	3.6	3.6	3.4	4.1
2023	3.7	3.4	3.2	2.7	3.2	4.0	3.9	3.7	3.1	2.8	2.6	2.8	3.3
2024	3.6	2.9	2.7	1.9	2.9	3.8	3.3	--	--	--	--	--	3.0

SOURCE: *Annual Labor Force Report*, Labor Market Information Department, Mississippi Employment Security Commission. Note: This represents the most current information available as of September 2024.

Retail Sales

State Fiscal Year Ended June 30	Total Sales
2023	\$222,528,695
2022	225,575,487
2021	224,444,492
2020	188,427,698
2019	182,784,357

SOURCE: Annual Report for each year shown, Mississippi Department of Revenue; September 2024.

Educational Facilities

The Pascagoula-Gautier School District (the "District") currently consists of the entire City, most of the City of Pascagoula, Mississippi and certain outlying areas in the County not located in the limits of the City or the limits of the City of Pascagoula. The District currently operates 19 schools - ten elementary schools (K-5), two middle schools (6-8), two sixth grade academies, two high schools (9-12), and three specialty schools. Currently the District employs a total of approximately 1,300 people, with approximately 650 of those being certified teachers.

Enrollment figures for the District for the current scholastic year and for the four preceding years are as follows:

Year	Enrollment Figures
2023-24	6,501
2022-23	6,565
2021-22	6,583
2020-21	6,508
2019-20	6,787

SOURCE: Pascagoula-Gautier School District and Office of Research and Statistics, Mississippi Department of Education; September 2024.

TAX INFORMATION

Description of City Taxes

Procedure for Property Assessments. The Tax Assessor of the County assesses all real and personal property subject to taxation in the County, including property in the City, except motor vehicles and property owned by public service corporations, both of which are required by law to be assessed by the State Department of Revenue. Section 21-33-9, Mississippi Code of 1972, as amended and supplemented, provides that the governing authority of a municipality which is located within a county having completed a county-wide reappraisal approved by the State Tax Commission and which has been furnished a true copy of that part of the county assessment roll containing the property located within a municipality as provided in Section 27-35-167, Mississippi Code of 1972, as amended and supplemented, shall adopt such assessment rolls for its assessment purposes. The City is utilizing the assessment rolls of the County.

The City may not correct or revise such assessment rolls except for the purpose of conforming the City's assessment roll to corrections or revisions made to the County's assessment roll. All objections to the City's assessment roll may be heard by the Board of Supervisors of the County at the time and in the manner that objections to the County assessment roll are heard. The Board of Supervisors of the County shall notify, in writing, the Governing Body and the Tax Assessor of the City of any corrections or revisions made by it to the part of the County assessment roll adopted as the City's assessment roll.

Procedure for Tax Collections. The Governing Body is required each year to levy taxes upon all of the taxable property within the City to provide sufficient revenue to cover the operating expenses of the City. If any taxpayer neglects or refuses to pay his taxes on the due date thereof, the unpaid taxes will bear interest at the rate of one percent per month or fractional part thereof from the delinquent date to the date of payment of such taxes. When enforcement officers take action to collect delinquent taxes, other fees, penalties and costs may accrue. Both real and personal property are subject to being sold at public sale for nonpayment of taxes.

Section 21-33-63, Mississippi Code of 1972, as amended and supplemented, and related statutes provide that after the fifth day of August in each year, the Tax Collector for the City shall advertise all lands in the City on which all taxes due and in arrears have not been paid, as well as all land liable for sale, at the door of the courthouse of the County or any place within the courthouse that the Tax Collector for the City shall designate in the advertisement, on the last Monday of August.

Reappraisal of Property and Limitations on Ad Valorem Levies

Senate Bill No. 2672, General Laws of Mississippi, Regular Session 1980, codified in part as Sections 27-35-49 and 27-35-50, Mississippi Code of 1972, as amended and supplemented (the "Reappraisal Act"), provides that all real and personal property in the State shall be appraised at true value and assessed in proportion to true value. To insure that property taxes did not increase dramatically as counties completed reappraisal, the Reappraisal Act provided for the limit on increase in tax revenues discussed below.

The Reappraisal Act limits ad valorem tax levies by the City to a rate which will result in an increase in total receipts of not greater than 10% over the previous year's receipts, excluding revenue from ad valorem taxes on any newly constructed properties, any existing properties added to the tax rolls or any properties previously exempt which were not assessed in the next preceding year. This limitation does not apply to levies for the payment of the principal of and the interest on general obligation bonds issued by the City or to certain other specified levies. The limitation may be increased only if the proposed increase is approved by a majority of those voting in an election held on such question.

On August 20, 1980, the Mississippi Supreme Court rendered its decision in *State Tax Commission v. Fondren*, 387 So.2d 712, affirming the decree of the Chancery Court of the First Judicial District of Hinds County, Mississippi, wherein the Department of Revenue was enjoined from accepting and approving assessment rolls from any county in the State for the tax year 1983 unless the Department of Revenue equalized the assessment rolls of all of the counties. Due to the intervening passage of the Reappraisal Act, the Supreme Court reversed that part of the lower court's decree ordering the assessment of property

at true value (although it must still be appraised at true value), holding instead that assessed value may be expressed as a percentage of true value. Pursuant to the Supreme Court modification of the lower court's decree, on November 15, 1980, the Department of Revenue filed a master plan to assist counties in determining true value.

Homestead Exemption

The Mississippi Homestead Exemption Law of 1946 reduces the local tax burden on homes qualifying by law and substitutes revenues from other sources of taxation on the State level as a reimbursement to the local taxing units for such tax loss. Provisions of the homestead exemption law determine qualification, define ownership and limit the amount of property that may come within the exemption.

Subject to certain limitations, the tax loss resulting to local taxing units from properly qualified homestead exemptions is reimbursed by the Mississippi Department of Revenue.

Assessed Valuation¹

Assessment Year	Real Property	Personal Property ²	Public Utility Property	Total
2023	\$101,268,017	\$26,938,351	\$10,038,529	\$138,244,897
2022	100,720,033	25,889,243	9,693,376	136,302,652
2021	98,969,977	26,631,253	9,621,302	135,222,532
2020	89,252,925	25,428,959	8,897,946	123,579,830
2019	89,128,642	25,629,526	8,586,605	123,344,773

¹ The total assessed valuation is approved in September proceeding the fiscal year of the City and represents the value of real property, personal property and public utility property for the year indicated on which taxes are assessed for the following fiscal year's budget. For example, the taxes for the assessed valuation figures for 2024 will be collected starting in January 2024 for the 2024-24 fiscal year budget of the City.

² Personal property includes mobile homes and automobiles.

SOURCE: Jackson County Tax Assessor; September 2024.

The above assessed valuations are based upon the following assessment ratios:

- real and personal property (excluding single-family, owner-occupied residential real property and motor vehicles, respectively), 15% of true value;
- single-family, owner-occupied residential real property, 10% of true value; and
- motor vehicles and public utility property, 30% of true value.

The 1986 Session of the Mississippi Legislature adopted House Concurrent Resolution No. 41 pursuant to which there was proposed an amendment to Section 112 of the Mississippi Constitution of 1890 (the "1986 Amendment"). The 1986 Amendment provided, inter alia, that the assessment ratio of any one class of property shall not be more than three times the assessment ratio on any other class of property.

The 1986 Amendment set forth five classes of property and the assessment ratios which would be applicable thereto upon the adoption of the 1986 Amendment. The assessment ratios set forth in the 1986 Amendment are identical to those established by Section 27-35-4, Mississippi Code of 1972, as amended and supplemented, as it existed prior to the 1986 Amendment, except that the assessment ratio for single-family, owner-occupied, residential real property under the 1986 Amendment is set at 10% of true value as

opposed to 15% of true value under previously existing law. The 1986 Amendment was ratified by the electorate on June 3, 1986.

The assessed valuation figures above do not include property exempt from all City ad valorem taxes for a period of up to 10 years, primarily for new or expanded manufacturing facilities. This real and personal property will become subject to City ad valorem taxation at different points in time during the next ten years. In addition, certain other industrial and manufacturing facilities are exempt from ad valorem taxation pursuant to Section 57-3-33, Mississippi Code of 1972, as amended and supplemented.

Tax Levy Per \$1,000 Valuation¹

	2023-24	2022-23	2021-22	2020-21	2019-20
General Revenue ²	33.89	33.89	33.89	33.89	33.89
Debt Service	8.11	8.11	8.11	8.11	8.11
Library	1.00	1.00	1.00	1.00	1.00
Public Safety	0.00	0.00	0.00	0.00	0.00
Total Levy	43.00	43.00	43.00	43.00	43.00

¹ Tax levies are given in mills.

² 2.8 Mills from General Revenue is dedicated to Public Safety.

SOURCE: Office of the City Clerk, September 2024.

Ad Valorem Tax Collections¹

Fiscal Year Ended September 30	Amount Budgeted	Amount Collected	Difference Over/(Under)
2023	\$5,450,321	\$5,434,185	(\$16,136)
2022	5,418,117	5,442,181	24,064
2021	4,975,921	5,107,221	131,300
2020	4,960,331	5,037,061	76,730
2019	4,876,474	5,002,975	126,501

¹ Does not include school taxes.

SOURCE: Office of the City Clerk, September 2024.

Ten Largest Taxpayers

The ten largest taxpayers in the City for assessment year 2023 are as follows:

Taxpayer	Assessed Valuation	Taxes Collected
Singing River Electric Power Co-Op	\$ 8,182,709	\$351,856.00
Lowe's Home Centers LLC LP	2,262,259	97,277.00
Bienville Orthopedics/Surgery Center	2,061,504	88,645.00
A-Strategy X LLC	1,873,183	80,547.00
Reserve of Gautier LLC	1,040,301	44,733.00
Glenn Machine Works Inc.	880,172	37,847.00
CSX Transportation Inc.	797,853	34,308.00
Mississippi Power Company	731,446	31,452.00
Villas of Hickory Hills Inc.	651,661	28,021.00
Ocean Estates II LLC	591,812	25,448.00
TOTALS	\$19,072,900	\$820,134.00

SOURCE: Office of the Jackson County Tax Collector; September 2024.

DEBT INFORMATION

City Debt Limitations

Statutory Debt Limits. The City is subject to a general statutory debt limitation under which no city in the State may incur general obligation bonded indebtedness in an amount which will exceed 15% of the assessed value of all taxable property within such city according to the last completed assessment for taxation. In computing general obligation bonded indebtedness for purposes of this 15% limitation, there may be deducted all bonds or other evidences of indebtedness, heretofore, or hereafter issued, for school, water and sewerage systems, gas and light and power purposes and for the construction of special improvements primarily chargeable to the property benefited or for the purpose of paying a city's proportion of any betterment program, a portion of which is primarily chargeable to the property benefited. However, in no case may a city contract any indebtedness which, when added to all of its outstanding general obligation indebtedness, both bonded and floating, exceeds 20% of the assessed value of all taxable property within said city according to the last completed assessment for taxation.

In arriving at the limitations set forth above, bonds issued for school purposes, bonds payable exclusively from the revenues of any city owned utility, industrial development revenue bonds issued under the provisions of Section 57-1-1 through 57-1-51, Mississippi Code of 1972, as amended and supplemented, and any special assessment improvement bonds issued under the provisions of Section 21-41-1 through 21-41-53, Mississippi Code of 1972, as amended and supplemented, are not included. Also excluded from both limitations are contract obligations which are subject to annual appropriations.

Legal Debt Limit Statement¹

(as of September 15, 2024)

	15% Limit	20% Limit
Authorized Debt Limit (Last Completed Assessment for Taxation - \$138,244,897)	\$20,736,735	\$27,648,979
Present Debt Subject to Debt Limits	7,681,000	7,681,000
Margin for Further Debt Under Debt Limits	\$13,055,735	\$19,967,979
Less the Series 2024 Bonds	<u>2,000,000</u>	<u>2,000,000</u>
Margin for Further Debt Under Debt Limits after Issuance of the Series 2024 Bonds	<u>\$11,055,735</u>	<u>\$17,967,979</u>

¹ No bonds subject to the 15% or the 20% debt limit have been issued by the City since September 15, 2024.

SOURCE: Office of the City Clerk, September 2024.

Outstanding General Obligation Bonded Debt

(as of September 15, 2024)

Name of Issue ¹	Date of Issue	Original Issue Size	Outstanding
General Obligation Bond, Series 2019	04/11/19	\$4,390,000	\$3,780,000
General Obligation Refunding Bonds, Series 2020	05/05/20	4,244,000	2,521,000
General Obligation Note, Series 2023 ²	11/07/23	1,380,000	1,380,000
TOTAL			<u>\$7,681,000</u>

¹ Does not include the Series 2024 Bonds.

² This note is a 5-year note issued pursuant to Sections 17-21-51 *et seq.*, Mississippi Code of 1972, as amended and supplemented.

SOURCE: Office of the City Clerk, September 2024

Annual Debt Service Requirements¹

(as of September 15, 2024)

Fiscal Year	Principal	Interest	Total
2025	588,000.00	173,598.76	761,598.76
2026	591,000.00	159,496.26	750,496.26
2027	604,000.00	145,128.76	749,128.76
2028	606,000.00	130,408.76	736,408.76
2029	611,000.00	115,441.26	726,441.26
2030	616,000.00	101,136.26	717,136.26
2031	205,000.00	87,528.13	292,528.13
2032	215,000.00	80,965.63	295,965.63
2033	220,000.00	74,168.76	294,168.76
2034	225,000.00	67,215.63	292,215.63
2035	235,000.00	59,587.50	294,587.50
2036	240,000.00	51,275.00	291,275.00
2037	250,000.00	42,700.00	292,700.00
2038	260,000.00	33,775.00	293,775.00
2039	270,000.00	24,500.00	294,500.00
2040	280,000.00	14,875.00	294,875.00
2041	285,000.00	4,987.50	289,987.50
Total:	\$6,301,000.00	\$1,366,788.21	\$7,667,788.21

¹ Does not include the Series 2024 Bonds.

SOURCE: Office of the City Clerk, September 2024.

Debt Ratios

**Fiscal Year Ended
September 30**

General Obligation Debt

**General Obligation Debt to
Assessed Value**

2024
2022
2021
2020
2019

SOURCE: Office of the City Clerk, September 2024.

Outstanding Water and Sewer System Revenue Debt

(as of September 15, 2024)

Issue	Date of Issue	Outstanding Principal
State Revolving Fund Loan #3 ¹	01/06	\$ 54,822.85
State Revolving Fund Loan #4 ¹	09/06	140,792.46
State Revolving Fund Loan #4 ¹	10/06	173,025.13
State Revolving Fund Construction Loan #5 ¹	06/08	85,209.18
State Revolving Fund Construction Loan #6 ¹	09/09	208,280.15
State Revolving Fund Construction Loan #7 ¹	09/09	524,504.93
Combined Utility System Revenue Bonds, Series 2018 ²	6/01/18	3,105,000.00
Combined Utility System Revenue Bonds, Series 2019 ²	12/18/19	5,130,000.00
Taxable Combined Utility System Revenue Bonds, Series 2020 ²	12/17/20	2,060,000.00
Total		\$11,481,534.70

¹ The State Revolving Fund Loans (the "SRF Loans") are loans from the State to the City for the benefit of the City's combined utility system (the "System"). The SRF Loans have a lien on revenues of the System; however, the debt service is collected by the Mississippi Department of Revenue by diverting sales tax collections prior to remittance of the sales tax to the City. The City is then reimbursed from the revenues of the System.

² These bonds are payable solely from the revenues derived from the operation of the combined utility system of the City, subject to the prior payment of the reasonable and necessary expense of operating and maintaining the System and the payment of the SRF loans.

SOURCE: Office of the City Clerk, October 2024.

LITIGATION

The City's General Counsel, Bordis Danos Pierce, Ocean Springs, Mississippi, has reviewed the status of all pending litigation against the City. While the City is involved in numerous legal proceedings, there are no pending legal proceedings which might be expected to affect the City's ability to perform its obligations to the registered owners of the Series 2024 Bonds.

MUNICIPAL ADVISOR

The City has retained Government Consultants, Inc., Madison, Mississippi, as Independent Registered Municipal Advisor (the "Municipal Advisor") in connection with the sale and issuance of the Series 2024 Bonds. In such capacity the Municipal Advisor has provided recommendations and other financial guidance to the City with respect to the preparation of documents, the preparation for the sale of the Series 2024 Bonds and of the time of the sale, tax-exempt bond market conditions and other factors related to the sale of the Series 2024 Bonds. Although the Municipal Advisor performed an active role in the drafting of this Official Statement, it has not independently verified any of the information set forth herein.

RATING

No application for a rating for the Series 2024 Bonds from a nationally recognized rating agency has been made.

RECORD OF NO DEFAULT

There is no record of any default on general obligations of the City as to payment of either principal or interest or in any other material respect at any time in at least the past 25 years. No principal or interest on any obligation of the City is currently past due.

NO BOND PROCEEDS FOR CURRENT OPERATING EXPENSES

No proceeds from the sale of securities (except tax anticipation notes issued against revenues of a current fiscal year) have been used by the City for current operating expenses at any time in at least the past ten years.

PENSION PLAN

The City has no pension plan or retirement plan for its employees. City employees are members of and contribute to the Mississippi Public Employees' Retirement System (PERS), a cost-sharing, multiple employer retirement system administered by the State for the benefit of its local governments and State personnel. Benefit provisions are established by State statute and may be amended from time to time only by the State Legislature.

In June 2012, the Government Accounting Standards Board issued Statement No. 68, Accounting and Financial Reporting for Pensions ("GASB-68"). The objective of GASB-68 is to improve accounting and financial reporting of government pensions. Also, GASB-68 improves information provided by government employers about financial support for pensions that is provided by other entities.

Employer contribution rates are set by the PERS Board of Trustees pursuant to State statute. The percentage that an employer is required to contribute is currently 17.40%. The adequacy of these rates is assessed annually by actuarial valuation. As a result of the implementation of GASB-68, the total unfunded actuarial accrued liability attributable to the City is \$16,018,188 based upon the City's percentage of total employer contributions to PERS. See page 37 of "APPENDIX B" the City's Fiscal Year 2022 Audited Financial Statement.

On August 22, 2023, the PERS Board of Trustees voted to phase in an employer contribution rate increase by 2% each State fiscal year beginning July 1, 2024, and thereafter until the rate reaches the amount recommended by the PERS actuary and approved by the Board of Trustees, which is currently estimated to be 27.40%. During the 2024 legislative session, the State Legislature passed Senate Bill 3231 which rescinded this increase and gives the State Legislature sole authority to approve any future rate increases, stripping away that power from the Board of Trustees. Senate Bill 3231 provides for a 0.5% increase in the employer's contribution rate annually on July 1 of each year from 2024 through 2028. It also states that the State Legislature is committed to maintaining current benefits for retirees and current PERS members and expresses an intent to create a new PERS tier for future members with a different payment and benefits structure.

INDEPENDENT AUDITORS

The City has not requested and will not obtain a consent letter from its auditor for the inclusion of the audit report in this Official Statement. Wright, Ward, Hatten & Guel, the City's independent auditor, has not been engaged to perform, and has not performed, since the date of its report included herein any procedures on the financial statements addressed in that report. Wright, Ward, Hatten & Guel also has not performed any procedures relating to this Official Statement.

PURCHASER

The Series 2024 Bonds have been sold at public sale by the City to _____ (the "Purchaser"), and the Purchaser has agreed, subject to certain conditions, to purchase the Series 2024 Bonds at a price of \$2,000,000.00, plus a premium of \$_____.

VALIDATION

The Series 2024 Bonds may, in the discretion of the Governing Body, be validated before the Chancery Court of Jackson County, Mississippi, as provided by Section 31-13-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented.

APPROVAL OF LEGAL PROCEEDINGS

Certain legal matters incident to the authorization and issuance of the Series 2024 Bonds are subject to the approval of Butler Snow LLP, Ridgeland, Mississippi ("Bond Counsel") whose approving legal opinion will be available at the time of delivery of the Series 2024 Bonds (see APPENDIX C hereto). No representation is made to the registered owners of the Series 2024 Bonds that Bond Counsel has verified the accuracy, completeness or fairness of the statements in this Official Statement and Bond Counsel assumes no responsibility to the registered owners of the Series 2024 Bonds except for the matters set forth in such legal opinion. Certain legal matters will be passed upon for the City by its counsel, Mayo Mallette, PLLC, Gautier, Mississippi.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of the owners of the Series 2024 Bonds to provide certain financial information and operating data relating to the City within twelve months after the end of each Fiscal Year of the City beginning with the Fiscal Year ending on September 30, 2024 (the "Annual Report"), and to provide notices of the occurrence of certain enumerated events, in certain cases if deemed material under federal laws. The Annual Report and notices of material events will be filed by the City with (a) the Municipal Securities Rulemaking Board (the "MSRB") through MSRB's Electronic Municipal Market Assess system at <http://emma.msrb.org> ("EMMA") in the electronic format then prescribed by the Securities and Exchange Commission (the "SEC") pursuant to SEC Rule 15c2-12(b)(5) (the "Rule"), and with (b) any public or private repository or entity designated by a state as a State Repository, if any, for the purposes of the Rule. This information will be made available free to securities brokers and the general public through EMMA. For the procedures for all filings and notices due to the MSRB, instructions will be provided on the following website for MSRB: <http://emma.msrb.org>. The specific nature of the information to be contained in the Annual Report or the notices of material events is summarized in APPENDIX D to this Official Statement. These covenants have been made in order to assist the Underwriter in complying with the Rule.

[There have been instances in the last five years in which the City has failed to timely file its audited financial statements, unaudited financial information and certain annual financial information and operating data as required by its prior continuing disclosure undertakings. The City's audited financial statements were not timely filed in fiscal years _____. However, the City posted the required notices of failure to file the audited financial statements for each of the aforementioned fiscal years in a timely manner. In addition, there have been instances in which some tables included in its prior continuing disclosure undertakings were not included in every filing on EMMA. Some of the past filings required of the City were not filed under all outstanding CUSIPs and the City failed to timely file notice of certain underlying rating changes and failed to file notices of certain insured rating changes. The City has adopted policies and procedures to ensure timely filing of its annual financial information (the "Policy"). Pursuant to the Policy, a staff designee of the City will appoint or engage a dissemination agent to assist in carrying out its obligations under the Policy and/or the staff designee will be responsible for submitting the information required under the Policy. In accordance with the Policy, the City has hired a dissemination agent to file the City's required annual report. The City has also adjusted the timing of its reporting deadline on future issues to 12 months to ensure timely filing.]

INVESTMENT CONSIDERATIONS

Prospective purchasers of the Series 2024 Bonds should be aware that investment in the Series 2024 Bonds entails some degree of risk. Each prospective investor in the Series 2024 Bonds is encouraged to read this Official Statement in its entirety. Particular attention should be given to the investment considerations described below which, among others, could affect the payment of debt service on the Series 2024 Bonds and which could also affect the market price of the Series 2024 Bonds to an extent that

cannot be determined. This discussion of investment considerations is not and is not intended to be exhaustive.

Secondary Market

There can be no assurance that a secondary market can or will be maintained for the Series 2024 Bonds after their initial issuance and prospective purchasers of the Series 2024 Bonds should therefore be prepared, if necessary, to hold their Series 2024 Bonds to maturity.

Future Changes in Law

Myriad State laws, constitutional provisions and federal laws and regulations affect the Series 2024 Bonds and the financial condition of the City generally. There can be no assurance that there will not be any change in, interpretation of, or addition to the applicable laws and provisions which would have a material effect, directly or indirectly, on the affairs of the City.

Cybersecurity

The City is dependent on electronic information technology systems to deliver high quality, coordinated and cost-efficient services. These systems may contain sensitive information or support critical operational functions which may be valued for unauthorized purposes. As a result, the electronic systems and networks of the City may be targets of cyberattack. The City has taken, and continues to take, measures to protect its information technology systems, and the private, confidential information that those systems may contain, against cyberattack. While the City employs information technology professionals and utilizes operational safeguards that are tested periodically, no assurance can be given that such measures will protect the City against all cybersecurity threats or attacks.

Environment/Climate

Mississippi is susceptible to the effects of extreme weather events and natural disasters, including but not limited to, tornadoes, hurricanes, floods and droughts. The occurrence of such an event in the City could produce significant negative ecological, environmental and economic impacts to the City. Such impacts could be exacerbated by a longer-term shift in the climate over several decades, commonly referred to as climate change. Planning for climate change and its impact on the financial operations of the City is an unknown challenge and therefore its future impact on the City cannot be quantified reliably at this time.

TAX MATTERS

General

In the opinion of Bond Counsel under existing statutes, regulations, published rulings and judicial decisions, interest on the Series 2024 Bonds described herein is excludable from gross income of the owners thereof for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended and supplemented (the "Code"). Interest on the Series 2024 Bonds is not a separate tax preference item for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Code) for the purpose of computing the alternative minimum tax imposed on corporations. The opinion described above assumes the accuracy of certain representations and compliance by the City with covenants designed to satisfy the requirements of the Code that must be met subsequent to the issuance of the Series 2024 Bonds. Failure to comply with such requirements could cause interest on the Series 2024 Bonds to be included in gross income for federal income tax purposes retroactive to the date of issuance of the Series 2024 Bonds. The City has covenanted to comply with such requirements. Bond Counsel has expressed no opinion regarding other federal tax consequences arising with respect to the Series 2024 Bonds.

The accrual or receipt of interest on the Series 2024 Bonds may otherwise affect the federal income tax liability of the owners of the Series 2024 Bonds. The extent of these other tax consequences will depend on such owners' particular tax status and other items of income or deduction. Bond Counsel has expressed

no opinion regarding any such consequences. Purchasers of the Series 2024 Bonds, particularly purchasers that are corporations (including S corporations and foreign corporations operating branches in the United States of America), property or casualty insurance companies, banks, thrifts or other financial institutions, certain recipients of social security or railroad retirement benefits, taxpayers entitled to claim the earned income credit, taxpayers entitled to claim the refundable credit in Section 36B of the Code for coverage under a qualified health plan or taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations, should consult their tax advisors as to the tax consequences of purchasing or owning the Series 2024 Bonds.

In the opinion of Bond Counsel, interest on the Series 2024 Bonds is exempt from all income taxation in the State under existing laws, regulations, rulings and judicial decisions. This opinion addresses only the exemption of interest on the Series 2024 Bonds under the income tax laws of the State and does not address the tax treatment of the Series 2024 Bonds in any other state or jurisdiction.

Backup Withholding

As a result of the enactment of the Tax Increase Prevention and Reconciliation Act of 2005, interest on any federally tax-exempt obligations such as the Series 2024 Bonds is subject to information reporting in a manner similar to interest paid on taxable obligations. Backup withholding may be imposed on payments to any owner of the Series 2024 Bonds that fail to provide certain required information including an accurate taxpayer identification number to any person required to collect such information pursuant to Section 6049 of the Code. The reporting requirement does not in and of itself affect or alter the excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes or any other federal tax consequence of purchasing, holding or selling federally tax-exempt obligations.

Changes in Federal and State Tax Law

From time to time, there are legislative proposals in the Congress and in the states that, if enacted, could alter or amend the federal and state tax matters referred to under this heading "TAX MATTERS" or adversely affect the market value of the Series 2024 Bonds. It cannot be predicted whether or in what form any such proposal might be enacted or whether if enacted it would apply to the Series 2024 Bonds issued prior to enactment. In addition, regulatory actions are from time to time announced or proposed and litigation is threatened or commenced which, if implemented or concluded in a particular manner, could adversely affect the market value of the Series 2024 Bonds. It cannot be predicted whether any such regulatory action will be implemented, how any particular litigation or judicial action will be resolved, or whether the Series 2024 Bonds or the market value thereof would be impacted thereby. Purchasers of the Series 2024 Bonds should consult their tax advisors regarding any pending or proposed legislation, regulatory initiatives or litigation. The opinions expressed by Bond Counsel are based on existing legislation and regulations as interpreted by relevant judicial and regulatory authorities as of the date of issuance and delivery of the Series 2024 Bonds, and Bond Counsel has expressed no opinion as of any date subsequent thereto or with respect to any pending legislation, regulatory initiatives or litigation.

PROSPECTIVE PURCHASERS OF THE SERIES 2024 BONDS ARE ADVISED TO CONSULT THEIR OWN TAX ADVISORS PRIOR TO ANY PURCHASE OF THE SERIES 2024 BONDS AS TO THE IMPACT OF THE CODE UPON THEIR ACQUISITION, HOLDING OR DISPOSITION OF THE SERIES 2024 BONDS.

Original Issue Premium

The Series 2024 Bonds maturing on November 1 in the years ____ through and including ____ (the "Premium Bonds") have an issue price that is greater than the amount payable at maturity of such Premium Bonds. Any Premium Bonds purchased in the initial public offering at the issue price will have an "amortizable bond premium" within the meaning of Section 171 of the Code. A holder of a Premium Bond that has amortizable bond premium is not allowed any deductions for the amortizable bond premium. During each taxable year, a holder of a Premium Bond must reduce such holder's tax basis in such Premium Bond by the amount of the amortizable bond premium that is allocable to the portion of such taxable year during which the holder held such Premium Bond. The adjusted tax basis in a Premium Bond will be used

to determine taxable gain or loss upon a disposition (e.g., upon a sale, exchange, redemption or payment at maturity) of such Premium Bond.

Holders of Premium Bonds who did not purchase such Premium Bonds in the initial offering at the issue price should consult their own tax advisors with respect to tax consequences of owning such Premium Bonds. Any holders of Premium Bonds should consult their own tax advisors with respect to the state and local tax consequences of owning the Premium Bonds.

Original Issue Discount

The Series 2024 Bonds maturing on November 1 in the years ____ through and including ____ (the "Discount Bonds") are being offered and sold to the public at an original issue discount ("OID") from the amounts payable at maturity thereon. OID is the excess of the stated redemption price of a bond at maturity (the face amount) over the "issue price" of such bond. The issue price is the initial offering price to the public (other than to bond houses, brokers or similar persons acting in the capacity of underwriters or wholesalers) at which a substantial amount of bonds of the same maturity are sold pursuant to that initial offering. For federal income tax purposes, OID on bond will accrue over the term of the bond, and for the Discount Bonds, the amount of accretion will be based on a single rate of interest, compounded semiannually (the "yield to maturity"). The amount of OID that accrues during each semi-annual period will do so ratably over that period on a daily basis. With respect to an initial purchaser of a Discount Bond at its issue price, the portion of OID that accrues during the period that such purchaser owns the Discount Bond is added to such purchaser's tax basis for purposes of determining gain or loss at the maturity, redemption, sale or other disposition of that Discount Bond and thus, in practical effect, is treated as stated interest, which is excludable from gross income for federal income tax purposes.

Holders of Discount Bonds should consult their own tax advisors as to the treatment of OID and the tax consequences of the purchase of such Discount Bonds other than at the issue price during the initial public offering and as to the treatment of OID for state tax purposes.

DOCUMENTS ACCOMPANYING DELIVERY OF THE SERIES 2024 BONDS

Absence of Litigation

Upon delivery of the Series 2024 Bonds, the City shall furnish the certificate of the Mayor of the City, dated the date of delivery of the Series 2024 Bonds, to the effect that there is no pending litigation now of record in any court nor is there any litigation, to his knowledge, threatened or contemplated, affecting in any manner either directly or indirectly:

1. the Series 2024 Bonds;
2. the issuance, delivery, and validity of said Series 2024 Bonds;
3. the provision of funds to pay the interest thereon and principal thereof when such payments shall become due;
4. the proceedings and authority under which provision of funds is made;
5. the members of the Governing Body or their right to their respective offices at the time of the issuance, execution and delivery of said Series 2024 Bonds;
6. the tax-exempt status of the Series 2024 Bonds; or
7. the existence or powers of the City or the Governing Body.

Legal Matters

In addition to the approving legal opinion relating to the Series 2024 Bonds, the Purchaser will receive the opinion, dated the date of delivery of the Series 2024 Bonds, of Bond Counsel to the effect that, although it is not passing upon and does not assume any responsibility for the accuracy, completeness or fairness of the statements in this Official Statement, makes no representation that it has independently verified such statements and has necessarily assumed the fairness, accuracy and completeness thereof, on the basis of its participation in the preparation of portions of this Official Statement and in connection with the rendering of its opinion as to the validity of the Series 2024 Bonds, nothing has come to its attention that would give it reason to believe that the Official Statement (except for the financial and statistical data included herein, as to which no view need be expressed) contains any untrue statement of a material fact or omits to state any material fact that is required to be stated herein or necessary to make the statements contained herein, in light of circumstances under which they are made, not misleading.

Certificates

The Purchaser shall also receive a certificate, dated the date of the delivery of the Series 2024 Bonds, signed by the Mayor of the City and the Clerk of the City, certifying that, on the date of the execution of the certificate, they are duly chosen, qualified, and acting officers of the City occupying the offices indicated opposite their names. Further, the Mayor of the City and the Clerk of the City will certify that they have executed the Series 2024 Bonds by causing their signatures to be affixed to each Series 2024 Bond, and they do thereby recognize the said manual or facsimile signatures as their true and lawful signatures, and they will further certify that the seal impressed upon each Series 2024 Bond and on such certificate is the official seal of the City.

The Purchaser shall also receive a certificate, dated the date of delivery of the Series 2024 Bonds, signed by the Mayor of the City and the Clerk of the City certifying that this Official Statement, with respect to the Series 2024 Bonds, as of the date of this Official Statement, does not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements herein, in light of the circumstances under which they are made, not misleading. In providing such certificate, the Mayor of the City and the Clerk of the City will state that they have not undertaken to independently verify information obtained or derived from the various State or federal government publications or other sources as presented herein.

MISCELLANEOUS

Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact. No representation is made that any of the statements will be realized.

The references, excerpts and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is directed to all such documents for full and complete statements of all matters of fact relating to the Series 2024 Bonds, the security for the payment of the Series 2024 Bonds and the rights and obligations of the registered owners thereof.

The information contained in this Official Statement has been taken from sources considered reliable, but is not guaranteed. To the best of the City's knowledge, information in this Official Statement does not include any untrue statement of material fact nor does the information omit the statement of any material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

References herein to the Act and the Resolution are only summaries, excerpts or brief outlines of certain provisions thereof and do not purport to summarize or describe all provisions thereof. Additional information may be obtained upon request from the office of the Clerk of the City, City Hall, 3330 US Highway 90, Gautier, Mississippi 39553, attention: Ms. Teresa Montgomery, telephone: (228) 497-8000 and Government Consultants, Inc., 116 Village Boulevard, Madison, Mississippi 39110, attention: Mr. Steve Pittman; telephone: (601) 982-0005.

The execution of this Official Statement has been duly authorized by the Mayor and the City Council of the City of Gautier, Mississippi.

CITY OF GAUTIER, MISSISSIPPI

By _____
Casey Vaughan, Mayor

APPENDIX A
NOTICE OF BOND SALE

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NOTICE OF BOND SALE

\$2,000,000
CITY OF GAUTIER, MISSISSIPPI
GENERAL OBLIGATION BONDS
(PUBLIC IMPROVEMENTS ISSUE),
SERIES 2024

NOTICE IS HEREBY GIVEN that the Mayor and City Council (the "Governing Body") of the City of Gautier, Mississippi (the "City") will receive sealed bids, either electronically, in the manner described herein below, or by hand delivery, in the Office of the City Clerk in the City Hall of the City located at 3330 US Highway 90 in the City until the hour of _____.m. on October ____, 2024, at which time said bids will be publicly opened by the City Clerk and read for the purchase at not less than par plus accrued interest, if any, to the date of delivery of \$2,000,000 aggregate principal amount City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024 (the "Bonds"). Bids will be considered by the Governing Body at their meeting to be held on _____, October ____, 2024 at _____.m.

The Bonds will be dated the date of delivery thereof, will be delivered in definitive form as fully registered Bonds, will be in the denominations of \$5,000 or any integral multiple thereof, will be payable as to principal at a bank or banks to be named by the City (the "Paying and Transfer Agent") and will bear interest, payable semiannually on May 1 and November 1 of each year, commencing on November 1, 2025, at the rate or rates of interest specified in the bid submitted by the successful bidder in accordance with this Notice of Bond Sale (this "Notice").

The Bonds will be issued in registered, book-entry-only form and all bidders for the Bonds must be participants of The Depository Trust Company, New York, New York ("DTC"), or affiliated with its participants. The Bond certificates will be deposited with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants and for the transfer of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of the individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any multiple thereof through book entries made on the books and records of DTC and its participants. Unless the book-entry-only system is discontinued, Bond principal and interest payments will be made by the City to DTC through the Paying and Transfer Agent. DTC will then be responsible for distributing such payments to DTC participants for subsequent remittance to the owners of beneficial interests in the Bonds. Payment of principal and interest on the Bonds to DTC is the responsibility of the City, disbursement of such payments to DTC participants shall be the responsibility of DTC, and disbursements of such payments to the owners of beneficial interests shall be the responsibility of DTC participants and not the responsibility of the City. The City will have no responsibility or obligation to DTC participants or owners of beneficial interests in the Bonds, with respect to the payment by DTC or any DTC participants, of the principal of or interest on the Bonds or the providing of notice to DTC participants or owners of beneficial interests in the Bonds or with respect to: (a) the accuracy of any records maintained by DTC or any DTC participant; or (b) any consent given or other action taken by DTC as owner of the Bonds.

The Bonds will mature on November 1 in the years and in the principal amounts shown below:

Year	Principal Amount
2025	\$ 60,000
2026	65,000
2027	65,000
2028	70,000
2029	75,000
2030	75,000
2031	80,000

2032	85,000
2033	90,000
2034	95,000
2035	100,000
2036	105,000
2037	110,000
2038	115,000
2039	120,000
2040	125,000
2041	130,000
2042	140,000
2043	145,000
2044	150,000

The Bonds maturing November 1, 2035 and thereafter will be subject to redemption prior to their respective maturities, at the option of the City, on and after November 1, 2034, either in whole or in part on any date, as selected by the City among maturities, and by lot within each maturity, at the principal amount thereof, together with accrued interest to the date fixed for redemption and without premium.

The Bonds will be issued pursuant to the provisions of Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Act") and resolutions adopted or to be adopted by the Governing Body. The Bonds are being issued to raise money for the purpose of (a) financing the cost of erecting municipal buildings, purchasing buildings and/or land for public purposes, and for repairing, improving, adorning and equipping the same, including, but not limited to, demolishing structures on public land, constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, providing street lighting and purchasing land therefor, and providing for such other costs as are authorized by Section 21-33-301 of the Act, and (b) paying the costs incident to the sale and issuance of the Bonds.

The Bonds shall be general obligations of the City, and the full faith, credit and resources of the City shall be pledged for the payment of the principal of and interest on the Bonds. For the purposes of effectuating and providing for the payment of the principal of and interest on the Bonds, as the same shall respectively mature and accrue, there shall be levied a direct, continuing special tax upon all of the taxable property within the geographical limits of the City, adequate and sufficient, after allowance shall have been made for the expenses of collection and delinquencies in the payment of taxes, to produce sums required for the payment of the principal of and the interest on the Bonds; 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 established for the Bonds, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Bonds due during the ensuing fiscal year of the City. Said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the City are collected, and the rate of tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to rate or amount. The avails of said tax shall be irrevocably pledged for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue.

The Bonds are to be sold at not less than \$2,000,000 aggregate par plus interest on the Bonds accrued to the date of delivery, if any, and are to be awarded to the bidder complying with the terms hereof and offering to purchase all of the Bonds at the lowest net interest cost to the City. The net interest cost will be determined by computing the aggregate interest on the Bonds over the life of the issue at the rate or rates of interest specified by the bidder, less premium offered, if any. It is requested that each bid be accompanied by a statement of the net interest cost (computed to six decimal places), but such statement will not be considered a part of the bid. No Bond shall bear more than one (1) rate of interest; each Bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bid; all Bonds of the same maturity shall bear the same rate of interest from their date to maturity; the lowest rate of interest specified for any of the Bonds shall not be less than seventy percent (70%) of the highest rate of

interest specified for any of the Bonds; and the highest rate of interest specified for any of the Bonds shall not exceed eleven percent (11%) per annum. Each interest rate specified in any bid must be a multiple of one-eighth of one percent (1/8 of 1%) or a multiple of one-tenth of one percent (1/10 of 1%) and a zero rate of interest cannot be named.

Bidders must acknowledge in their respective bids that they have received and reviewed the City's preliminary official statement in connection with the issuance of the Bonds (the "Preliminary Official Statement"). The City deems the Preliminary Official Statement to be "final" as described in SEC Rule 15c2-12(b)(1) for the purposes of such Rule. Upon award of the Bonds to the successful bidder, the City will prepare a final official statement in connection with the Bonds (the "Official Statement") in substantially the form of the Preliminary Official Statement, subject to minor amendments and supplementations. A reasonably sufficient number of Official Statements will be made available to the successful bidder at the expense of the City within seven (7) business days of the award of the Bonds to such bidder. Copies of the Preliminary Official Statement may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 or the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison, Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

In order to assist bidders in complying with SEC Rule 15c2-12(b)(5), the City, pursuant to a resolution of the Governing Body and a continuing disclosure agreement, will agree to provide annual reports and notices of certain events. A summary of the City's procedures with regard to continuing disclosure is set forth in the Preliminary Official Statement and will also be set forth in the Official Statement.

All hand delivered bids must be on the Official Bid Form prepared by the City and enclosed in a sealed envelope and should be addressed to the Governing Body, at their offices located at City Hall, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 attention: Ms. Teresa Montgomery, City Clerk, City of Gautier, and worded on the outside, in substance, "Bid for City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024."

All electronic bids must be submitted to PARITY® via the BiDCOMP Competitive Bidding System. Each prospective electronic bidder shall be solely responsible to register to bid via PARITY® and may contact PARITY® at (212)849-5021. Each qualified prospective electronic bidder shall be solely responsible to make necessary arrangements to access PARITY® for the purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice. Neither the City nor PARITY® shall have any duty or obligation to provide or assure access to PARITY® to any prospective bidder, and neither the City nor PARITY® shall be responsible for a bidder's failure to register to bid or for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY®. The City is using PARITY® as a communication mechanism, and not as the City's agent, to conduct the electronic bidding for the Bonds. No other form of electronic bid or provider of electronic bidding services will be accepted. The City is not bound by any advice and determination of PARITY® to the effect that any particular bid complies with the terms of this Notice. An electronic bid made through the facilities of PARITY® shall be deemed an offer to purchase in response to this Notice and shall be binding upon the bidder as if made by a signed sealed written bid made to the City. To the extent any instructions or directions set forth in PARITY® conflict with the terms of this Notice, the terms of this Notice shall control. The City shall not be responsible for any malfunction or mistake made by or as a result of the use of electronic bidding facilities. The use of such facilities is at the sole risk of the bidders. If the Bonds are awarded to a bidder submitting a bid via the facilities of PARITY®, then the successful bidder is required to provide the City with a copy of the successful bid on a fully completed and executed Official Bid Form no later than the next business day following the award. Any bidder submitting its bid via PARITY® may, prior to the time set for the receipt of bids herein, (1) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn) constitute its bid for the Bonds, or (2) withdraw its proposed bid. Once the bids are communicated electronically via PARITY® to the City, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained on PARITY® shall constitute the official time. All costs and expenses incurred by prospective bidders in connection with their registration and submission of bids via PARITY® are the sole responsibility of the bidders; and the City is not responsible, directly or

indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying or withdrawing a bid for the Bonds, he should telephone PARITY® at (212)849-5021 and notify the City's Municipal Advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

Both written bids and electronic bids must be unconditional and received by the City and/or PARITY®, respectively, on or before _____.m., Mississippi Time, on _____, October ____, 2024, as stated above. The City is not liable for any costs incurred in the preparation, delivery, acceptance, or rejection of any bid.

AS A CONDITION PRECEDENT TO THE CONSIDERATION OF ITS BID, EACH BIDDER MUST PROVIDE TO THE CITY, AS A GOOD FAITH DEPOSIT, A WIRE TRANSFER, OR PROOF THEREOF, OR A CERTIFIED CHECK, CASHIER'S CHECK OR EXCHANGE PAYABLE TO THE ORDER OF THE CITY OF GAUTIER, MISSISSIPPI, ISSUED OR CERTIFIED BY A BANK LOCATED WITHIN OR WITHOUT THE STATE OF MISSISSIPPI, IN THE AMOUNT OF FORTY THOUSAND AND NO/100THS DOLLARS (\$40,000.00). No interest will be allowed on any good faith deposit. Bids will be accepted or rejected by the Governing Body on the date above shown for the sale of the Bonds. When a bid is rejected by the Governing Body, the good faith deposit accompanying said bid will be returned to the bidder. When a bid is accepted by the Governing Body, the good faith deposit accompanying said bid will be applied as part payment for the Bonds or, if the successful bidder fails to comply with this agreement to purchase the Bonds, will be retained as liquidated damages. Pending the application of the good faith deposit of the successful bidder as aforesaid, such deposit may be invested in direct obligations of, or obligations guaranteed by the United States of America or in repurchase agreements with banks fully secured by such obligations, and the City shall be entitled to any income from any such investment.

The Governing Body reserves the right to reject any or all bids as well as the right to waive any irregularity or informality in any bid. All bids, except electronic bids which must comply with the provisions above, shall be submitted on the Official Bid Form which may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000, or the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

In the opinion of Butler Snow LLP ("Bond Counsel"), assuming compliance by the City with certain tax covenants, under existing statutes, regulations, published rulings and judicial decisions, interest on the Bonds is excludable from gross income of the owners thereof for federal income tax purposes. Interest on the Bonds is not a separate tax preference item for purposes of the federal alternative minimum tax; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Internal Revenue Code of 1986, as amended and supplemented) for the purpose of computing the alternative minimum tax imposed on corporations. Bond Counsel will express no other opinion regarding other federal tax consequences resulting from the ownership, receipt or accrual of interest on or disposition of the Bonds. In addition, Bond Counsel is further of the opinion that under and pursuant to the Act, the Bonds and interest thereon are exempt from income taxation in the State of Mississippi.

The Bonds have been designated by the Governing Body as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended and supplemented.

The final approving opinion of Bond Counsel, relating to the validity and tax exemption of the Bonds, together with a non-litigation certificate of the City dated the date of delivery of the Bonds, and a transcript of the proceedings relating to the Bonds will be delivered to the successful bidder without charge.

It is anticipated that CUSIP identification numbers will be secured and printed on the Bonds, but neither the failure to secure or print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with its agreement to purchase the Bonds. All expenses in relation to the printing of CUSIP

numbers on the Bonds shall be paid for by the City; provided, however, that the CUSIP Global Services charge for the assignment of said numbers shall be paid for by the successful bidder.

The successful bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at the closing for the Bonds an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, in a form reasonably required by the City and Bond Counsel.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

- (a) the City shall disseminate this Notice to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (b) all bidders shall have an equal opportunity to bid;
- (c) the City may receive bids from at least three (3) underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (d) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice.

Any bid submitted pursuant to this Notice shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

In the event that the competitive sale requirements are not satisfied, the City shall so advise the winning bidder. The City shall treat the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The City will not require bidders to comply with the "hold-the-offering-price rule" and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds.

If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing of the Bonds has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party

to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice. Further, for purposes of this Notice:

- (a) "public" means any person other than an underwriter or a related party,
- (b) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public),
- (c) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and
- (d) "sale date" means the date that the Bonds are awarded by the City to the winning bidder.

The successful bidder will be given at least seven (7) business days advanced notice of the proposed date of delivery of the Bonds when that date has been tentatively determined. It is expected that the Bonds will be delivered in New York, New York and payment therefor shall be made in federal or other immediately available funds.

The successful bidder shall have the right, at its option, to cancel its agreement to purchase the Bonds if the Bonds to be delivered by the City in accordance with the preceding paragraph are not tendered for delivery within sixty (60) days from the date of sale thereof, and in such event the City shall return to said bidder its good faith deposit without interest. The City shall have the right, at its option, to cancel its agreement to sell the Bonds if within five (5) days after the tender of the Bonds for delivery the successful bidder shall not have accepted delivery of and paid for the Bonds, and in such event the City shall retain the successful bidder's good faith deposit as liquidated damages.

The successful bidder shall be responsible for payment of its own legal and administrative costs.

Further information with respect to the Bonds may be obtained from Ms. Teresa Montgomery, City Clerk, City of Gautier, 3330 US Highway 90, Gautier, Mississippi 39553, telephone: (228)497-8000 and the City's municipal advisor, Government Consultants, Inc., 116 Village Boulevard, Madison Mississippi 39110, telephone: (601)982-0005, attention: Mr. Steve Pittman.

DATED: October ___, 2024

CITY OF GAUTIER, MISSISSIPPI

By /s/Teresa Montgomery
City Clerk

APPENDIX B

**FISCAL YEAR 2022 AUDITED FINANCIAL STATEMENT,
AND FISCAL YEARS 2023, 2024 AND 2025 BUDGETS**

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APPENDIX C
FORM OF OPINION OF BOND COUNSEL

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[FORM OF OPINION OF BOND COUNSEL]

Mayor and City Council
City of Gautier, Mississippi
Gautier, Mississippi

Re: \$2,000,000 City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue),
2024

Ladies and Gentlemen:

We have acted as bond counsel ("Bond Counsel") for the City of Gautier, Mississippi (the "City"), in connection with the issuance of the City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024, dated the date of delivery thereof, in the total aggregate principal amount of \$2,000,000 (the "Series 2024 Bonds").

In such capacity, we have examined the Constitution and statutes of the State of Mississippi (the "State"), including particularly Sections 21-33-301 *et seq.*, Mississippi Code of 1972, as amended and supplemented (the "Act"), and certified copies of the proceedings had by the Mayor and City Council of the City (the "Governing Body"), including the adoption of resolutions on September 3, 2024, October 1, 2024 and October __, 2024 (collectively, the "Resolution"), and other proofs submitted to us relative to the sale and issuance by the City, acting by and through the Governing Body, of the Series 2024 Bonds.

The Series 2024 Bonds bear interest, mature and may be transferred and exchanged as set out in the Series 2024 Bonds and in the Resolution. Capitalized terms not defined herein are to be defined as set forth in the Resolution.

We have acted as Bond Counsel for the sole purpose of rendering an opinion with respect to the legality and validity of the Series 2024 Bonds under the laws of the State, including particularly the Act, and with respect to the excludability of the interest on the Series 2024 Bonds from federal and State income taxation. Regarding questions of fact material to our opinion, we have not investigated or verified original proceedings, records, data or other material, but have relied solely upon the certified transcript of proceedings described in the following paragraph and on the authenticity, truthfulness and completeness set forth in such documents, instruments and certificates. We have not assumed any responsibility with respect to the financial condition or capabilities of the City or the disclosure thereof in connection with the sale of the Series 2024 Bonds.

In our capacity as Bond Counsel, we have participated in the preparation of and have examined a certified transcript of proceedings pertaining to the Series 2024 Bonds which contains copies of certain proceedings of the City, customary certificates of officers, agents and representatives of the City and other public officials and other matters relating to the authorization and issuance of the Series 2024 Bonds, including a certification of the City prepared pursuant to Section 1.148-2(b)(2)(i) of the United States Treasury Regulations (the "Tax Compliance and No Arbitrage Certificate"). We have also examined Series 2024 Bond No. 1 of this issue.

Based on such examination and subject to the qualifications and assumptions that follow, it is our opinion, on the date hereof, that:

1. Such proceedings reflect lawful authority for the sale and issuance of the Series 2024 Bonds by the City pursuant to the Constitution and laws of the State, including the Act, and the provisions of the Resolution.

2. The Series 2024 Bonds have been duly authorized, executed and delivered by the City under the provisions of the Resolution.
3. Assuming the due authentication thereof by the Paying and Transfer Agent, the Series 2024 Bonds are legal, valid and binding general obligations of the City enforceable in accordance with the terms thereof under the provisions of the Resolution.
4. The Series 2024 Bonds are payable as to principal of, premium, if any, 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 rate or amount upon 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 for the Series 2024 Bonds, or has made other provisions for funds, to be applied toward the payment of the principal of and interest on the Series 2024 Bonds due during the ensuing fiscal year of the City, in accordance with the provisions of the Resolution. The City, when necessary, will levy annually a special tax upon all taxable property within the geographical limits of the City adequate and sufficient to provide for the payment of principal of and interest on the Series 2024 Bonds as the same falls due.
5. Under existing statutes, regulations, published rulings and judicial decisions, assuming compliance with certain covenants set forth in the Resolution which contain such provisions as are necessary to satisfy the requirements of Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and except as set forth below, (i) interest on the Series 2024 Bonds is excludable from the gross income of the owners thereof for federal income tax purposes, and (ii) interest on the Series 2024 Bonds is not treated as a specific item of tax preference under Section 57 of the Code in calculating the federal alternative minimum tax imposed by Section 55 of the Code; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in Section 59(k) of the Code) for the purpose of computing the alternative minimum tax imposed on corporations. In rendering the opinions contained in this paragraph 5, we have assumed continuing compliance by the City with the requirements of the Code that must be met after the issuance of the Series 2024 Bonds in order that interest on the Series 2024 Bonds be excludable from gross income of the owners thereof for federal income tax purposes. The failure to meet such requirements may cause interest on the Series 2024 Bonds to be included in gross income of the owners thereof for federal income tax purposes retroactive to the date of issuance of the Series 2024 Bonds. In the Resolution and certain certificates and agreements, the City has agreed to comply with or to require compliance with the requirements of the Code in order to maintain the excludability of interest on the Series 2024 Bonds from gross income of the owners thereof for federal income tax purposes.
6. Under and pursuant to existing laws of the State, the Series 2024 Bonds and interest thereon are exempt from all income taxes imposed by the State.

The Governing Body, acting for and on behalf of the City, has covenanted in the Resolution (a) to comply with each requirement of the Code necessary to maintain the excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes, and in furtherance thereof, to comply with the Tax Compliance and No Arbitrage Certificate, or such other covenants as may, from time to time, be required to be complied with in order to maintain the excludability of interest on the Series 2024 Bonds from gross income for federal income tax purposes, (b) to not use or permit the use of any of the proceeds of the Series 2024 Bonds, or any other funds of the City, directly or indirectly, to acquire any securities, bonds or other investment property, and (c) to not take or permit to be taken any other action or actions, which would cause any Series 2024 Bond to be an "arbitrage bond" as defined in Section 148 of the Code. Failure of the City to comply with such covenants could result in the interest on the Series 2024 Bonds being subject to federal income tax from the date of issue.

In rendering the opinion in paragraph 5 above, Bond Counsel has assumed the continuing compliance by the City with the tax covenants and representations in the Resolution and the representations in the Tax Compliance and No Arbitrage Certificate. These requirements relate to, *inter*

alia, the use and investment of the gross proceeds of the Series 2024 Bonds, the use of any facility, equipment or improvement financed or refinanced directly or indirectly with the proceeds of the Series 2024 Bonds and rebate to the United States Treasury of specified arbitrage earnings, if any. Bond Counsel has not undertaken to determine (or to inform any person) whether any actions taken (or not taken) or events occurring (or not occurring) after the date of issuance of the Series 2024 Bonds have resulted in a failure of the City to comply with its covenants. Failure of the City to comply with such covenants could result in the interest on the Series 2024 Bonds becoming subject to federal income tax from the date of issue.

Owners of the Series 2024 Bonds should consult their own tax advisors as to the applicability and effect on their federal income taxes of any other collateral federal income tax consequences.

It is understood that the rights of the owners of the Series 2024 Bonds and the enforceability of the Series 2024 Bonds and the Resolution may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar law affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable, and that the enforcement thereof may be subject to the exercise of judicial discretion in appropriate cases.

In this opinion letter issued in our capacity as Bond Counsel, we are opining only upon those matters set forth herein, and we are not passing upon the accuracy, adequacy or completeness of any statements made in connection with any offer or sale of the Series 2024 Bonds or upon any federal or state tax consequences arising from the receipt or accrual of interest on or the ownership or disposition of the Series 2024 Bonds, except those specifically addressed herein.

In rendering the foregoing opinions, we have assumed the accuracy and truthfulness of all public records and of all certificates, resolutions, documents and other proceedings examined by us that have been executed or certified by public officials acting within the scope of their official capacities and have not verified the accuracy or truthfulness thereof. We also have assumed the genuineness of the signatures appearing upon such public records, certifications, resolutions, documents and proceedings. In rendering this opinion we have relied upon the opinion of Bordis Danos Pierce, Ocean Springs, Mississippi, counsel for the City, dated the date hereof, as to the due authorization and execution by and enforceability against the City as to the Series 2024 Bonds and the Resolution.

This opinion letter is an expression of professional judgment regarding the matters expressly addressed herein. It is neither a guarantee of result nor an insurance policy with respect to the transaction or the future actions or performance of any party or entity. Our services have not included any financial or other non-legal advice. We express no opinion other than as herein expressly stated in this letter, and no expansion of our opinion may be made by implication or otherwise. The opinions herein are given as of the date hereof and are based upon statutes, regulations, rulings and court decisions in effect on the date hereof and not as of any future date. It should be noted that material changes regarding matters of fact and applicable law may hereafter occur. We expressly disclaim any undertaking or responsibility to review, revise, update or supplement this opinion letter subsequent to its date for any reason or to advise you of any change in the law, whether by reason of legislative or regulatory action, by judicial decision or otherwise, or of any change of facts or circumstances or of any facts or circumstances that may hereafter come to our attention or for any other reason.

Respectfully submitted,

BUTLER SNOW LLP

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APPENDIX D
FORM OF CONTINUING DISCLOSURE AGREEMENT

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CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (this "Disclosure Agreement") is executed and delivered by the City of Gautier, Mississippi (the "City") in connection with the execution and delivery of \$2,000,000 City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024 (the "Series 2024 Bonds"). The Series 2024 Bonds are being executed and delivered pursuant to resolutions adopted by the Mayor and City Council (the "Governing Body") of the City on September 3, 2024, October 1, 2024 and October __, 2024 (collectively, the "Resolution"). The City covenants and agrees as follows:

SECTION 1. Purpose of this Disclosure Agreement. This Disclosure Agreement is being executed and delivered by the City for the benefit of the Registered Owners (defined below) and the Beneficial Owners (defined below) of the Series 2024 Bonds in order to assist the Participating Underwriter (defined below) in complying with the Rule (defined below).

SECTION 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Agreement unless otherwise defined herein, the following capitalized terms shall have the following meanings:

"Accompanying Information" shall mean any identifying information or other information then required to accompany the applicable filing pursuant to the Rule, currently including, without limitation, the 9 digit CUSIP numbers for the Series 2024 Bonds.

"Beneficial Owner" shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Series 2024 Bond (including persons holding Series 2024 Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Series 2024 Bond for federal income tax purposes.

"Business Day" shall mean any day other than (a) a Saturday, (b) a Sunday, (c) any other day on which banking institutions in New York, New York, or the city in which the Paying and Transfer Agent maintains its principal corporate trust office, are authorized or required not to be open for the transaction of regular banking business or (d) any day on which the New York Stock Exchange is closed.

"City Annual Financial Information" shall mean the information summarized herein below under the heading "Annual Financial Information - City Undertaking."

"EMMA" shall mean the Electronic Municipal Market Access System found at <http://emma.msrb.org> which is the electronic format prescribed by the MSRB pursuant to the Rule.

"Fiscal Year" shall mean a period beginning on October 1 in any year and ending on September 30 of the following year or such other twelve-month period as may be adopted by the City in accordance with law.

"Independent Accountant" shall mean any firm of certified public accountants appointed by the City which is independent pursuant to the Statement on Auditing Standards No. 1 of the American Institute of Certified Public Accountants or the State Auditor.

"Listed Events" shall mean any of the events listed in Section 5 of this Disclosure Agreement.

"MSRB" shall mean the Municipal Securities Rulemaking Board. The electronic filings with the MSRB shall be through EMMA.

"Participating Underwriter" shall mean the original purchaser of the Series 2024 Bonds required to comply with the Rule in connection with the offering of the Series 2024 Bonds.

"Paying and Transfer Agent" shall mean the paying agent, transfer agent and registrar of the Series 2024 Bonds appointed by the City.

"Registered Owner" shall mean the person or persons in whose name any Series 2024 Bond is registered on the registration records of the City.

"Repository" shall mean the MSRB and each State Repository, if any.

"Required Electronic Format" shall mean the electronic format then prescribed by the SEC or the MSRB pursuant to the Rule.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as in effect on the date hereof.

"State" shall mean the State of Mississippi.

"State Repository" shall mean any public or private repository or entity designated by the State as a State repository for the purposes of the Rule. As of the date of this Disclosure Agreement, there is no State Repository.

"Timely" as used herein with respect to filings required under the Rule shall have the meaning required under the Rule, which with respect to Listed Events currently means within ten (10) Business Days after the occurrence of the Listed Event.

SECTION 3. General. Nothing in this Disclosure Agreement shall prevent the City from disseminating any information in addition to that required by this Disclosure Agreement. If the City disseminates any such additional information, the City shall not have any obligation to update such information or include it in any further materials disseminated. All expenses and any other costs incurred by the City in complying with this Disclosure Agreement shall be paid by the City.

SECTION 4. City Undertaking. The City hereby agrees for the benefit of the Registered Owners and the Beneficial Owners of the Series 2024 Bonds to provide, together with any Accompanying Information and in the Required Electronic Format:

(a) to each Repository, within twelve months after the end of each Fiscal Year of the City ending in or after September 30, 2024, but no later than September 30 of each year,

(1) the City Annual Financial Information relating to such Fiscal Year; or

(2) notice of the failure of the City to provide the City Annual Financial Information;

and

(b) (1) to each Repository, in a Timely manner, notice of any Listed Events; and

(2) to each Repository, in writing, in a Timely manner, notice of any event which, in the opinion of an authorized officer of the City had, or will have, a material effect on the financial condition or operations of the City.

(c) If the City is unable to provide to the MSRB the City Annual Financial Information by the date required in subsection (a), the City shall file or cause to be filed with the MSRB a notice in substantially the form attached to this Disclosure Agreement as Exhibit "A," or in another form determined by the City.

SECTION 5. Listed Events. (a) The City shall give or cause to be given notice of the occurrence of any of the following Listed Events with respect to the Series 2024 Bonds, together with any Accompanying Information and in Required Electronic Format, in a Timely manner not in excess of ten (10) business days after the occurrence thereof, if material. All events mandated by the Rule are listed below; however, some may not apply to the Series 2024 Bonds.

(1) Principal and interest payment delinquencies.

(2) Non-payment related defaults, if material;

- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on the credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the Series 2024 Bonds;
- (7) Modification to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Series 2024 Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the State¹;
- (13) Consummation of a merger, consolidation, or acquisition involving the State or the sale of all or substantially all of the assets of the State, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) The appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a financial obligation² of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the City, any of which affect security holders, if material; and
- (16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation² of the obligated person, any of which reflect financial difficulties.

¹ For the purposes of the event identified in subparagraph (b)(5)(i)(C)(12) of the Rule, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and official or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

² For purposes of the events identified in subparagraphs (b)(5)(i)(C)(15) and (16) of the Rule, the term "financial obligation" is defined to mean a (A) debt obligation; (B) derivative instrument entered into in connection with or pledged as security or a source of payment for, an existing or planned debt obligation; or (C) a guarantee of (A) or (B). The term "financial obligation" does not include municipal securities as to which a final official statement has been otherwise provided to the MSRB consistent with the Rule. In complying with Listed Events (15) and (16), the City intends to apply the guidance provided by the Rule or other applicable federal securities law, SEC Release No. 34-83885 (August 20, 2018) and any future guidance provided by the SEC or its staff.

SECTION 6. Annual Financial Information.

General. The contents, presentation and format of the City Annual Financial Information may be modified from time to time as determined in the judgment of the City to conform to changes in the Rule to disclosure principles or practices and legal requirements followed by or applicable to the City, provided that such modifications shall comply with the requirements of the Rule.

City Undertaking. City Annual Financial Information is defined to include:

- (a) audited financial statements for such Fiscal Year if audited financial statements are then available, and, if unavailable, such audited financial statements if and when they become available; and
- (b) updated financial information relating to the City of the type set forth in Exhibit B hereto which is contained in the tables in the Official Statement.

Any or all of the items listed above may be incorporated by reference from other documents, including official statements of debt issues with respect to which the City is an "obligated person" (as defined by the Rule), which have been filed with each of the Repositories or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the MSRB. The City shall clearly identify each such other document so incorporated by reference.

All documents provided to the MSRB pursuant to this Disclosure Agreement shall be in the format prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

As of the date of this Disclosure Agreement, all documents submitted to the MSRB must be in portable document format (PDF) files configured to permit documents to be saved, viewed, printed and retransmitted by electronic means. In addition, such PDF files must be word-searchable, provided that diagrams, images and other non-textual elements are not required to be word-searchable.

SECTION 7. Financial Statements. The annual financial statements for the City for each Fiscal Year shall be prepared in accordance with generally accepted accounting principles in effect from time to time. Such financial statements shall be audited by an Independent Accountant.

SECTION 8. Remedies. This Disclosure Agreement is enforceable in accordance with its terms by any Registered Owner or Beneficial Owner of the Series 2024 Bonds either directly or as a third-party beneficiary. Any Registered Owner or Beneficial Owner of the Series 2024 Bonds shall have the rights, for the equal benefit and protection of all Registered Owners and Beneficial Owners of the Series 2024 Bonds, by mandamus or other suit or proceeding at law or in equity, to enforce its rights against the City and any of the officers, agents and employees of the City, and to compel the City or any such officers, agents or employees to perform and carry out their duties under their respective undertakings; provided that such rights shall be limited to an action to compel specific enforcement of the obligations of the City hereunder and shall not include any rights to monetary damages.

SECTION 9. Amendments. Notwithstanding any other provision of this Disclosure Agreement, the City may amend this Disclosure Agreement and may waive any provision of this Disclosure Agreement, without the consent of the holders and Beneficial Owners of the Series 2024 Bonds, if such amendment or waiver does not, in and of itself, cause the undertakings herein (or action of any Participating Underwriter in reliance on the undertakings herein) to violate the Rule, but taking into account any subsequent change in or official interpretation of the Rule. The City will provide notice of such amendment or waiver to the MSRB.

SECTION 10. Parties in Interest; Governing Law. This Disclosure Agreement is executed and delivered for the sole benefit of the Registered Owners and Beneficial Owners of the Series 2024 Bonds and shall be governed by the laws of the State.

SECTION 11. Termination of Reporting Obligation. The undertaking of the City hereunder shall terminate on the earliest of (i) the date of legal defeasance, prior redemption or payment in full of all of the

Series 2024 Bonds; (ii) the date that the City shall no longer constitute an "obligated person" within the meaning of the Rule; or (iii) the date on which those portions of the Rule which require this written undertaking are held to be invalid by a court of competent jurisdiction in a non-appealable action, have been repealed retroactively or otherwise do not apply to the Series 2024 Bonds.

SECTION 12. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the City has caused this Disclosure Agreement to be executed by a duly authorized officer of the City as of this _____ day of _____, 2024.

(SEAL)

CITY OF GAUTIER, MISSISSIPPI

By _____
Mayor

ATTEST:

By _____
City Clerk

EXHIBIT A

NOTICE OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: City of Gautier, Mississippi

Name of Bond Issue: \$2,000,000 City of Gautier, Mississippi General Obligation Bonds (Public Improvements Issue), Series 2024

Date of Issuance: November ____, 2024

CUSIP Number: _____

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Agreement dated November ____, 2024. The Issuer anticipates that the Annual Report will be filed by _____.

Dated: _____, _____

EXHIBIT B

OFFICIAL STATEMENT TABLES TO BE UPDATED

TAX INFORMATION

Assessed Valuation

Assessment Year	Real Property	Personal Property ²	Public Utility Property	Automobiles	Total

Tax Levy Per \$1,000 Valuation

General Purposes:					
Operating Millage					
Debt Service Millage					
Miscellaneous Millage					
TOTAL					

Ad Valorem Tax Collections

Fiscal Year September 30	Amount Budgeted	Amount Collected	Difference Over/Under

Ten Largest Taxpayers

Taxpayer	Assessed Value	Taxes Collected

DEBT INFORMATION**Legal Debt Limit Statement**

(As of _____ 1, 20__)

	15% Limit	20% Limit
Authorized Debt Limit (Last Completed Assessment for Taxation - \$_____)		
Present Debt Subject to Debt Limits		
Margin for Further Debt Under Debt Limits		

Outstanding General Obligation Bonded Debt

(As of _____ 1, 20__)

Issue	Date of Issue	Original Principal Amount	Outstanding

Annual Debt Service Requirements for General Obligation Debt

Fiscal Year Ending 9/30	Principal	Interest	Total

Other Debt

(As of _____ 1, 20__)

Issue	Outstanding Principal and Interest

Debt Ratios

FY Ended September 30	General Obligation Debt	General Obligation Debt to Assessed Value

There came on for consideration the matter of the issuance of combined utility system revenue bonds of the City of Gautier, Mississippi and, after a discussion of the subject matter, Councilman Jackson offered and moved the adoption of the following resolution:

RESOLUTION NUMBER 165-2024

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI FINDING AND DETERMINING THAT A NOTICE OF RESOLUTION OF INTENT TO EITHER ISSUE REVENUE BONDS OF SAID CITY, ISSUE A REVENUE BOND OF SAID CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN A TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION THREE HUNDRED THOUSAND DOLLARS (\$5,300,000) FOR THE PURPOSE OF (A) ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, REPAIRING AND/OR EXTENDING THE COMBINED WATERWORKS AND SEWER SYSTEM OF SAID CITY, (B) FUNDING A DEBT SERVICE RESERVE FUND FOR SAID REVENUE BONDS, INCLUDING THE PREMIUM FOR A SURETY BOND, IF ANY, AND (C) PAYING THE COSTS OF ISSUANCE OF SAID REVENUE BONDS, INCLUDING THE PREMIUM FOR A MUNICIPAL BOND INSURANCE POLICY, IF ANY, WAS DULY PUBLISHED AS REQUIRED BY LAW AND THAT NO WRITTEN PROTEST OR OTHER OBJECTION OF ANY KIND OR CHARACTER AGAINST THE ISSUANCE OF SUCH REVENUE BOND OR BONDS OR AGAINST ENTERING INTO SUCH LOAN HAS BEEN FILED BY QUALIFIED ELECTORS OF THE CITY OF GAUTIER, MISSISSIPPI; AUTHORIZING AND DIRECTING THE ISSUANCE OF SUCH REVENUE BOND OR BONDS OR A LOAN OF SAID CITY IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION THREE HUNDRED THOUSAND DOLLARS (\$5,300,000); AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Gautier, Mississippi (the "Governing Body"), acting for and on behalf of the City of Gautier, Mississippi (the "City"), is authorized under the provisions of Sections 21-27-11 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the "Utility Act"), to issue revenue bonds of the City in such amounts as it may find necessary and proper and for the purposes set forth in the Act, including, but not limited to, (a) the acquisition, construction, enlargement, improvement, repair and/or extension of the City's combined waterworks, water supply, sewerage and sewer disposal facilities (the "System"), (b) funding a debt service reserve fund for such revenue bonds, including the premium for a surety bond, if any, and (c) paying the costs of issuance of such revenue bonds, including the premium for a municipal bond insurance policy, if any (the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the Utility Act and Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended and

supplemented from time to time (the "Bank Act"), and other applicable laws of the State of Mississippi (the "State"), to (a) issue a revenue bond of the City to be sold to the Mississippi Development Bank (the "Bank") to finance the costs of the Project, or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Governing Body has previously caused an estimate to be made of the costs of the Project by competent engineers employed by the City from which estimates the Governing Body finds and determines that the contemplated costs thereof will not exceed Five Million Three Hundred Thousand Dollars (\$5,300,000); and

WHEREAS, as a result of the findings in the study of such competent engineers, the Project and the costs thereof are economically feasible; and

WHEREAS, the Project is to be done substantially in accordance with plans and specifications prepared by such competent engineers and approved by the Governing Body; and

WHEREAS, as a result of a study done by such competent engineers, the Governing Body finds and determines that the estimated life of the Project will be at least twenty-five (25) years; and

WHEREAS, the Project is in accordance with the provisions of the Utility Act; and

WHEREAS, by resolution adopted on September 3, 2024 (the "Intent Resolution"), the Governing Body found and determined that it is necessary and proper for the City to finance the Project (a) through the issuance of revenue bonds of the City pursuant to the Utility Act (the "Bonds"), (b) through the issuance of a revenue bond of the City to be sold to the Bank pursuant to the Bank Act and the Utility Act (the "City Bond"), or (c) by entering into a loan with the Bank pursuant to the Bank Act and the Utility Act to borrow money from the Bank (the "Loan"), all in a total aggregate principal amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000); and

WHEREAS, the City Bond or the Loan will be funded with the proceeds of limited obligation bonds to be issued by the Bank (the "Bank Bonds"); and

WHEREAS, as required by the Utility Act, the Bank Act and the Intent Resolution, a Notice of Resolution of Intent (the "Notice of Intent") was published in the *Sun Herald*, a newspaper having a general circulation in the City and qualified under the provisions of the laws of the State, on September 4, 11 and 18, 2024, said publication being for three (3) consecutive weeks, with the last publication being made more than ten (10) days prior to October 1, 2024; and

WHEREAS, a proof of publication of the Notice of Intent is attached hereto as Exhibit A; and

WHEREAS, as of the hour of 6:30 p.m. on October 1, 2024, no qualified elector of the City had filed a written protest or objection of any kind or character against the Project, the Bonds, the City Bond or the Loan with the Clerk of the City (the "City Clerk") or any member of the Governing Body; and

WHEREAS, pursuant to the provisions of the Utility Act, the Governing Body has determined that it is necessary for the health and well-being of the citizens of the City that the City either issue the Bonds or the City Bond or enter into the Loan to finance the costs of the Project; and

WHEREAS, the City is hereby authorized to issue the Bonds or the City Bond or enter into the Loan in a total aggregate principal amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000); and

WHEREAS, the Bonds, the City Bond and/or the Loan will be secured by a lien on and payable from the Net Revenues (as hereinafter defined) of the System and from a pledge of 50% of the City's infrastructure modernization use tax monies (the "Modernization Use Tax") pursuant to Section 27-67-35, Mississippi Code of 1972, as amended and supplemented (the "Modernization Use Tax Act"); and

WHEREAS, the Bonds, the City Bond and/or the Loan will be issued on a parity with the City's outstanding \$4,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2018, dated June 1, 2018, the City's outstanding \$6,000,000 (original principal amount) Combined Utility System Revenue Bonds, Series 2019, dated December 18, 2019, and the City's outstanding \$2,579,000 (original principal amount) Combined Utility System Revenue Refunding Bonds, Series 2020, dated December 17, 2020 (collectively, the "Utility Bonds") which are also secured by the Net Revenues of the System; and

WHEREAS, it is necessary, proper and economically feasible that the City issue the Bonds pursuant to the Utility Act and the Modernization Use Tax Act, issue the City Bond pursuant to the Utility Act, the Modernization Use Tax Act and the Bank Act or enter into the Loan pursuant to the Utility Act, the Modernization Use Tax Act and the Bank Act, for the purposes herein stated and under the procedures hereinafter set forth and as provided by law; and

WHEREAS, the Governing Body is now authorized and empowered by the provisions of the Utility Act, the Modernization Use Tax Act and/or the Bank Act to issue the Bonds, issue the City Bond or enter into the Loan without an election on the question thereof for the purposes herein stated; and

WHEREAS, the Governing Body is further authorized by the Utility Act, the Modernization Use Tax Act and the Bank Act to, among other things, (a) sell the Bonds at a public sale as provided by the Utility Act, (b) sell the City Bond to the Bank pursuant to the terms and provisions of the Bank Act, or (c) enter into the Loan as provided by the Bank Act, and to make such other arrangements relating to the Bonds, the City Bond or the Loan; and

WHEREAS, the Bonds, the City Bond or the Loan do not exceed any statutory or constitutional limitation; and

WHEREAS, there are no other available funds on hand or from regular sources of income for such purposes; and

WHEREAS, it is necessary and advisable and in the best interest of the City for the Governing Body, acting for and on behalf of the City, to either issue the Bonds or the City Bond or enter into the Loan as hereinafter provided.

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

SECTION 1. Each and all of the facts and findings set forth in the premises clauses of this resolution are hereby found and determined to be true and accurate and are incorporated herein by this reference thereto as though set forth again in words and figures.

SECTION 2. The Governing Body does hereby find and determine that, as required by the Utility Act, the Bank Act and the Intent Resolution, the Notice of Intent was published in the *Sun Herald*, a newspaper having a general circulation in the City and qualified under the provisions of the laws of the State, on September 4, 11 and 18, 2024, said publication being for three (3) consecutive weeks, with the last publication being made more than ten (10) days prior to October 1, 2024.

SECTION 3. The proof of publication of the Notice of Intent is hereby accepted.

SECTION 4. The Governing Body does further find and determine that as of the hour of 6:30 p.m. on October 1, 2024, no qualified elector of the City had filed a written protest or objection of any kind or character against the Project, the Bonds, the City Bond or the Loan with the City Clerk or any member of the Governing Body.

SECTION 5. The Governing Body is now authorized to either (a) issue and sell the Bonds pursuant to the Utility Act and the Modernization Use Tax Act, (b) issue and sell the City Bond to the Bank pursuant to the Utility Act, the Modernization Use Tax Act and the Bank Act, or (c) enter into the Loan with the Bank pursuant to the Utility Act, the Modernization Use Tax Act and the Bank Act, all in a principal amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000) and without an election on the question thereof at any time within a period of two (2) years after the date of the adoption of this resolution.

SECTION 6. The Governing Body does hereby find and declare that the sale and issuance of the Bonds or the City Bond or the procurement of the Loan all in an amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000) to raise money for the purpose of providing financing for the Project and to pay the costs incident to the sale and issuance of the Bonds, the City Bond or the Loan is necessary and advisable and conforms to the Utility Act, the Modernization Use Tax Act and the Bank Act and does hereby authorize and direct the sale and issuance of either the Bonds or the City Bond and/or the procurement of the Loan.

SECTION 7. The costs of the Project shall not exceed Five Million Three Hundred Thousand Dollars (\$5,300,000) and the estimated life of the Project is at least twenty-five (25) years.

SECTION 8. The principal of and interest on the Bonds, the City Bond or the Loan shall be payable from the revenues derived and to be derived from the operation of the System after payment of the reasonable and necessary expense of operating and maintaining the System and the debt service on any State Revolving Fund Loans existing on the date of issuance of the Bonds, the City Bond or the Loan (the "Net Revenues") and/or the Modernization Use Tax. The Bonds, the City Bond and the Loan shall not constitute an indebtedness of the City within the meaning of any statutory or charter restriction, limitation, or provision, and the taxing power of the City will not be pledged to the payment of the Bonds, the City Bond or the Loan, but the same, together with the interest thereon, shall be payable solely from the Net Revenues of the System and the Modernization Use Tax. The Bonds, the City Bond or the Loan will be issued on parity with the Utility Bonds.

SECTION 9. The Mayor of the City (the "Mayor") and the City Clerk are each hereby appointed representatives of the City (the "Representatives") for the purposes of preparing, on behalf of the City, for the sale and issuance of the Bonds or the City Bond or the procurement of the Loan in accordance with the terms and provisions of this resolution and the applicable requirements of the Utility Act, the Modernization Use Tax Act and the Bank Act.

SECTION 10. The Representatives, Butler Snow LLP, Ridgeland, Mississippi ("Bond Counsel"), Bordis Danos Pierce, Ocean Springs, Mississippi ("City Counsel"), and Government Consultants, Inc., Madison, Mississippi (the "Municipal Advisor"), are hereby authorized and directed to carry out their respective responsibilities as set forth in this resolution.

SECTION 11. The Representatives are hereby authorized and directed (a) to take such actions and do such things as they shall deem appropriate and lawful to expedite the sale and issuance of the Bonds or the City Bond or the procurement of the Loan, (b) to authorize Bond Counsel, City Counsel and the Municipal Advisor to take such actions and do such things as the Representatives shall deem appropriate and lawful to expedite the sale of the Bonds or the City Bond or the procurement of the Loan, (c) to take such actions as may be necessary to facilitate the issuance of the Bank Bonds, if required, and (d) to take such actions and do such things as the Representatives shall deem appropriate to comply with the applicable requirements of the Utility Act, the Modernization Use Tax Act and the Bank Act.

SECTION 12. The Project shall be accomplished in general accordance with the plans and specifications therefor prepared and recommended by the engineer or engineering firm or firms employed by the City in connection with the Project.

SECTION 13. The Bonds or the City Bond shall be sold and issued, or the Loan entered into pursuant to this and subsequent resolutions of the Governing Body.

SECTION 14. In the event that any scrivener's errors shall be discovered in this resolution after the adoption hereof, but prior to the issuance of the Bonds, the City Bond or the Bank Bonds, the Governing Body hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this resolution prior to the issuance of the Bonds, the City Bond or the Bank Bonds.

SECTION 15. All resolutions or parts thereof in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 16. This resolution shall become effective immediately upon the adoption hereof.

SECTION 17. 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.

Councilman Colledge seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Mayor Casey Vaughan voted:	AYE
Councilman Adam Colledge voted:	AYE
Councilman Cameron B. George voted:	AYE
Councilman Richard "DJ" Jackson voted:	AYE
Councilman Gordon T. Gollott voted:	AYE
Councilman Rusty Anderson voted:	AYE
Councilman Dante Elbin voted:	AYE

The motion having received the affirmative vote of a majority of the members of the Mayor and City Council present, being a quorum of thereof, the Mayor declared the motion carried and the resolution adopted this 1st day of October, 2024

(SEAL)

CITY OF GAUTIER, MISSISSIPPI

By

Mayor

Attest:


City Clerk

89774088.v1

EXHIBIT A
PROOF OF PUBLICATION



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
18803	588947	Print Legal Ad-IPL01923140 - IPL0192314		\$651.48	3	87 L

Attention: AP

BUTLER SNOW LLP

1020 Highland Colony Parkway, Suite 1400

Ridgeland, Mississippi 39157

accounts.payable@butlersnow.com

NOTICE OF RESOLUTION OF INTENT

The Mayor and City Council of the City of Gautier, Mississippi (the "City") took up for consideration the matter of the issuance of combined water and sewer system revenue bonds 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 CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI TO EITHER ISSUE COMBINED WATER AND SEWER SYSTEM REVENUE BONDS OF SAID CITY, ISSUE A REVENUE BOND OF SAID CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN A TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION THREE HUNDRED THOUSAND DOLLARS (\$5,300,000) FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, REPAIRING AND/OR EXTENDING THE COMBINED WATERWORKS AND SEWER SYSTEM OF SAID CITY; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and City Council of the City of Gautier, Mississippi (the "Governing Body"), acting for and on behalf of the City of Gautier, Mississippi (the "City"), is authorized under the provisions of Sections 21-27-11 et seq., Mississippi Code of 1972, as amended and supplemented (the "City Act"), to issue revenue bonds of the City in such amounts as it may find necessary and proper and for the purposes set forth in the City Act, including, but not limited to, the acquisition and improvement of existing water systems and the acquisition, construction, enlargement, improvement, repair and/or extension of the City's combined waterworks and sewer system (the "Project"); and

WHEREAS, the Governing Body, acting for and on behalf of the City, is also authorized under the City 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 Act, the "Act"), and other applicable laws of the State of Mississippi (the "State"), to (a) issue a revenue bond of the City to be sold to the Mississippi Development Bank (the "Bank") to finance the costs of the Project, or (b) enter into a loan with the Bank to borrow money to finance the costs of the Project; and

WHEREAS, the Governing Body finds and determines that it is necessary and proper for the City to finance the costs of the Project, which Project is to be done substantially in accordance with plans and specifications prepared by competent engineers employed by the City and approved by the Governing Body; and

WHEREAS, the Governing Body is authorized to provide funding for the costs of the Project either (a) through the issuance of revenue bonds of the City pursuant to the City Act (the "Bonds"), (b) through the issuance of a revenue bond of the City to be sold to the Bank pursuant to the Act (the "City Bond"), or (c) by entering into a loan with the Bank pursuant to the Act to borrow money from the Bank (the "Loan"), all in a total aggregate principal amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000); and

WHEREAS, the Governing Body has caused an estimate to be made of the costs of the Project by competent engineers employed by the City from which estimate the Governing Body finds and determines that the contemplated costs thereof will not exceed Five Million Three Hundred Thousand Dollars (\$5,300,000); and

WHEREAS, the Governing Body has determined that the Project and the costs thereof are economically feasible and would be in the best interests of the citizens of the City; and

WHEREAS, it is necessary and advisable and in the best interest of the City for the Governing Body, acting for and on behalf of the City, to provide funding for the costs of the Project by borrowing money through the issuance of the Bonds or the City Bond or by entering into the Loan, all in accordance with the Act; and

WHEREAS, the City reasonably expects that it will incur expenditures in connection with the Project prior to the issuance of the Bonds or the City Bond or entering into the Loan, for which it will advance its internal funds and for which it intends to reimburse itself from the proceeds of the Bonds, the City Bond or the Loan; and

WHEREAS, the Governing Body is authorized and empowered by the City Act and/or the Bank Act to issue the Bonds or the City Bond or to enter into the Loan for the purposes herein set forth and there are no other available funds on hand or available from regular sources of income for such purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, ACTING FOR AND ON BEHALF OF SAID CITY, AS FOLLOWS:

SECTION 1. The Governing Body, acting for and on behalf of the City, hereby declares its intention to either (a) issue and sell the Bonds pursuant to the City Act, (b) issue and sell the City Bond to the Bank pursuant to the Act, or (c) enter into the Loan with the Bank pursuant to the Act to borrow money from the Bank, all in an aggregate principal amount not to exceed Five Million Three Hundred Thousand Dollars (\$5,300,000).

SECTION 2. The Bonds, the City Bond or the Loan will be issued for the purpose of financing the Project and to pay the costs incident to the sale and issuance of the Bonds or the City Bond or entering into the Loan, as authorized by the City Act and/or the Bank Act.

SECTION 3. The principal of and interest on the Bonds, the City Bond or the Loan shall be payable over a period not to exceed twenty-five (25) years solely from revenues derived and to be derived from the operation of the combined water and sewer system of the City (the "System"). The Bonds, the City Bond or the Loan shall not constitute an indebtedness of the City within the meaning of any statutory or charter restriction, limitation, or provision, and the taxing power of the City will not be pledged to the payment of the Bonds, the City Bond or the Loan, but the same, together with the interest thereon, shall be payable solely from revenues derived and to be derived from the operation of the System.

SECTION 4. Unless a protest in writing signed by not less than twenty percent (20%) of the qualified electors of the City objecting to and protesting against the issuance of the Bonds or the City Bond or the authorization of the Loan is filed with the City Clerk at City Hall located at 3330 US Highway 90, Gautier, Mississippi in the City on or before 6:30 p.m. on October 1, 2024, which date shall be more than ten (10) days after the date of the last publication of this resolution, the Governing Body will provide for the issuance of the Bonds or the City Bond or entering into the Loan at said time or at some meeting or meetings subsequent thereto. If such objection and protest is filed on or before said date and hour, the question of the issuance of the Bonds or the City Bond or entering into the Loan shall be submitted to an election to be held as provided in Section 21-27-43 of the City Act.

SECTION 5. This resolution shall be published once a week for at least three (3) consecutive weeks in the Sun Herald, a newspaper having general circulation in the City and qualified under the provisions of the laws of the State of Mississippi, and the last publication of this resolution shall be more than ten (10) days prior to the date hereinabove set forth in Section 4 as the deadline for the filing of any objection or protest.

SECTION 6. The City Clerk of the City is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of publication of this resolution and have the same before the Governing Body on the day and hour hereinabove set forth.

SECTION 7. The City hereby declares its official intent to reimburse itself from the proceeds of the Bonds, the City Bond or the Loan for expenses incurred with respect to the Project subsequent to the date of this resolution. This resolution is intended as a declaration of official intent under Treasury Regulation 1.150-2. The Bonds, the City Bond, or the Loan will not exceed an aggregate principal amount of Five Million Three Hundred Thousand Dollars (\$5,300,000).

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.

Upon motion duly made and seconded, the foregoing resolution was adopted by a majority of the members of the Governing Body present, being a quorum of said Governing Body, and the Mayor declared the motion carried and the resolution adopted the 3rd day of September, 2024.

IPL0192314
Sep 4, 11, 18 2024

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Mary Castro, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue(s) of:

3 insertion(s) published on:

09/04/24, 09/11/24, 09/18/24

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

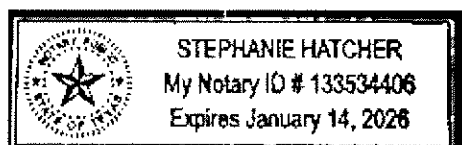
Mary Castro

Sworn to and subscribed before me this 18th day of September in the year of 2024

Stephanie Hatcher

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

Councilman Colledge made the motion to increase the charges related to Solid Waste Collection and Disposal services, as presented. Councilman Gollott seconded the motion. The vote was carried unanimously.

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

ORDER NUMBER 673-2024

WHEREAS, the City of Gautier was recently required to invite requests for proposals for solid waste collection and disposal services; and

WHEREAS, Waste Pro of Mississippi was ultimately awarded the solid waste collection and disposal contract; and

WHEREAS, the terms negotiated between Waste Pro of Mississippi and the City of Gautier have resulted in increased contractual obligations to the City;

WHEREAS, the City of Gautier intends to increase the amount charged to each solid waste customer from \$21.00 to \$31.00; and

WHEREAS, the purpose of the increase is to cover the additional monetary obligations in the new agreement with Waste Pro of Mississippi;

WHEREAS, the City has published notice of this proposed increase in accordance with Miss. Code Ann. § 21-19-2;

IT IS HEREBY ORDERED that the City of Gautier increases customer charges related to solid waste collection and disposal from \$21.00 to \$31.00 monthly.

IT IS FURTHER ORDERED that the comprehensive fee schedule is hereby revised and amended to reflect these changes.

IT IS FURTHER ORDERED that the City shall notify each person furnished with these services of the increase in charges by placing a conspicuous notice in the first bill on which the increased charges are assessed.

IT IS 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 **Councilman Colledge**, seconded by **Councilman Gollott**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

Councilman George made the motion to approve the renewal of commercial insurance policies through HUB International for property, casualty and liability insurance coverage for fiscal year 2025, as presented. Councilman Colledge seconded the motion. The vote was carried unanimously.

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

ORDER NUMBER 674-2024

WHEREAS, HUB International continues to serve as the city's "Broker of Record" in regard to Property and Casualty Insurance; and

WHEREAS, HUB International has negotiated renewals with insurance providers and presented the best renewal rates and coverages to the City Manager for approval; and

WHEREAS, renewal premiums including broker's fees for all expiring property including utility infrastructure, casualty and liability insurance are \$599,152.53 (an increase of \$28,400.55 from FY 2024); and

WHEREAS, the city will carry coverage for the following: Commercial Buildings/Equipment including Water Treatment Plant and 9 Municipal Wells, Commercial General Liability, Auto Liability and Physical Damage, Law Enforcement Liability, Public Officials Liability, Employee Crime, Employment Practices Liability, Boat, and Employee Accident & Sickness for Reserves and Volunteers;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that the renewal of the Property, Casualty and Liability Insurance policies for FY 2025, as presented, is hereby approved.

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

Motion was made by **Councilman George**, seconded by **Councilman Colledge**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Teresa L Montgomery, Comptroller
Date: 09/24/24
Subject: Commercial Insurance Renewal FY 2025

REQUEST:

Approve renewal of property, casualty, and general liability insurance policies for FY 2025.

BACKGROUND:

HUB International currently acts as the city's "Broker of Record" handling all Commercial Property and Liability Insurance. HUB has negotiated renewals with providers and presented the best renewal rates and coverages to the City Manager for approval. HUB receives a broker fee of \$22,000.00 to provide this service.

DISCUSSION:

Total premiums of property, casualty and general liability insurance and broker's fees for FY 2025 will be \$599,152.53 for all renewals. This is a total increase of \$28,400.55 over the FY 2024 renewals. All Property & Equipment insurance including infrastructure coverage increased \$12,927.55 due to property additions, values and the current market.

Travelers will remain our primary liability carrier with an overall premium increase of \$15,473.00. Most liability policies saw some increase reflecting current market trend. The most significant increases were in general liability (\$5,517) and Law Enforcement liability (\$4,767). Data compromise and cyber liability coverage will be presented at a later date.

Coverages provided by this renewal are:

Commercial Property: Buildings and Equipment
Utility Infrastructure Property Damage
Inland Marine (Boat)
Commercial General Liability
Business Auto Liability and Physical Damage
Crime: Includes Employee, Computer, and Identity Fraud
Public Officials Liability
Employment Practices Liability
Law Enforcement Liability
Employee Accident & Sickness for Reserves and Volunteers

RECOMMENDATION:

It is recommended the Gautier City Council approve the FY 2025 renewals as quoted in the attached premium summary.

ATTACHMENT:

Premium Summary FY 2025

Premium Summary

Description Of Coverage	Expiring Premium	Proposed Premium
Property & Equipment	\$264,974.30**	Premium: \$251,257.00 Inspection Fee: \$750.00 Program Fee: \$4,998.00 Stamping Fee: \$642.52 Surplus Lines Tax: \$10,280.16 MWUA Fee: \$7,710.12 Premium Total: \$275,637.80
Property (Infrastructure/Wells)	Premium: \$ 65,368.00 MS Stamp Fee: \$165.92 Policy Fee: \$ 500.00 Surplus Lines Tax: \$2,654.72 MWUA Fee: \$1,991.04 Carrier Inspection Fee: \$500.00 Premium Total: \$71,179.68	Premium: \$ 67,979.00 MS Stamp Fee: \$171.20 Policy Fee: \$ 500.00 Surplus Lines Tax: \$2,739.16 MWUA Fee: \$2,054.37 Premium Total: \$73,443.73
Inland Marine (Boat)	\$2,705.00	\$2,925
General Liability	\$32,191.00	\$37,708
Business Auto	\$81,310	\$82,378
Crime	\$1,407	\$1,435
Public Officials Liability	\$9,511	\$11,177
Employment Practices Liability	\$23,370	\$25,577
Law Enforcement Liability	\$56,840	\$61,607
Accident Insurance	\$1,424	\$1,424
Agency Fee	\$22,000	\$22,000
Equipment Breakdown- Wells & Infrastructure	\$3,840	\$3,840
Agency Fee to Total Premium Percentage	4.12%	3.72%
Total Estimated Annual Premium*	\$570,751.98	\$599,152.53

*All quoted premiums are annual estimates and may change due to year end audits or mid-term policy changes.

**Carrier may apply a short-rate penalty should you request a policy be cancelled mid-term.

** TRIA is available for purchase for an additional premium of \$24,958 on the property

*** Added new Amphitheater and 4 restrooms along with storage shed mid term

**** TRIA is available for an additional premium of \$250 on the Boat

TIV increased from \$19,884,149 to \$19,904,149

Councilman Gollott made the motion to advertise for bids for the City of Gautier's annual paving contract, as presented. Councilman George seconded the motion. The vote was carried unanimously.

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

ORDER NUMBER 675-2024

WHEREAS, the Utility Department is requesting authorization to advertise for bids an annual paving contract for the City of Gautier; and

WHEREAS, the City has authority to seek such assistance from the County pursuant to Mississippi law, and intends to continue utilizing those resources; and

WHEREAS, an annual contract would be beneficial to the City in the event that the City needs a road maintained before the County can provide their services to resurface; and

WHEREAS, if approved, the advertisement for bids will run in the Sun Herald on October 6th and October 13th, 2024, with the bid opening on November 1, 2024, at 12pm; and

WHEREAS, the Mayor and Council Members hereby find that advertising for bids on this project is in the best interests of the City of Gautier;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City is hereby authorized to advertise for bids for an annual paving contract for the City of Gautier.

IT IS 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 **Councilman Gollott**, seconded by **Councilman George**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: **None**

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Ramona Morgan, Public Works Director
Date: 09/20/2024
Subject: Authorization to advertise for bids for an annual paving contract for the City of Gautier.

REQUEST:

Staff requests that Council approve to advertise for bids for an annual paving contract.

BACKGROUND:

In the event we need to issue a PO for paving, we request that the Council approve to advertise for bids for an Annual Paving Contract.

DISCUSSION:

RECOMMENDATION:

Staff requests that you approve the request to advertise for bids.

ATTACHMENTS:

1. Gautier Bid Sheet and Specs - In Place Hot Bituminous Pavement_

Notice to bidders:

Sealed Bids for IN PLACE HOT BITUMINOUS PAVEMENT will be received by the City of Gautier, Mississippi **until 12:00 p.m. LOCAL TIME on the 1st day of November 2024**, and then will be publicly opened and read. Any bids received after the time and date specified will not be considered and will be returned unopened.

All bids shall be submitted in a sealed envelope addressed to the City Clerk of Gautier Mississippi. The Street address of the City Clerk is:

City Clerk
Gautier City Hall
3330 US-90
Gautier, Mississippi
39553

All bid envelopes shall be marked "SEALED BIDS FOR IN PLACE HOT MIX BITUMINOUS PAVEMENT TO BE OPENED AT 12:00 P.M. FRIDAY, NOVEMBER 1st, 2024" on the outside of the envelope.

When bids are submitted electronically, the same requirements for submitting sealed bids shall apply. Electronic bids shall include a document representing the cover of the envelope containing the aforementioned criteria. Electronic bids shall be submitted to sfarabee@gautier-ms.gov

Specifications:

- Hot bituminous pavement shall conform to the latest edition of MDOT Standard Specifications for Road and Bridge Construction, Section 401 – Bituminous Pavement.
- Contractor will ensure that all transitions are completed so as to be level with existing road grades when completed. Only saw cutting or milling to a minimum of 1.5” will be allowed.
- Tickets from certified scales shall be issued for each load from plant. Scale tickets shall be signed by a representative of the City of Gautier as designated by Public Works.
- The City of Gautier shall place a representative to oversee the contractor’s quality management program. The City of Gautier shall place a representative at each jobsite to receive load tickets.
- The contractor shall establish a quality management program to include job safety and traffic control procedures in accordance with the latest edition of the Manual of Uniform Traffic Control Devices. In addition, the contractor shall be responsible for material testing and quality control documentation of mix design and placement per MDOT Standard Specifications for Road and Bridge Construction Section 401 – Bituminous Pavement and Section 403 – Hot Mix Asphalt Pavement. Failure to provide adequate safety, traffic control and testing and documentation will be just cause for termination of this contract at the option of the City of Gautier. Any “re-work” that is determined to be the fault of the contract, shall be done at the contractor’s expense. The rework determination shall be made by either the Director of Public Works or the City’s Engineer.
- Materials quoted herein above shall meet the most current applicable portions of the latest edition of MDOT Standard Specifications for Road and Bridge Construction, Sections 401 and 403.
- Unless agreed upon in writing, Successful bidder shall begin work within 14 days of work authorization. Should the successful bidder fail to do so, the City shall be at liberty to purchase the ordered material from others and the successful bidder shall be liable to the City for any additional cost incurred by reason of the bidder’s failure to supply within the time specified. Failure to provide the product(s) when requested shall also be grounds to terminate their contract at the option of the City of Gautier
- Bituminous materials as listed above shall conform to the latest edition of the MDOT Standard Specifications for Road and Bridge Construction, Section 702 - Bituminous Materials.
- Measurement: Refer to MDOT Standard Specifications for Road and Bridge Construction, Section 702.02 – Measurement and Section 702.03 – Heating of Bituminous Material.
- At the beginning of the contract period, Contractor shall submit a current design mix (no greater than 2 years old), based on the use of currently available materials/stockpiles.
- At the beginning of the contract period, Contractor shall submit reasonably recent certified truck weights/tares.

- For areas of work within reasonably close proximity (less than 1000' apart), the work to be performed shall be included in a single work order and measured for payment as such.
- Where required as part of the work order, milling will be performed regardless of the sub-grade material (such as asphalt overlaid on concrete, etc.)
- Contractor's stockyard or plant must be within fifteen (15) miles of the City of Gautier Public Works facility.

General

- The City of Gautier reserves the right to award each Section to separate contractors.
- This is an Annual Contract with five one-year extensions.
- The City of Gautier reserves the right to select an Alternate provider to initiate work in the event that the Primary provider is unable to complete work in a timely manner, or it is deemed advantageous by the City to do so.
- A price adjustment will be allowed based upon an industry-wide cost index of petroleum products for asphalt used in the performance or execution of this contract. The industry-wide index shall be established by the state highway department. The price adjustment shall be based on cost and shall not include any additional profit or overhead. The successful contractor shall give (30) days written notice of any price adjustment. The plant shall meet all certifications as required by the state highway department.
- Successful contractor must provide proof of insurance of at least \$1,000,000 of general liability insurance prior to entering contracts on construction, repair and maintenance jobs in excess of \$25,000.00.
- Successful contractor must show proof of the following Insurance Coverage:

General Liability	Each Occurrence	Aggregate
Bodily injury	\$300,000.00	\$300,000.00
Property damage	\$100,000.00	\$100,000.00

BID SHEET
In Place Hot Bituminous Pavement

Section A – Patchwork (1-20 Tons) - Asphalt (1-300 square yard milling)

DESCRIPTION	UNIT PRICE
1. Hot Mix Asphalt In-Place, ST 9.5mm Mixture (used for overlays of 1 ½" & 2" thick).	\$ /TON
2. Hot Mix Asphalt In-Place, ST 19mm Mixture (used for base courses from 2" to 3 ½" thick).	\$ /TON
3. Cold Milling, Depth less than 2" – Contractor Retains Millings.	\$ /SQ YD
4. Cold Milling, Depth greater than 2" – Contractor Retains Millings.	\$ /SQ YD

Section B – Small Paving Work (21 to 400 tons) - Asphalt (301 to 3000 square yards milling)

DESCRIPTION	UNIT PRICE
1. Hot Mix Asphalt In-Place, ST 9.5mm Mixture (used for overlays of 1 ½" & 2" thick).	\$ /TON
2. Hot Mix Asphalt In-Place, ST 19mm Mixture (used for base courses from 2" x 3 ½" thick).	\$ /TON
3. Cold Milling, Depth less than 2" – Contractor Retains Millings.	\$ /SQ YD
4. Cold Milling, Depth greater than 2" – Contractor Retains Millings	\$ /SQ YD

Section C – Large Paving Work (401+ tons) – Asphalt (3001+ square yards milling)

DESCRIPTION	UNIT PRICE
1. Hot Mix Asphalt In-Place, ST 9.5mm Mixture (used for overlays of 1 ½" & 2" thick).	\$ /TON
2. Hot Mix Asphalt In-Place, ST 19mm Mixture (used for base courses from 2" x 3 ½" thick).	\$ /TON
3. Cold Milling, Depth less than 2" – Contractor Retains Millings.	\$ /SQ YD
4. Cold Milling, Depth greater than 2" – Contractor Retains Millings	\$ /SQ YD

Section D– Hot Mix Asphalt Picked up at Contractor's Plant, loaded onto City trucks

DESCRIPTION	UNIT PRICE
1. Hot Mix Asphalt type SC-1	\$ /TON

- NOTE 1.** Mobilization, traffic control, preparation, clean-up, and all other work associated with paving operations shall be included within UNIT PRICING.
- NOTE 2.** Contractor has 14 (fourteen) calendar days after receipt of work order to begin work.
- NOTE 3.** Leveling shall be part of Paving Work and will be based on the appropriate unit price.
- NOTE 4.** The City of Gautier reserves the right to award each Section to separate contractors.

We/I do hereby certify by my signature that our product(s) bid meets or exceeds your specifications. We agree that failure to meet the specifications shall be just cause for the City of Gautier to remove our company from the bid list.

CONTRACTOR INFORMATION

Company/Firm Name	
Authorized Representative-(print)	
Authorized Representative-(sign)	
Address	
Phone Number	
Facsimile Number	
Email	

Councilman Colledge made the motion to approve the Docket of Claims, as presented, provided that all entries thereon are true, correct, properly entered and not fraudulent. Councilman Anderson seconded the motion. The vote was carried unanimously.

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

ORDER NUMBER 676-2024

WHEREAS, Miss. Code Ann. 21-39-9 requires governing authority to review all unpaid claims and determine if there is an obligation. An obligation exists if the related materials and supplies were properly contracted for and received by the municipality; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Docket of Claims is hereby approved, provided that all entries thereon are true, correct, properly entered and not fraudulent.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilman Colledge**, seconded by **Councilman Anderson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

Docket of Claims
Release date from 10/01/2024 thru 10/01/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	OCCUPATIONAL HEALTH CENTER INC Account Number 001-100-604 001-100-604 001-100-604	243393	10/01/2024	09/16/2024	Invoice # 359766 359766 359766	Date 05/02/2024 05/02/2024 05/02/2024	280.00 170.00 75.00 35.00	
001	C SPIRE WIRELESS Account Number 001-100-606	243403	10/01/2024	09/19/2024	Invoice # 3000848065	Date 09/02/2024	896.48 896.48	
001	DEPT PUBLIC SAFETY Account Number 001-100-699	243405	10/01/2024	09/19/2024	Invoice # 90149015	Date 09/10/2024	240.00 240.00	
001	SPARKLIGHT Account Number 001-100-699	243406	10/01/2024	09/19/2024	Invoice # 09082024	Date 09/08/2024	132.95 132.95	
001	SPARKLIGHT Account Number 001-100-699	243407	10/01/2024	09/19/2024	Invoice # 09082024	Date 09/08/2024	62.38 62.38	
001	GLOBALSTAR Account Number 001-092-605	243408	10/01/2024	09/19/2024	Invoice # 0077318423	Date 09/16/2024	103.25 103.25	
001	MS MUNICIPAL LEAGUE Account Number 001-001-682	243410	10/01/2024	09/20/2024	Invoice # 39314	Date 10/01/2024	8,009.60 8,009.60	
001	GULF REGIONAL PLANNING COMMISSION Account Number 001-021-643	243411	10/01/2024	09/20/2024	Invoice # MPO FY2025	Date 08/22/2024	8,477.00 8,477.00	
001	TYLER TECHNOLOGIES INC Account Number 001-090-698 001-090-698	243412	10/01/2024	09/20/2024	Invoice # 025-475041 025-475041	Date 09/01/2024 09/01/2024	1,460.58 973.72 486.86	
001	LEADSONLINE LLC Account Number 001-100-699	243414	10/01/2024	09/20/2024	Invoice # 412880	Date 07/15/2024	3,626.00 3,626.00	
001	TRAVELERS CL REMITTANCE CENTER Account Number 001-092-625	243415	10/01/2024	09/20/2024	Invoice # 4394J5094	Date 09/11/2024	703.00 703.00	

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001	SPECIAL RISK INSURANCE COMPANY Account Number 001-092-625	243416	10/01/2024	09/20/2024	Invoice #	Date 09/08/2024	P.O. 1,424.00	1,424.00
001	UNFAZED SHOW & BAND LLC Account Number 001-170-512	243417	10/01/2024	09/20/2024	Invoice #	Date 09/16/2024	P.O. 3,500.00	3,500.00
001	AIR MASTERS MECHANICAL INC Account Number 001-100-635	243418	10/01/2024	09/20/2024	Invoice #	Date 09/16/2024	P.O. 4,500.00	4,500.00
001	DELTA COMPUTER SYSTEMS INC Account Number 001-092-606	243419	10/01/2024	09/20/2024	Invoice #	Date 09/15/2024	P.O. 690.00	490.00 200.00
001	AIRGAS USA LLC Account Number 001-205-588	243420	10/01/2024	09/20/2024	Invoice #	Date 09/30/2024	P.O. 413.67	413.67
001	AGJ SYSTEMS & NETWORKS INC Account Number 001-092-606	243428	10/01/2024	09/23/2024	Invoice #	Date 10/01/2024	P.O. 7,654.50	6,200.00 385.00 418.50 51.00 600.00
001	AT&T Account Number 001-092-605	243441	10/01/2024	09/23/2024	Invoice #	Date 09/14/2024	P.O. 4,573.92	4,573.92
001	C SPIRE WIRELESS Account Number 001-100-605	243442	10/01/2024	09/23/2024	Invoice #	Date 09/11/2024	P.O. 548.52	489.00 206.88 -147.36
001	SCOTT ANKERSON, CUSTODIAN Account Number 001-205-559	243443	10/01/2024	09/23/2024	Invoice #	Date 04/24/2024	P.O. 90.99	12.00 7.27 14.97 30.56 26.19

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001	SHERRY FARABEE, CUSTODIAN PETTY CASH	243444	10/01/2024	09/23/2024			45.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
001	092-525	16.077 UNL FUEL: CARD MALFTN	09102024	09/10/2024		45.00		
001	LEE N BOND, CUSTODIAN	243446	10/01/2024	09/23/2024			255.37	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
001	100-559	TAG RENEWALS (3)	06112024	09/18/2024		48.00		
001	100-559	TAG RENEWALS (2)	06252024	09/18/2024		32.00		
001	100-559	SHIPPING: SAT COM REPR	07082024	09/18/2024		13.51		
001	100-559	CABLES: DISPATCH	07222024	09/18/2024		27.86		
001	100-559	SCREWS	07242024	09/18/2024		7.47		
001	100-559	PADLOCK	08072024	09/18/2024		25.55		
001	100-559	CABLE TIES	08082024	09/18/2024		13.46		
001	100-559	KEYS (2)	08122024	09/18/2024		7.66		
001	100-559	CABLE TIES	09032024	09/18/2024		5.11		
001	100-559	TAG RENEWALS (3)	08092024	09/18/2024		48.00		
001	100-535	PANT HEM: LOVEJOY	09102024	09/18/2024		10.70		
001	100-535	ALTER SHIRT: HOLLINGSWORTH	09062024	09/18/2024		16.05		
001	KEVIN FINN, CUSTODIAN PETTY CASH	243447	10/01/2024	09/24/2024			61.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
001	161-681	CPR AED CARD: ODOM	02122024	02/12/2024		19.50		
001	161-681	CPR AED CARD: BURSE	02272024	02/27/2024		19.50		
001	161-559	NEW TITLE: ENG #6	08152024	08/15/2024		10.00		
001	161-559	NEW TAG: ENG #6	08162024	08/16/2024		12.00		
001	CHASSITY BILBO, CUSTODIAN	243448	10/01/2024	09/24/2024			95.06	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
001	170-559	CAR WASH: REC VAN	02222024	02/22/2024		12.00		
001	170-511	WOOD BIRD HSE(30): SR CRAFTS	03252024	03/25/2024		12.50		
001	170-559	CAR WASH: REC VAN	04242024	04/24/2024		12.00		
001	170-559	KEY: BACOT	05082024	05/08/2024		4.27		
001	170-511	CREAMER: SENIOR LUNCHEON	05102024	05/10/2024		2.45		
001	170-559	KEY (11): SR CENTER/BACOT	07302024	07/30/2024		46.50		
001	170-510	HAND SPRAYER: BATH HOUSE	01252024	01/25/2024		5.34		
001	FUELMAN	243450	10/01/2024	09/24/2024			3,243.79	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
001	090-525	UNL FUEL	NP67116300	09/16/2024		90.66		
001	100-525	UNL FUEL	NP67116300	09/16/2024		2,303.34		
001	161-525	UNL&DSL FUEL	NP67116300	09/16/2024		412.21		
001	170-525	UNL FUEL	NP67116300	09/16/2024		354.99		
001	205-525	UNL&DSL FUEL	NP67116300	09/16/2024		82.59		
001	FUELMAN	243452	10/01/2024	09/24/2024			3,083.45	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
001	090-525	UNL FUEL	NP67145639	09/23/2024		59.79		
001	100-525	UNL FUEL	NP67145639	09/23/2024		2,211.68		
001	161-525	UNL&DSL FUEL	NP67145639	09/23/2024		456.44		
001	170-525	UNL FUEL	NP67145639	09/23/2024		303.90		

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001	FUELMAN	Account Number 001-205-525	Description 243452 10/01/2024 09/24/2024	Invoice # NP67145639	Date 09/23/2024	P.O.	3,083.45 (CONTINUED)	51.64
001	ADRIANNE CRAWFORD RHOADS	Account Number 001-010-602	Description 243458 10/01/2024 09/24/2024	Invoice # 09172024	Date 09/23/2024	P.O.	800.00	200.00
		001-010-602	PUBLIC DEFENDER: 222769	09172024	09/23/2024			200.00
		001-010-602	PUBLIC DEFENDER: 189721	09172024	09/23/2024			200.00
		001-010-602	PUBLIC DEFENDER: 190634	09172024	09/23/2024			200.00
		001-010-602	PUBLIC DEFENDER: 224078	09172024	09/23/2024			200.00
001	RIDGDELL BROS INC	Account Number 001-092-520	Description 243460 10/01/2024 09/24/2024	Invoice # 23083491	Date 09/23/2024	P.O.	2,604.99	1,006.66
		001-201-679	OCT 2024 BED MNT: ENT SIGNS	23083490	09/23/2024			615.00
		001-201-679	OCT 2024 LAWN MNT: S HWY 90	23083488	09/23/2024			983.33
001	AT&T	Account Number 001-100-699	Description 243463 10/01/2024 09/24/2024	Invoice # 2284970262	Date 09/14/2024	P.O.	37.43	37.43
001	RJ YOUNG COMPANY LLC	Account Number 001-161-698	Description 243465 10/01/2024 09/24/2024	Invoice # INV7128340	Date 09/18/2024	P.O.	121.14	113.14
		001-161-698	GEMG00-01 RENTAL FEE	INV7128340	09/18/2024			8.00
001	RJ YOUNG COMPANY LLC	Account Number 001-092-698	Description 243466 10/01/2024 09/24/2024	Invoice # INV7123348	Date 09/16/2024	P.O.	470.88	470.88
001	DAVID FRANKLIN BATES	Account Number 001-170-425	Description 243468 10/01/2024 09/25/2024	Invoice # 08282024	Date 09/25/2024	P.O.	950.00	50.00
		001-170-425	MEET W/ VANCE/AVE SPORTS	08282024	09/25/2024			200.00
		001-170-425	FOOTBALL GAMES (2)	09212024	09/25/2024			200.00
		001-170-425	FOOTBALL GAMES (2)	09242024	09/25/2024			250.00
		001-170-425	ON CALL 9/16-20/24	09252024	09/25/2024			250.00
		001-170-425	ON CALL 9/23-27/24	09252024	09/25/2024			250.00
001	MARION F BATES JR	Account Number 001-170-502	Description 243469 10/01/2024 09/25/2024	Invoice # 09212024	Date 09/25/2024	P.O.	200.00	100.00
		001-170-502	REFEREE FB GAME (2)	09242024	09/25/2024			100.00
001	PATRICK EVANS	Account Number 001-170-502	Description 243470 10/01/2024 09/25/2024	Invoice # 09242024	Date 09/25/2024	P.O.	80.00	80.00
001	GRIFFIN MATTHEW GARRIGA	Account Number 001-170-502	Description 243471 10/01/2024 09/25/2024	Invoice # 09212024	Date 09/25/2024	P.O.	140.00	70.00
		001-170-502	REFEREE FB GAME (2)	09242024	09/25/2024			70.00
		001-170-502	REFEREE FB GAME (2)	09242024	09/25/2024			70.00

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001	HUNTER WILLIAMS Account Number 001-170-502 001-170-502	243472	10/01/2024	09/25/2024	#	P.O.	140.00	
	Description REFEREE FB GAME (2)						70.00	
	REFEREE FB GAME (2)						70.00	
001	RYAN TRIPLETT Account Number 001-170-502	243477	10/01/2024	09/25/2024	#	P.O.	70.00	
	Description REFEREE FB GAME (2)						70.00	
001	REYNOLDS WHOLESALE CO Account Number 001-161-510 001-161-510 001-161-510 001-161-510 001-161-510 001-161-510 001-161-510 001-161-510 001-170-513	243482	10/01/2024	09/26/2024	#	P.O.	288.95	
	Description #1508 MFB TOWERS CS (3)						74.85	
	SB SCRUB SPONGE (12)						9.48	
	PINE SOL 80 OZ (3)						29.25	
	BLEACH 6 GALS						25.95	
	BL CAN LINER 38X58 100CT (2)						69.90	
	COMET POWDER 21 OZ CAN (8)						13.52	
	BROWN PAPER HANDLE BAG (200)						66.00	
001	PUBLIC SECTOR HR ASSOC Account Number 001-022-660 001-022-660	243484	10/01/2024	09/26/2024	#	P.O.	360.00	
	Description FIRE FIGHTER TEST (10)						140.00	
	ADMIN FEE						220.00	
001	GULF STATES DISTRIBUTORS Account Number 001-100-587 001-100-587 001-100-587 001-100-587 001-100-587 001-100-587 001-100-587 001-100-587	243485	10/01/2024	09/26/2024	#	P.O.	14,111.00	
	Description CS 9MM 147GR G2 GDHP (7)						3,185.00	
	CS 9MM 147GR FMJ (15)						3,675.00	
	CS .223 REM 55GR FMJ (6)						2,430.00	
	CS 5.56X5.56MM 55GR FMJ BT(5)						2,125.00	
	CS 9MM 115GR FMJ (5)						1,200.00	
	CS 9MM GEN 2 BLUE 500CT (2)						698.00	
	CS 5.56MM BLUE 500CT (2)						798.00	
001	GULF HYDRAULICS & PNEUMATICS INC Account Number 001-170-639 001-170-639	243486	10/01/2024	09/26/2024	#	P.O.	253.77	
	Description CYLINDER REPR KIT: BACKHOE						63.77	
	LABOR						190.00	
001	IMAGES GALORE SIGNS LLC Account Number 001-092-565 001-092-565	243490	10/01/2024	09/26/2024	#	P.O.	253.19	
	Description 18" BLK "L": COLLEGE PRK SIGN						153.19	
	INSTALLATION: COLLEGE PRK SIGN						100.00	
001	RIDGELL BROS INC Account Number 001-170-520	243491	10/01/2024	09/26/2024	#	P.O.	2,350.00	
	Description 50 YDS BROWN MULCH: CRUISIN'						2,350.00	

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001	GULF SOUTH PRODUCTIONS LLC Account Number 001-170-512 001-170-512 001-170-512	243492	10/01/2024	09/26/2024	# Invoice 5477 5477 5477	Date 09/18/2024 09/18/2024 09/18/2024	P.O. 241300 241300 241300	3,450.00 3,000.00 150.00 300.00
001	REEVES COMPANY INC Account Number 001-100-535 001-100-535 001-100-535	243495	10/01/2024	09/26/2024	# Description YD SERVING PIN (8) #69 NAME PLATE (8) SHIPPING Invoice 499603 499603 499603	Date 09/10/2024 09/10/2024 09/10/2024	P.O. 241281 241281 241281	276.19 145.04 121.84 9.31
001	APOSTC LAW ENFORCEMENT ACADEMY Account Number 001-100-681 001-100-681 001-100-681	243496	10/01/2024	09/26/2024	# Description PATROL SUPRV CRS: HILL, R PATROL SUPRV CRS: LONGSTREET PATROL SUPRV CRS: JOHNSON, K Invoice 1741 1741 1741	Date 09/23/2024 09/23/2024 09/23/2024	P.O. 241043 241043 241043	300.00 100.00 100.00 100.00
001	ELEKTRA TECH ENTERTAINMENT Account Number 001-170-512	243497	10/01/2024	09/26/2024	# Description SOUND & STAGE COVER: CRUISIN Invoice 869	Date 09/16/2024	P.O. 241304	2,000.00 2,000.00
001	MUNICIPAL EMERGENCY SERVICES INC Account Number 001-161-639 001-161-639 001-161-639 001-161-639 001-161-639	243498	10/01/2024	09/26/2024	# Description PISTON ROD CYLINDER SEAL KIT LHTS-HURST HYDR SERV LABOR PINT EDRAULIC HYDR FLD (4) SHIPPING-PKG FEE Invoice IN2121061 IN2121061 IN2121061 IN2121061 IN2121061	Date 09/19/2024 09/19/2024 09/19/2024 09/19/2024 09/19/2024	P.O. 241227 241227 241227 241227 241227	1,639.95 914.43 159.00 375.00 116.52 75.00
001	DORSETT PRODUCTIONS UNLIMITED LLC Account Number 001-170-512	243499	10/01/2024	09/26/2024	# Description HD LED MOBILE SCRIN(2): CRUISIN Invoice 2010-4795	Date 09/10/2024	P.O. 241301	6,500.00 6,500.00
001	THE SOUTHERN CONNECTION POLICE SUPPLIES Account Number 001-100-535 001-100-535 001-100-535 001-100-535	243500	10/01/2024	09/26/2024	# Description ARMORSKIN BASE SHIRT SS (6) EMEROSIDER COLLAR (6) SF HOOK LINED BELT 872V (2) SF BUCKLELESS BELT #99 (2) Invoice 31671 31671 31671 31671	Date 08/15/2024 08/15/2024 08/15/2024 08/15/2024	P.O. 240843 240843 240843 240843	592.50 299.70 48.00 160.80 84.00
001	AMAZON CAPITAL SERVICE Account Number 001-170-502 001-090-559 001-205-559 001-205-559 001-205-559	243501	10/01/2024	09/26/2024	# Description HD FTBL TACKLE DUMMY (2) LT 80251 ADJ TABLE 26" G ZERO PKT 40CT GRAPE (2) G ZERO PKT 40CT F PUNCH (2) G ZERO PKT 40CT MIX (2) Invoice INXP6XNCL IDPTLPFXH IDPTLPFXH IDPTLPFXH 1QX44PWY1F	Date 08/26/2024 09/16/2024 09/16/2024 09/16/2024 09/24/2024	P.O. 241223 241292 241292 241292 241292	407.04 251.98 40.41 49.98 23.99 40.68

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001	AGJ SYSTEMS & NETWORKS INC Account Number 001-092-704	243502	10/01/2024	09/26/2024	#	Date	P.O.	Amount
		HP LASERJET P4015N: COURT		Invoice #		07/31/2024	241105	725.89
				115986				725.89
001	PASCAGOULA SUPPLY LLC Account Number 001-205-559	243503	10/01/2024	09/26/2024	#	Date	P.O.	Amount
		12X24X1 PRM STD M8A FLTR (12)		Invoice #		09/10/2024	241291	62.18
				3765				62.18
001	OCCUPATIONAL HEALTH CENTER INC Account Number	243505	10/01/2024	09/26/2024	#	Date	P.O.	Amount
		PRE-EMP PHYS: HERNANDEZ, K		Invoice #		08/07/2024	241016	75.00
		COC DRUG SCR: HERNANDEZ, K		367525		08/07/2024	241016	70.00
		PFT: HERNANDEZ, K		367525		08/07/2024	241016	45.00
		PRE-EMP PHYS: RETHERFORD, R		367525		08/07/2024	241016	75.00
		COC DRUG SCR: RETHERFORD, R		367525		08/07/2024	241016	70.00
		PFT: RETHERFORD, R		367525		08/07/2024	241016	45.00
		PRE-EMP PHYS: MOONEY, C		367525		08/07/2024	241016	75.00
		COC DRUG SCR: MOONEY, C		367525		08/07/2024	241016	70.00
		PFT: MOONEY, C		367525		08/07/2024	241016	45.00
		PRE-EMP PHYS: SHEPPARD, B		367525		08/07/2024	241016	75.00
		COC DRUG SCR: SHEPPARD, B		367525		08/07/2024	241016	70.00
		PFT: SHEPPARD, B		367525		08/07/2024	241016	45.00
		PRE-EMP PHYSICAL: JONES, J		367525		08/07/2024	241016	75.00
		COC DRUG SCR: JONES, J		367525		08/07/2024	241016	70.00
		PFT: JONES, J		367525		08/07/2024	241016	70.00
		PRE-EMP PHYS: CRAGER, C		367525		08/07/2024	241016	45.00
		COC DRUG SCR: CRAGER, C		367525		08/07/2024	241016	75.00
		PFT: CRAGER, C		367525		08/07/2024	241016	70.00
		PRE-EMP PHYS: BROWN, J		367525		08/07/2024	241016	45.00
		COC DRUG SCR: BROWN, J		367525		08/07/2024	241016	75.00
		PFT: BROWN, J		367525		08/07/2024	241016	70.00
		PRE-EMP PHYSICAL: TURNER, T		367525		08/07/2024	241016	45.00
		COC DRUG SCR: TURNER, T		367525		08/07/2024	241016	75.00
		PFT: TURNER, T		367525		08/07/2024	241016	70.00
		PRE-EMP PHYS: DUCKWORTH, L		367525		08/07/2024	241016	45.00
		COC DRUG SCR: DUCKWORTH, L		367525		08/07/2024	241016	75.00
		PFT: DUCKWORTH, L		367525		08/07/2024	241016	70.00
		PRE-EMP PHYS: GILDEA, J		367525		08/07/2024	241016	45.00
		COC DRUG SCR: GILDEA, J		367525		08/07/2024	241016	75.00
		PFT: GILDEA, JOHN		366080		08/07/2024	240976	45.00
		ANNUAL FF PHYSICALS (10)		366080		06/25/2024	240976	4,290.00
		ANNUAL FF PHYS W PSA (2)		366080		06/25/2024	240976	938.00
001	SINGING RIVER ELECTRIC COOPERATIVE Account Number	243507	10/01/2024	09/26/2024	#	Date	P.O.	Amount
		STREET LIGHTING 10054		Invoice #		09/25/2024		7,055.45
		CITY HALL 10054		09182024		09/25/2024		1,045.60
		WM PAYNE 10054-100244008		09182024		09/25/2024		55.86
		FRAZIER PARK 10054		09182024		09/25/2024		65.22
		SENIOR BLDG 10054		09182024		09/25/2024		546.58
		CITY PARK 10054		09182024		09/25/2024		155.95

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001	SINGING RIVER ELECTRIC COOPERATIVE	243507	10/01/2024	09/26/2024			10,454.63 (CONTINUED)	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-631	CENTRAL PD 10054		09182024	09/25/2024		454.59	
	001-092-631	PUBLIC WORKS 10054		09182024	09/25/2024		343.81	
	001-092-631	HWY 90 SIGN 10054		09182024	09/25/2024		36.02	
	001-201-629	SIGNAL LIGHTS 10054		09182024	09/25/2024		695.55	
001	SPARKLIGHT	243513	10/01/2024	09/26/2024			127.95	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-698	OCT 2024: GARAGE	134679919	09202024	09/20/2024		127.95	
001	HUB INTERNATIONAL	243516	10/01/2024	09/26/2024			297,637.87	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-625	COMMERCIAL PROPERTY-EQUIP		3821719	09/26/2024		275,637.87	
	001-092-625	AGENCY SERVICES/CONSULTING		3821719	09/26/2024		22,000.00	
001	H2O INNOVATION OPERATION & MAINTENANCE	243519	10/01/2024	09/26/2024			49,591.75	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-201-672	SEP 2024 MAINT OPS		2024-09	09/30/2024		31,832.51	
	001-201-672	RETAINAGE FY 2024		2023-24-R	09/30/2024		17,759.24	
001	COG 7M BOND ACCT	243520	10/01/2024	09/27/2024			44,170.72	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-000-104	TR MDOT WIRE: FUND 130		09272024	09/24/2024		44,170.72	
FUND TOTAL	1 Claims	to	Checks	59 Total			502,386.53 Manual	
							Held	Total 502,386.53

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
004	SINGING RIVER ELECTRIC COOPERATIVE	243454	10/01/2024	09/24/2024			2,174.18	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	004-510-631	AMPHITHEATER	118241002	09012024	09/09/2024		2,174.18	
004	RIDGELL BROS INC	243461	10/01/2024	09/24/2024			5,140.74	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	004-510-680	OCT 2024 LAWN MNT: SOUND		23083489	09/23/2024		3,695.83	
	004-510-699	OCT 2024 GNAT-INSECT APPL		23083492	09/23/2024		267.00	
	004-510-680	OCT 2024 CHEMICAL APP: SOUND		23083493	09/23/2024		1,177.91	
004	MISSISSIPPI POWER	243462	10/01/2024	09/24/2024			4,972.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	004-510-628	SEP 2024 LEASE: SOUND		0945635021	09/19/2024		4,972.00	
004	REYNOLDS WHOLESALE CO	243483	10/01/2024	09/26/2024			672.85	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	004-510-559	TISSUE 96 ROLLS/CS (5)		77496	09/17/2024		284.75	
	004-510-559	BL CAN LINER 30X36 150CT (2)		77496	09/17/2024		72.80	
	004-510-559	BWF TOWELS #1508 (4)		77496	09/17/2024		99.80	
	004-510-559	MAX SANITARY BAGS CS (2)		77496	09/17/2024		57.50	
	004-510-559	DIAL ANTIBAC SOAP 4G/CS (2)		77496	09/17/2024		158.00	
004	SPARKLIGHT	243515	10/01/2024	09/26/2024			1,690.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	004-510-699	09/20-10/19/24 SERV: 140013863		09202024	09/20/2024		1,690.00	
FUND TOTAL	4 Claims	Checks	5 Total	14,649.77	Manual	Held	Total	14,649.77

Release date from 10/01/2024 thru 10/01/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
172	JACKSON-GEORGE REGIONAL LIBRARY							
	Account Number	243402	10/01/2024	09/19/2024			6,586.76	
	172-350-650							2,588.45
	LIBRARY SUPPORT							3,998.31
	172-350-650							
	LIBRARY SUPPORT							
	TAX SALE							
	SEP 2024							
	09/19/2024							
	09/19/2024							
FUND TOTAL 172 Claims	to	Checks	1 Total				6,586.76 Manual	Held
								Total
								6,586.76

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
176	AD2 INC	243421	10/01/2024	09/20/2024	Invoice #	Date	P.O.	
	Account Number				4101	09/15/2024		702.20
	176-170-699				4101	09/15/2024		52.20
	176-170-699				4101	09/15/2024		300.00
	176-170-699				4101	09/15/2024		350.00
176	AT&T	243464	10/01/2024	09/24/2024	Invoice #	Date	P.O.	
	Account Number				2284972244	09/14/2024		178.52
	176-170-605							178.52
	MTHLY SERVICE 2 LINES							
176	SPARKLIGHT	243514	10/01/2024	09/26/2024	Invoice #	Date	P.O.	
	Account Number				09202024	09/20/2024		219.39
	176-170-699							219.39
	OCT 2024: SSP							
	132698937							
	Checks	3	Total					

Release date from 10/01/2024 thru 10/01/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
250	FIRST NATIONAL BANK TRUST DEPT Account Number 250-680-811	243424	10/01/2024	09/23/2024	Invoice # 11012024	Date 09/15/2024	P.O. 57,153.13	
							57,153.13	
								57,153.13
FUND TOTAL	250 Claims	to	Checks	1 Total	57,153.13	Manual	Held	Total 57,153.13

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
256	TRUSTMARK LOAN OPERATIONS							
	Account Number	243455	10/01/2024	09/24/2024	Invoice #	Date	P.O.	345,885.50
	256-680-812				11012024	09/20/2024		276,000.00
	256-680-813				11012024	09/20/2024		69,885.50
FUND TOTAL	256 Claims	to	Checks	1 Total	345,885.50	Manual	Held	Total 345,885.50

Release date from 10/01/2024 thru 10/01/2024

Docket of Claims

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
304	GULF COAST FENCE COMPANY INC Account Number 304-510-799	243487	10/01/2024	09/26/2024	Invoice # 38795	Date 08/30/2024	P.O. 241088	3,400.00 3,400.00
		34'- 5'3"	RAIL ALUM FENCE					
FUND TOTAL 304	Claims	to	Checks	1 Total	3,400.00	Manual	Held	Total 3,400.00

Release date from 10/01/2024 thru 10/01/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
305	SYLVANE INC							
	Account Number	243493	10/01/2024	09/26/2024			6,528.55	
	305-300-720				IN117941	09/06/2024	241236	7,049.97
	305-300-720				IN117941	09/06/2024	241236	203.97
	305-300-720				IN117941	09/06/2024	241236	-725.39
	DISCOUNT: STORAGE BLDG							
FUND TOTAL 305 Claims	to	Checks	1 Total		6,528.55 Manual		Held	Total 6,528.55

Docket of Claims
Release date from 10/01/2024 thru 10/01/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	COG DEPOSITORY ACCOUNT						43,427.11	
	Account Number	Description	Invoice #	Date	P.O.			
	400-680-821	ST INS #3 90/57 SMR	09092024	09/09/2024		7,877.45		
	400-680-822	ST INS #4 90/57 WTR	09092024	09/09/2024		10,948.67		
	400-680-822	ST INS #4 90/57 WTR	09092024	09/09/2024		9,019.22		
	400-680-823	ST INS #6 ALLEN RD	09092024	09/09/2024		2,149.95		
	400-680-824	ST INS #7 OLD SPAN TR	09092024	09/09/2024		3,765.83		
	400-680-825	ST INS #7 OLD SPAN TR	09092024	09/09/2024		9,665.99		
400	AT&T						69.18	
	Account Number	Description	Invoice #	Date	P.O.			
	400-650-605	MONTHLY SERVICES	2284972276	09/06/2024		69.18		
400	JACKSON COUNTY UTILITY AUTHORITY						256,417.00	
	Account Number	Description	Invoice #	Date	P.O.			
	400-651-668	OCT 2024 TREATMENT CHGS	2707	10/01/2024		256,417.00		
400	TYLER TECHNOLOGIES INC						3,459.00	
	Account Number	Description	Invoice #	Date	P.O.			
	400-650-698	10/24-9/25 ERP PRO UTY ACCRSS	025-476355	09/01/2024		2,520.00		
	400-650-698	HARDWARE ANNUAL MAINT FEES	025-476355	09/01/2024		939.00		
400	2018-2019 BOND DEBT SERVICE FUND						24,000.00	
	Account Number	Description	Invoice #	Date	P.O.			
	400-900-950	OCT 2024: 2018 BOND DS	10012024	10/01/2024		24,000.00		
400	2018-2019 BOND DEBT SERVICE FUND						32,000.00	
	Account Number	Description	Invoice #	Date	P.O.			
	400-900-950	OCT 2024: 2019 BOND DS	10012024	10/01/2024		32,000.00		
400	SHERRY FARABEE, CUSTODIAN PETTY CASH						144.00	
	Account Number	Description	Invoice #	Date	P.O.			
	400-650-559	MONEY ORDER: NEW TAGS (7)	08152024	08/15/2024		84.00		
	400-650-559	MONEY ORDER: NEW TAGS (5)	08192024	08/19/2024		60.00		
400	SPARKLIGHT						185.88	
	Account Number	Description	Invoice #	Date	P.O.			
	400-650-698	OCT 2024: 118901040	09162024	09/16/2024		185.88		
400	FUELMAN						140.83	
	Account Number	Description	Invoice #	Date	P.O.			
	400-650-525	UNL FUEL	NP67116300	09/16/2024		140.83		
400	FUELMAN						167.03	
	Account Number	Description	Invoice #	Date	P.O.			
	400-650-525	UNL FUEL	NP67145639	09/23/2024		167.03		

Docket of Claims
Release date from 10/01/2024 thru 10/01/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	SINGING RIVER ELECTRIC COOPERATIVE	243459	10/01/2024	09/24/2024			7,574.18	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-631	LIFT STATIONS 20688	09122024	09/19/2024		223.65		
	400-651-631	SCHOONER WELL 20688	09122024	09/19/2024		1,359.51		
	400-651-631	WATER WELLS 17881	09172024	09/24/2024		3,219.18		
	400-651-631	LIFT STATIONS 17881	09172024	09/24/2024		2,771.84		
400	RJ YOUNG COMPANY LLC	243467	10/01/2024	09/24/2024		208.75		
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-698	GS1100-01 RENTAL FEE	INV7123349	09/16/2024		166.49		
	400-650-698	IM C4500 USAGE:B/W	INV7123349	09/16/2024		6.38		
	400-650-698	IM C4500 USAGE:COLOR	INV7123349	09/16/2024		35.88		
400	AT&T	243478	10/01/2024	09/25/2024		358.98		
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-605	MONTHLY SERVICE	2284975234	09/14/2024		358.98		
400	MICRO METHODS INC	243488	10/01/2024	09/26/2024		400.00		
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-698	TSS SAMPLE MTHLY: ION PLANT	2409120186	09/13/2024		70.00		
	400-651-698	1ST SAMPLE: LEWIS GATE	2409379186	09/23/2024		100.00		
	400-651-698	2ND SAMPLE: LEWIS GATE	2409379186	09/23/2024		30.00		
	400-651-698	OVERTIME	2409379186	09/23/2024		200.00		
400	COAST CHLORINATOR & PUMP CO INC	243489	10/01/2024	09/26/2024		400.00		
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-582	NOZZLE COMBO HOSE/THREAD(2)	77800	08/21/2024		294.00		
	400-651-582	DIFUSER (2)	77800	08/21/2024		70.00		
	400-651-582	EJECTOR NOZZLE GASKET (4)	77800	08/21/2024		36.00		
400	CITY ELECTRIC SUPPLY CO	243494	10/01/2024	09/26/2024		476.94		
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-584	32A AUX 120V COIL(2):DUBARRY	PAS/097491	09/10/2024		241290		
	400-651-584	OL RELAY 12-18A(2):DUBARRY	PAS/097491	09/10/2024		241290		
	400-651-584	DIN RAIL 35MMX7.5MMX1M:DUBARRY	PAS/097491	09/10/2024		241290		
	400-651-584	CNTL TRN 50VA 120/240:FAIRWAY	PAS/097490	09/10/2024		241288		
	400-651-584	CNTL TRN 50VA 240/480:HWY 57	PAS/097489	09/10/2024		241289		
400	DNA UNDERGROUND LLC	243504	10/01/2024	09/26/2024		50,900.00		
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-698	CORE DRILL EXIST MANHOLE	1	09/19/2024		7,500.00		
	400-651-698	8"PVC SWR MN 100LF:SANDHILL	1	09/19/2024		240893		
	400-651-698	SEWER MANHOLE: SANDHILL PRM	1	09/19/2024		240893		
	400-651-698	NEW 2" WTR SERV: SANDHILL PRM	1	09/19/2024		240893		
	400-651-698	RERTE 10" MN,EXTD 8" BY 5'	1	09/19/2024		16,900.00		
400	SINGING RIVER ELECTRIC COOPERATIVE	243510	10/01/2024	09/26/2024		9,081.82		
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-631	WATER WELLS 17882	09182024	09/25/2024		3,537.20		
	400-651-631	CITY HALL SOUTH 17882	09182024	09/25/2024		2,822.58		

Docket of Claims
Release date from 10/01/2024 thru 10/01/2024

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	SINGING RIVER ELECTRIC COOPERATIVE Account Number 400-651-631	243510	10/01/2024	09/26/2024	Invoice # 09182024	Date 09/25/2024 P.O.	9,081.82	(CONTINUED)
							2,722.04	
400	HUB INTERNATIONAL Account Number 400-650-625	243517	10/01/2024	09/26/2024	Invoice # 3822196	Date 09/24/2024 P.O.	3,840.00	
							3,840.00	
400	H2O INNOVATION OPERATION & MAINTENANCE Account Number 400-650-672 400-650-672	243518	10/01/2024	09/26/2024	Invoice # 2024-09	Date 09/30/2024 P.O.	285,223.25	
					SEP 2024 MAINT OPS		183,082.50	
					RETAINAGE FY 2024		102,140.75	
FUND TOTAL 400 Claims	to	Checks	20 Total	718,473.95	Manual	Held	Total	718,473.95

Docket of Claims
Release date from 10/01/2024 thru 10/01/2024

SUMMARY OF ALL FUNDS

FUND 1 Claims	to	Checks	59 Total	502,386.53 Manual	Held	Total	502,386.53
FUND 4 Claims	to	Checks	5 Total	14,649.77 Manual	Held	Total	14,649.77
FUND 172 Claims	to	Checks	1 Total	6,586.76 Manual	Held	Total	6,586.76
FUND 176 Claims	to	Checks	3 Total	1,100.11 Manual	Held	Total	1,100.11
FUND 250 Claims	to	Checks	1 Total	57,153.13 Manual	Held	Total	57,153.13
FUND 256 Claims	to	Checks	1 Total	345,885.50 Manual	Held	Total	345,885.50
FUND 304 Claims	to	Checks	1 Total	3,400.00 Manual	Held	Total	3,400.00
FUND 305 Claims	to	Checks	1 Total	6,528.55 Manual	Held	Total	6,528.55
FUND 400 Claims	to	Checks	20 Total	718,473.95 Manual	Held	Total	718,473.95
Total for all Funds		Checks	92 Total	1,656,164.30 Manual	Held	Total	1,656,164.30

Councilman Colledge made the motion to approve consent agenda items 1-14, as presented. Councilman Jackson seconded the motion. The vote was carried unanimously.

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

ORDER NUMBER 677-2024

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Consent Agenda Items 1-14 are hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

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

ORDER NUMBER 678-2024

WHEREAS, Miss. Code Ann. 21-15-33 requires that the minutes be adopted and approved by a majority of the members of the governing body at the next regular meeting or within thirty (30) days of the meeting they represent, whichever occurs first. Upon such approval, the minutes are valid from and after the date of the meeting; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the minutes from the Budget Meeting held September 10, 2024 and Recessed Council Meeting held September 17, 2024 is hereby approved.

IT IS 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 **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

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

ORDER NUMBER 679-2024

WHEREAS, on or before September 3, 2024, the City Council approved the Recessed Council Meeting Minutes from August 20, 2024; and

WHEREAS, the August 20, 2024 minutes lacked the attached solid waste contract awarded to Waste Pro;

WHEREAS, it is the intent and desire of the Mayor and Council to have this agreement spread upon its minutes; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the August 20, 2024 Recess Council Meeting are hereby amended to include the attached contract, beginning at page 198.

IT IS 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 **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

A discussion was held between Mayor, Council, and concerned citizens regarding the selection of Solid Waste Provider.

Councilman Colledge made the motion to enter open discussion between Mayor and Council regarding the selection of Solid Waste Provider. Councilman Jackson seconded the motion. The vote was carried unanimously.

Councilman Anderson made the motion to award the solid waste contract to Waste Pro with option 1, no recycling, an offer of subscription recycling directly with citizens, and to direct the city attorney to draft a contract per the RFP, and to direct the city manager to execute same. The motion was seconded by Councilman Elbin. The vote was carried unanimously.

MUNICIPAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES
CONTRACT BETWEEN THE CITY OF GAUTIER AND WASTE PRO OF
MISSISSIPPI, INC.

This contract is made and entered this the 23rd day of July, 2018 by and between Waste Pro of Mississippi, Inc., a Mississippi corporation (hereinafter referred to as "Contractor") and the City of Gautier, Mississippi (hereinafter referred to as "City").

WHEREAS, the City and Contractor previously entered into a written agreement for solid waste collection and disposal services as more fully described in the "City of Gautier Municipal Solid Waste Disposal Services Contract" (attached hereto as "Exhibit A", and hereinafter referred to as "the Contract"); and

WHEREAS, the City desires for the Contractor to provide the services outlined in the Contract from September 13, 2024 through October 7, 2024; and

WHEREAS, the Contractor desires to provide said services during this period, and will do so in accordance with the terms of the Contract, payable by the City within 30 days of receipt of an invoice; and

WHEREAS, all provisions in the Contract (including amendments and/or revisions) except for the duration terms, are adopted as the terms of the immediate agreement;

IT IS THEREFORE AGREED that, in exchange for the consideration cited herein, the City and Contractor hereby enter this Municipal Solid Waste Collection and Disposal Services Contract Between the City of Gautier and Waste Pro of Mississippi, Inc.

DATED this 6th day of August, 2024.

By: _____
Regional Vice President
Waste Pro of Mississippi, Inc.

By: _____
Paula Yancey, City Manager
City of Gautier

CITY OF GAUTIER



**REQUEST FOR PROPOSAL
("RFP")**

for

**MUNICIPAL SOLID WASTE DISPOSAL SERVICES
GAUTIER, MISSISSIPPI
2024**

Issued: July 3, 2024

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City of Gautier Solid Waste Collection RFP

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I. BACKGROUND

The City of Gautier ("CITY") seeks Proposals from qualified Respondents interested in providing municipal solid waste services as described in this Request for Proposals (RFP). Municipal solid waste services include refuse collection and disposal services for the CITY. Selection shall be made on the basis of the proposal deemed as most advantageous to the CITY, as determined by the CITY based on evaluation of proposal requirements. The CITY reserves the right not to award the contract and to amend or negotiate terms of the contract after reviewing proposals that were submitted or at any time thereafter while proposals are pending. CONTRACTORS (Respondents / Proponents) interested in performing these services must submit a proposal in accordance with the following minimum requirements contained in this document.

Responses / Proponents must follow the order and sequence of this Request.

Area to be Served. The area to be serviced by this Agreement is hereinafter referred to as the city limits of the City of Gautier "service area". The City of Gautier area is detailed in the map contained in *Exhibit A*, which attachment is incorporated herein verbatim for all purposes. The attached map represents the approximate boundaries of the service area. The CITY expects growth through additional developments and increases in residential units.

CONTRACTOR shall collect and remove municipal solid waste from approximately 6,500 residential units and small commercial establishments in the CITY and any new households and small commercial establishments constructed during the term of the Contract. CONTRACTOR shall collect and remove garbage from all households included in the house count which takes effect on the Anniversary Date of the Contract, and any new households and small commercial establishments constructed after the house count was conducted on which Anniversary Date house count is based. This residential count is subject to an upward adjustment to accommodate future development in the service area. To enlarge the service area, adjusted residential counts will be mutually agreed upon by the City and CONTRACTOR. The CONTRACTOR will be paid based on the units billed by the CITY on a monthly basis.

Semi-Automated Methodology. The CITY is requesting proposals for garbage collection for semi-automated garbage collection in the CITY. The proposal pricing will remain the same throughout the contract period. The CITY reserves the right, in its discretion, to award this contract to the Respondent whose Proposal best serves the interests of the CITY, as determined by the CITY, and in accordance with Mississippi law.

II. SCOPE OF SERVICES

Solid waste services provided by the CONTRACTOR shall be equivalent to the service level as described in detail below and summarized in *Exhibit B*, attached, and incorporated herein verbatim for all purposes. Costs of all services and disposal are the responsibility of the CONTRACTOR and are to be included in the CONTRACTOR'S proposed price.

The CONTRACTOR agrees to perform at least the following basic services outlined below.

A. Collection Procedures and Schedule:

1. **Collection Daily Hours:** The CONTRACTOR shall perform curbside collection service no earlier than 5:00 a.m. on the scheduled collection day. CONTRACTOR shall notify the CITY when any route (within service area) commences after 10:00 a.m.
2. The CITY prefers that the CONTRACTOR retain the current garbage collection days. (The map in *Exhibit A* reflects the current days of collection). If alternate days are proposed, note the alternate days of collection in your operational plan.
3. CONTRACTOR may propose and provide semi-automated garbage collection methods.
4. **Special Collection Assistance Service:** Upon request by City, the CONTRACTOR shall be required to provide for walk up, roll-out service or special assistance for elderly or physically disabled residents. The City will coordinate with CONTRACTOR for such service.
5. **Commercial Establishments:** In addition to collection of residential solid waste, CONTRACTOR shall also collect solid waste from commercial establishments that set out garbage, which waste the City determines meets the requirements and limitations of the regulatory definition of municipal solid waste as described in Section XX.
6. **Collection Holiday Schedule:** The CONTRACTOR shall follow the CITY's annual garbage collection holiday schedule approved and adopted by the CITY or opt to work the Monday through Friday work week regardless of holidays. The CITY holiday schedule may change annually, and the schedule may be modified during each respective contract period. The Garbage Collection Holiday Schedule is attached as Exhibit C, incorporated herein verbatim for all purposes.

B. Semi-Automated Garbage Collection and Disposal Services:

1. Garbage to be collected by CONTRACTOR shall be using the semi-automated approach. Contractor shall furnish one 96 + gallon container to any/all residents and commercial establishments that request one at no cost to the CITY, resident or establishment. Additional containers may be requested for an additional cost to the resident. CONTRACTOR is responsible for maintaining carts and shall replace them with a new cart at no cost if deemed inoperable by the CITY. All containers should be uniform in size and color for the term of the contract. Each request for a new or replacement container or repair of container shall be answered, and a new or replacement or repaired container shall be delivered within 72 hours of the request. Each failure to comply with the above time frame will result in a penalty of \$100.00 per 24-hour period which will be deducted from the next invoice. Failure to deliver a new or replacement or repaired container within 72 hours of the request will be considered a violation and each additional 24-hour period in which the CONTRACTOR fails to deliver a new or replacement or repaired container will be considered a separate and distinct violation for purposes of this paragraph.
2. Where semi-automation collection is not feasible, CONTRACTOR will use a manual collection method subject to City Manager's approval.

C. Brush and Bulky Item and White Goods Collection: The CONTRACTOR shall render the following solid waste services pertaining to scheduled brush and bulky items and white goods curbside pickups:

1. The CONTRACTOR shall provide quality curbside collection of BRUSH and BULKY ITEM AND WHITE GOODS, from residential units once every week with no requirement for prior

- notification or request by resident. The area must be left completely clean by CONTRACTOR during curbside collection of Brush and Bulky Item and White Goods.
2. **Brush and Bulky Item and White Goods Collection Notification:** The CONTRACTOR is responsible for providing a hand delivered notice to single-family residential units when those citizens place items for curbside collection that do not meet the definition of "brush" or "bulky item and white goods". Notices must be delivered and notated on residents account immediately.
 - a. The CONTRACTOR shall develop a door hanger notice for approval by the CITY
 - b. The CITY reserves the right to approve any revision to the method, schedule and format of the notification.
 3. **Brush and Bulky Item and White Goods Collection Areas:** The CONTRACTOR shall divide and arrange the service area so that the collection event for each scheduled area is completed within a one-week period.
 4. **CONTRACTOR shall notify the City of any modification of parameters to brush and bulky item and white goods collection areas, brush and bulky item and white goods collection schedule, or notification schedule at least one week in advance of such modifications.**
 5. **The CONTRACTOR shall notify the CITY if CONTRACTOR is unable to complete collection in the scheduled area within a one-week period. If a second delay occurs so that the CONTRACTOR is unable to complete collection in the scheduled area within a second one-week period, the City reserves the right to use CITY personnel and equipment or subcontractor to a third-party to complete collection within the scheduled area and shall charge the CONTRACTOR for the CITY'S cost to address this lapse in service. The CITY may take into consideration delays due to inclement weather conditions.**
 6. **Curbside collection of Brush and Bulky Items and White Goods collection must occur if the resident places curbside, even if CONTRACTOR has to manually remove.**
- D. **Out-of-Cycle brush, bulky items and white goods collection:** In addition to the scheduled brush and bulky item and white goods collections, CONTRACTOR shall provide pick-up service as requested by rate payers.
1. **Out-of-Cycle fees will be negotiated annually between the CONTRACTOR and the City Manager for customers who may request the service and will be approved annually by the City Council.**
 2. **Out-of-Cycle fees shall be collected in advance directly by the CONTRACTOR from the person requesting the service and the charge shall be identical to the CITY'S authorized fee schedule. The quality of Out-of-Cycle service provided by the CONTRACTOR shall be equivalent to that provided by the CITY. Within 48 hours of pre-payment, CONTRACTOR shall complete service for the out-of cycle request.**
- E. **Annual Christmas Tree Collection:** CONTRACTOR shall provide curbside collection of Christmas trees as an annual event as scheduled by the City (*Exhibit B*). Method of disposal of the trees is at the discretion of the CONTRACTOR.
- F. **Annual Citywide Clean-up Event** shall be conducted in April of each year, the specific date to be coordinated not later than 1 March. CONTRACTOR shall provide personnel and equipment necessary to operate a temporary residential drop-off site. The CITY shall coordinate with the CONTRACTOR thirty days prior to event. The CONTRACTOR shall work with the CITY to sponsor the Annual Cleanup and provide five (5) dumpsters to be placed in locations selected by

the CITY. The temporary residential drop-off sites will remain one (1) week and the CONTRACTOR shall keep the areas clean during the one week period.

- G. **Storm damage or natural disaster clean-up and disposal** CONTRACTOR shall continue service as soon as the streets are clear after the storm, including household garbage pickup and Brush and Bulky items pickup (not to exceed 6cy, per service cycle). The obligation to pickup Brush and Bulky items not to exceed 6cy per service cycle under this contract is regardless of whether the 6cy was generated by a storm.

Should the City Manager determine that a storm requires additional pickup efforts, a per cubic yard option for collection only is included on *Attachment D pg. 42*. Should the CITY award this option as part of the contract award, the CONTRACTOR shall immediately provide sufficient equipment to expediently remove debris from right-of-way if requested by the CITY. The obligation of the CONTRACTOR to perform under this provision is regardless of whether a storm, natural disaster, tropical depression, tropical storm or hurricane is federally declared. Debris pickup will be increased along with labor and equipment as necessary until further notified by the CITY. The CONTRACTOR will co-operate in providing information, truck marking, or any other items requested by the CITY during those events. The option may be exercised by the CITY in its sole discretion and is not a guarantee that CONTRACTOR will be the only provider of this service. This option is intended by the CITY to be exercised for storms generating <100,000 cy of debris.

- H. **Customer Service Office and Procedures:** The CONTRACTOR is encouraged to provide a customer service office to facilitate service in the service area and to ensure that customer requests are resolved according to number of days noted in the City's Service Level Agreements (SLA) time commitments (See SLA Time Commitments in *Exhibit E*). At a minimum an office must be located in Jackson County, MS. The CITY shall maintain records of all service requests in the CITY'S customer service database.

1. Typically, all service requests from customers will initially be directed to City of Gautier Public Works (497-2276) Office. Thereafter, the CITY will generate a work order for each service request received and forward it to the CONTRACTOR via electronic mail (e-mail). Depending on the type of request, information may also be relayed by telephone.
2. The request order will include the following:
 - a. Request Order Number
 - b. Customer name and telephone number
 - c. Address including house number and street name
 - d. Date and time of call
 - e. Type of request
3. Once the service request is satisfied or resolved, CONTRACTOR shall close the service request by resubmitting it to the CITY by e-mail. The completed service request shall include:
 - a. Request Order Number
 - b. Customer address including house number and street name
 - c. Date of service

- d. Action taken to satisfy or resolve service request
- 4. The CONTRACTOR shall notify the CITY if it is unable to complete the service request within the Service Level Agreement time commitments contained in this RFP by noting the problem and the course of action taken. CONTRACTOR shall coordinate with the CITY to develop an acceptable course of action.
- 5. In addition, CONTRACTOR must provide emergency telephone numbers and contacts for response on a 7-day, 24-hour basis.

I. Collection

Service Provided

- (a) CONTRACTOR shall perform at the rates quoted for those services described by quoted item(s) in Solid Waste Contractor's Proposal and selected for award by the CITY under this Contract.
- (b) The CONTRACTOR shall only provide service for one (1) curbside container for solid waste and if the CITY chooses to add Alternate 1 one (1) curbside bin for recycling material for each Contractual Unit, as supplied by the CONTRACTOR under this contract. Additional carts shall be serviced only upon request and direct payment by the Contractual Unit to the CONTRACTOR for an additional cart, as provided in this RFP. (\$ _____ Per Cart)
- (c) The CONTRACTOR shall provide trash waste collection and disposal service as defined in this RFP. The CONTRACTOR shall not be responsible to provide for the collection of trash or waste generated by a contractor, tree services contractor, utility service company or service company, including but not limited to bulky wastes, construction debris, rubbish wastes, and/or white goods,
- (d) No services are to be provided under this contract, except as specified in this RFP and the executed Contract documents.

J. Curbside Containers

- (a) **Recycle Container.** If the CITY chooses to add Alternate 1 The CONTRACTOR shall provide and maintain for each Contractual Unit one (1) new curbside bin for recycling material. All recycling bins shall be of same size/color throughout the contract period to ensure that only recycling bins provided under this contract are serviced by the selected CONTRACTOR. The curbside bin for recycling material shall be one (1) new 18 gallon recycle bin capable of being serviced by the CONTRACTOR's recycle collection truck, although an alternate bidding option is available as indicated in Attachment F.
- (b) **Solid Waste Container.** The CONTRACTOR shall provide and maintain for each Contractual Unit one (1) new plastic cart on wheels with interlocking plastic lid

capable of being wheeled to the curb full of garbage by a Contractual Unit and being dumped mechanically or manually into the Solid Waste Contractor's collection truck. All garbage carts shall be of same size/color throughout the contract period to insure only garbage carts provided under this contract are serviced by the selected Contractor.

- (1) The curbside container for solid waste shall be one (1) new 95+ gallon plastic cart on wheels with interlocking plastic lid capable of being wheeled to the curb full of garbage by a Contractual Unit.
- (2) CONTRACTOR shall provide, maintain, repair and/or replace all curbside containers for recycling material and solid waste for all contractual units serviced under the contract throughout the life of the contract. The curbside containers shall bear the name of the CONTRACTOR and shall remain the property of the CONTRACTOR. The costs for these services shall be included in the monthly fee in the proposal and shall include delivery and pickup to/from the Contractual Units.
- (3) Residential Contractual Units are required to place all curbside containers for collection at a point not more than four (4) feet from the edge of the pavement on a public street or alley and at a point convenient and accessible to the collection crews.
- (4) The CONTRACTOR shall be responsible for the collection and removal of all its contractor-supplied curbside containers from all Contractual Units at the end of the contract. Such collection and removal shall be coordinated with the CITY to ensure that garbage and recycle collection services are not interrupted.
- (5) A curbside container delivery plan shall be provided for CITY approval at least sixty (60) days in advance of the commencement date of the contract.
- (6) A curbside container collection and removal plan must be submitted to the CITY for approval at least ninety (90) days prior to the end of the contract.

The CITY reserves the right to withhold 10% of the final payment, as set forth herein, from final CONTRACTOR payment until curbside container collection/removal has been completed in accordance with the approved collection and removal plan.

K. Records/Record Keeping/Reporting:

The CONTRACTOR is expected to keep and maintain all records required under this contract throughout the terms of the contract. The records shall be maintained in a format approved by the CITY. Records shall be maintained in a complete, accurate and up-to-date manner to accurately represent all information required by this contract.

Reports shall be provided to the CITY by the CONTRACTOR, in accordance with the requirements of this contract. Reports shall be transmitted with a transmittal cover letter to the CITY in both electronic and hard copy format,

Reports and records shall include, at a minimum, those listed below, Additional records and reports may be required, as deemed reasonable and appropriate by the CITY.

Weekly Report for Calls/Complaints— The CONTRACTOR shall maintain daily up to date call/complaint log and submit it to the CITY on a weekly basis with the following information relative to the resolution of complaint:

- a. Date/time call/complaint received
- b. Name and address of complainant
- c. Nature of call/complaint
- d. Date call/complaint resolved
- e. How the call/complaint was resolved

Monthly Recycle Report -- The selected CONTRACTOR shall be required to track recycling pickup, processing and disposition and provide monthly reports to the CITY. Reports shall include the following, as a minimum, unless otherwise approved by CITY: Total monthly contractual unit recycle participation, by service route; total monthly recycle weight/volume, by service route; total monthly weight/volume recycled, including breakdown of disposition of material recycled and where material was sent; and total monthly weight/volume contaminated recycle waste disposed. Recycle report shall be provided in an electronic, Excel spreadsheet format. The CONTRACTOR shall work with the CITY to provide reports in a presentation format acceptable to the CITY; all records shall be tracked and maintained for the life of the contract.

Monthly Report on Outstanding Unresolved Complaints — the selected CONTRACTOR shall provide a report to the CITY that identifies any and all unresolved complaints at the end of each calendar month. Actions required to resolve each complaint shall be identified in the submitted report.

Monthly Report on Requests for Second Carts — the selected CONTRACTOR shall provide a report that identifies the name and address of all requests submitted for a second cart service. Confirmation of payment and delivery of the cart shall be included in the monthly report.

Other Reports, as Required — The CITY reserves the right to request other reports, as may be reasonably required, to provide complete and timely information with regard to the performance of this contract.

L. Liquidated Damages To Assure Achievement Of Performance Standards:

Purpose of Liquidated Damages -- The purpose of Liquidated Damages is to assure the selected CONTRACTOR has met achievement and incentive standards for performance in the contractual service and that the CITY has applicable benchmarks to measure contract performance standards. Liquidated damages will be assessed by the CITY through offset in monthly payment to CONTRACTOR.

Performance Standards --It shall be the duty of CONTRACTOR to perform and execute the scope of this contract in accordance with the standards established by the contract documents, including, but not limited to the RFP, the contract, the Solid Waste Contractor's proposal, as well as any other documents incorporated into the contract requirements for the selected Solid Waste Contractor. This contract recognizes that there could be, from time to time, factors that may prevent the regularly scheduled execution of the Solid Waste CONTRACTOR's duties under this contract. It is the CONTRACTOR's responsibility to identify and remedy any and all failures in CONTRACTOR is required performance under this contract.

The CITY recognizes that problems may arise from time to time during the performance of this contract; The CITY expects and requires the CONTRACTOR to correct all such problems in an appropriate and timely manner. For purposes of this contract, timely response shall be categorized and defined below. It should be noted that it is not the responsibility of the CITY, or the customers, to advise the CONTRACTOR of their failure to perform. It is the CONTRACTOR's responsibility to fulfil the responsibilities required by this contract whether they are notified of deficiencies in performance or not. The CITY shall advise the CONTRACTOR when it becomes aware of deficiencies in the CONTRACTOR's performance.

- a, **Twenty-Four (24) Hour Correction Period.** The following problems, should they occur, should be corrected within 24 hours of when notification is given to Contractor. If not corrected within that time frame, at the sole discretion of the CITY, the CONTRACTOR may be required to pay, as liquidated damages, one hundred dollars (\$100.00) per occurrence for each 24-hour period that the problem is not corrected.
- i. Failure by CONTRACTOR to place garbage cart on sidewalks and out of the traveled right-of way;
 - ii. Failure to cover material on collection vehicle(s);
 - iii. Failure to display CONTRACTOR's identification on equipment or vehicles;
 - iv. Failure to complete route to collect garbage, trash waste or recycling material in accordance with the Contract and approved schedules;
 - v. Failure to pick up single site garbage, trash waste or recycle material in accordance with approved collection schedule;
 - vi. Failure to maintain clean, safe and sanitary collection equipment;
 - vii. Failure to initiate clean-up of litter debris that was generated by the CONTRACTOR's vehicle;
 - viii. Failure to notify the CITY of any spill or leakage within 2 hours of the spill or failure to notify state authorities within 2 hours of the spill if required.
 - ix. Failure to repair or replace damaged/lost cart and recycle carts/containers within twenty-four (24) hours of request, not including Sundays and Holidays.
 - x. Failure to provide cart and/or recycle container to new customer within twenty-four (24) hours of request, not including Sundays and Holidays;
 - xi. Failure to deliver residential solid waste or recycle material collected pursuant to the Contract to the appropriate facility as required herein, (CONTRACTOR shall also be responsible for any liquidated damages levied by the disposal facilities and/or the Mississippi Department of Environmental Quality against the CITY for the Solid Waste Contractor' failure to deliver such residential solid waste to the designated disposal facility).

b, No Correction Period, At the sole discretion of the CITY, the CONTRACTOR may be required to pay, as liquidated damages, two hundred and fifty (\$250.00) per occurrence per day of delinquency or violation for each of the following:

- i. Changing route or route days without approval from the City;
- ii. Failure to submit accurate, complete, and up to date the Weekly Report for Calls/Complaints by the second (2nd) working day of the following week;
- iii. Failure to submit accurate, complete, and up to date the Outstanding/Unresolved Complaint Report by the fifth (5th) working day of the following month;
- iv. Failure to submit accurate, complete, and up-to-date Monthly Report on requests for Second Carts by the fifth (5th) working day of the following month;
- v. Failure to submit an accurate, complete and up-to-date Monthly Recycle Report by the fifth (5) working day of the following month;
- vi. Failure to submit an accurate, complete and up-to-date Monthly Disposal Delivery Report by the fifth (5) day of the following month;
- vii. Failure to submit accurate, complete and up-to-date reports, as may be reasonably required by the CITY;
- viii. Failure to provide the proper number of vehicles, as required pursuant to the terms of the Contract;
- ix. Failure to provide proper public/customer notifications, as required;
- x. Leakage of hydraulic fluids, oil or other liquids from vehicles provided by the CONTRACTOR. (Liquidated damages shall be assessed for each street in which a leak has been identified.) Recurrence of leakage on more than one occasion for any roadway, or by the same vehicle, shall be cause for increasing the retainage loss by \$500 for each subsequent event during a 3 month period. CONTRACTOR will be responsible for all costs associated with any spill including a third-party emergency clean up contractor;
- xi. Failure to maintain contract-required office hours (Monday through Saturday);
- xii. Failure to staff and maintain local telephones Monday through Saturday and after hours answering service, as required;
- xiii. Failure to initiate clean-up of any spill/leakage within two (2) hours of becoming aware of the spill/leakage or being notified by phone, email, text or verbally of the spill/leakage, whichever occurs first
- xiv. Failure to ensure that equipment, vehicle or operators is/are properly licensed or tagged;
- xv. Failure to provide approved schedules and/or route maps to the CITY, as required;
- xvi. Failure to record customer complaints/messages within four (4) hours of the CONTRACTOR's notification of complaint;
- xvii. Failure to record and maintain accurate, complete and up to date complaint log;
- xviii. Failure to maintain written, up-to-date documentation of fleet maintenance services, including inspections and repairs;
- xix. Littering caused by failure to properly cover vehicles transporting waste materials;
- xx. Failure to notify the CITY of any failure to complete route or schedule service day. Notification must be provided on day failure occurs;
- xxi. Failure to provide requested documents and reports in a timely and accurate manner consistent with the Request for Proposals.

- xxii. Failure to provide a vehicle with GPS tracking.
- xxiii. Failure to maintain GPS records for each vehicle, as required.

M. **Collection Equipment:** The CONTRACTOR shall utilize collection vehicles in good condition, good working order, and shall be well maintained and properly serviced and shall be approved by the CITY at the contract inception; it is within the exclusive discretion of the CITY to approve vehicles, for the collection and disposal of garbage, trash waste, brush and recyclable materials. The CITY may in its discretion approve a variance of the miles on the truck so long as the intent for the vehicle and equipment to be in relatively new condition is not jeopardized. All vehicles shall be equipped with live GPS systems that can track and record the vehicle while in service. The CONTRACTOR shall provide CITY with the login or/and software to monitor the live GPS feed during operational hours. The installed systems should provide information on the vehicle's route (including time and location) and should provide the ability to track service stops and relay information on collection needs or issues. (The system should provide the ability to identify service needs such as damaged carts, trash/rubbish piles, bulky waste, etc. — and may be utilized to track/monitor recycling participation by service area). These GPS records shall be maintained for all vehicles for the full contract period. These records shall be maintained at the CONTRACTOR's office and CITY. Copies of these records shall be provided to the CITY at all times and updated daily. If a hard copy is requested by the CITY, copies of these records will be provided at no cost to the CITY.

Vehicles utilized by CONTRACTOR shall be so covered, secured or sealed that there will be no loss during haulage to cause littering of streets and highways, or cause a nuisance or hazard to the public health.

In the event the CITY, in its discretion, determines that an adequate number of vehicles are not being utilized, it shall notify the CONTRACTOR in writing. Within seven (7) days of notification, CONTRACTOR shall submit in writing a plan to address vehicle deficiencies for CITY's consideration and approval. Failure of the CONTRACTOR to implement the approved plan within a period of time acceptable to the CITY shall be considered just cause for termination.

All vehicles utilized by CONTRACTOR shall be maintained in a safe and clean operating condition, and the CITY, at its convenience may inspect such vehicles and review maintenance schedule consisting of daily inspections, routine maintenance records and vehicle repair records.

The CONTRACTOR shall provide a list of all vehicles—make, model, year and total mileage or hours (along with their VIN) that will be used for the collection and transportation in the City. No vehicles, other than those identified and submitted to the City, shall be allowed or authorized to be used by CONTRACTOR within the CITY. CONTRACTOR can submit additional vehicles for approval by the CITY during the term of the contract. All vehicles operating in CITY shall be tagged in Jackson County. CITY will visually inspect equipment prior to the award of the contract. CONTRACTOR CANNOT use vehicles older than 6 years of age, during the contract term without express approval of the CITY in writing. CONTRACTOR must submit list of equipment, tags, and model number to CITY.

N. **Emergency Plan:** No later than 30 days prior to the beginning of the contract period, the CONTRACTOR shall provide an Emergency/Natural Disaster Plan that outlines, at a minimum, the Contractor's approach to the following:

1. Operational Plan for preparation before an anticipated disaster event, such as a hurricane or tropical storm;

2. Operational Plan for post disaster restoration of solid waste collection services;
 3. Fleet/Equipment Management Plan for preparation before an anticipated disaster event, such as a hurricane or tropical storm;
 4. Fleet/Equipment Management Plan for post disaster restoration of solid waste collection services;
 5. Labor/manpower Plan for preparation before an anticipated disaster event, such as a hurricane or tropical storm;
 6. Labor/manpower Plan for post disaster restoration of solid waste collection services.
- O. **Loss or damage by Contract Employees:** CITY shall refer complaints about loss of or damage to public and private property to CONTRACTOR who shall repair or otherwise compensate for all damage to public and private property caused by its employees.
- P. **Labor:** In addition to the materials and equipment set out in this RFP, CONTRACTOR shall supply all levels of skill and labor that may be necessary for all solid waste services required under this contract.
- Q. **Transportation, Storage and Legal Disposal:** The CONTRACTOR shall supply all necessary transportation and storage facilities for all materials and equipment necessary to perform all services described in this contract and shall legally dispose of waste at a state approved facility. Similarly, all transportation and storage functions shall be duly licensed or qualified under regulation, as may be necessary to environmental, health and safety compliance.
- R. **Taxes, Governmental Fees and Charges:** The CONTRACTOR hereby agrees to pay all applicable local, state and federal taxes and charges and fees during the life of this contract. This requirement is a material condition of the Contract. A Privilege License for a solid waste collection company in Gautier is determined by the number of employees based in Gautier at the following fee schedule:
- | | |
|----------------------|---|
| 1-3 employees | \$20.00 |
| 4-10 employees | \$30.00 |
| 11 or more employees | \$30.00 plus \$3.00 per employee over 10, not
To exceed \$150.00 |
- S. **Compliance:** The CONTRACTOR shall follow all applicable local, state, and federal laws and regulations pertaining to the provision of the services detailed herein, including but not limited to those related to safety. CONTRACTOR shall avoid those practices that create a perception of nuisance, such as odors and litter. CONTRACTOR shall comply with the regulations, guidelines and standards set in CITY ordinances.
- T. **Monthly Report:** CONTRACTOR shall complete and submit the Monthly Contract Report form (*Exhibit F*) to the CITY. CONTRACTOR shall attach to the report a summary of all customer service requests received that month to include customer address, type of request and CONTRACTOR's resolution. The total number of service requests received should be provided.

- U. **Billing Protocols:** The CITY will bill and collect from the residential units within the service area which are receiving the solid waste collection services set out in this Contract. The CITY shall bill in accordance with the fee schedule established by the City Council. The CITY will remit payment for services provided under this Agreement within forty-five (45) days following the end of the month that a bill is received. No payment shall be provided for non-pickups.
- V. **Discontinuing Collection:** The CONTRACTOR shall discontinue garbage collection at any Residential Unit within 24 hours upon receipt of written notice from the CITY. Upon further written notification by the CITY, the CONTRACTOR shall resume collection on the next regularly scheduled collection day.
- W. **Landfill Approval and Tonnage Commitments:** The CONTRACTOR shall identify which legal disposal sites that the CONTRACTOR intends to utilize prior to commencement of services. The proposal price shall include the cost of disposal and the CONTRACTOR is responsible for the disposal.
- X. **Method of Collection of Municipal Solid Waste:** The CONTRACTOR shall make collections with a minimum of noise and disturbance to the householder. Any garbage or trash spilled by the CONTRACTOR shall be picked up immediately by the CONTRACTOR. Hydraulic spills on CITY streets shall be cleaned up by the CONTRACTOR. Garbage receptacles shall be handled carefully by the CONTRACTOR, the container shall not be bent or otherwise abused, and shall be thoroughly emptied and then left at the proper point of collection. CONTRACTOR shall replace empty containers in an upright position with the lids closed or covered so as to prevent rain from filling and in locations so as to not block drives or entrances to streets and so as to not obstruct the line of sight of the motoring public. Any type of receptacle found in a rack, cart or enclosure of any kind shall be returned upright to such rack, cart or enclosure and lids shall be placed securely and properly on the top of said receptacles. In the event of damage by the CONTRACTOR for garbage receptacles, the CONTRACTOR shall be responsible for the timely repair or replacement of said receptacles.
- Y. **Services for Municipal Facilities:** The CONTRACTOR shall provide collection and disposal of Solid Waste from the Municipal Facilities. The type and frequency of the services to be provided to the various Municipal Facilities is as follows:

<u>Location</u>	<u>Type of Service</u>
City Hall	once weekly, 8 cubic yard container
Streets Building	once weekly, 8 cubic yard container 20 yard roll off (as needed)
Public Works Building	once weekly, 8 cubic yard container 20 yard roll off (as needed)
Central Fire Station	once weekly, (residential service)
South Fire Station	once weekly, (residential service)
North Fire Station	once weekly, (residential service)
Frazier Park	once weekly, 8 cubic yard container
Senior Citizens Building	once weekly, 8 cubic yard container
Gautier City Park	once weekly, 8 cubic yard container

Bacot Park to include: (2)	}	once weekly, 8 cubic yard containers
Football field, baseball field,		
Gautier Police Department		once weekly, 8 cubic yard containers

- Z. Collection of Equipment:** The CONTRACTOR shall have on hand at all times and in good working order such equipment as shall permit the CONTRACTOR adequately and efficiently to perform its contractual duties. Equipment shall be obtained from nationally known and recognized manufacturers of garbage collection and disposal equipment. All equipment shall be kept in good repair, appearance, and in a sanitary and clean condition at all times. The CONTRACTOR shall have available reserve equipment which can be put into service within two (2) hours of any breakdown. Such reserve equipment shall correspond in size and capacity to the equipment used by the CONTRACTOR to perform the contractual duties.

III. CERTIFICATIONS

Respondent warrants and certifies that Respondent and all other persons designated to provide services hereunder have the requisite training, licenses and/or certifications to provide said services and that Respondent and any such other persons meet all competence standards promulgated by authoritative bodies and regulatory agencies, as applicable to the services provided herein.

IV. INTERRUPTION OF SERVICE: OFFSET FOR CITY'S RESPONSE COSTS

In the event that service is interrupted for any reason for more than forty-eight (48) hours, or the CONTRACTOR fails to perform ninety percent (90%) of collection area or route, the CONTRACTOR may be held in default of the Contract. The CITY shall have the right to make temporary independent arrangements for the purposes of continuing this necessary sanitation service to customers in order to secure and protect the public health and safety. Any costs that the CITY incurs for addressing interruption or disruption of service shall be assessed to the CONTRACTOR. In addition, the City shall deduct its expenses as charges offsetting the CITY'S obligations otherwise owed to the CONTRACTOR. If the interruption in service mentioned herein continues for a period of seventy-two (72) hours, the CITY shall have the right to terminate the contract upon notice only to the CONTRACTOR. The need for uninterrupted sanitation services to the community is an imperative governmental function of the CITY and in this regard, the requirement for uninterrupted service is a material requirement of the contract and time is of the essence where such services are concerned.

- A. Weather Disruptions or Emergencies:** The CITY shall notify CONTRACTOR to delay or postpone collection due to hazardous roadway conditions or adverse weather situations. If possible, the CITY shall notify the CONTRACTOR no later than 4:00 a.m. of collection day. The CITY will also notify the media of such non-collection days. Upon such CITY notification, the CONTRACTOR shall resume scheduled service if the CITY and CONTRACTOR determine it is feasible and safe.
- B. Missed Collections:** Should the CONTRACTOR fail to collect on a scheduled day for causes within the CONTRACTOR's control, the CONTRACTOR shall expeditiously complete collection by the end of the following business day or immediately upon CONTRACTOR being notified by the CITY, whichever occurs first. CONTRACTOR shall contact residents by door

hangers about non-compliant materials or materials set out after the collection time. CONTRACTOR shall submit a summary of customer complaints and resolutions with its monthly report. Collection Notification is the CONTRACTOR responsible for providing a hand delivered notice to single-family residential units. Notices must be delivered and notated on residents account immediately. CONTRACTOR shall maintain a software program accessible to the CITY.

V. TERMINATION OF CONTRACT

- A. Independent of the CITY'S right to termination for material breach or cause recited elsewhere, and independent of the CITY'S right to offsets described above, if the CITY becomes dissatisfied with the services provided, this Contract or any portion of the contract may be terminated, without cause, at the CITY'S discretion by the CITY's giving sixty (60) days written notice to the CONTRACTOR of the CITY's dissatisfaction. The CITY retains this discretionary termination option without liability for default.
- B. If the CONTRACTOR terminates this Contract or any portion of it, the CONTRACTOR must notify the CITY not less than one hundred and eighty (180) days prior to termination. CONTRACTOR's termination, in absence of default by the CITY, shall subject CONTRACTOR's Performance Bond or Performance Deposit to CITY's right to "call" or draw thereon, according to the terms of this contract.

In the event of termination by the CITY, and in absence of fault by CONTRACTOR, the CONTRACTOR shall be paid in full for all services performed up to termination date, subject to off-sets or adjustments, if any, as may be necessary to continue customer services.

VI. PERFORMANCE BOND

- A. If selected, Respondent shall provide a performance bond made payable to the City of Gautier in the sum of the annual amount of the contract executed by a corporate surety, acceptable to CITY, who is licensed pursuant to the laws of Mississippi and relevant federal regulations in the annual amount of the contract. Said performance bond must have attached thereto a Power of Attorney as evidence of the authority of the person executing the bond to bind the surety. The performance bond must clearly and prominently display on the bond or on an attachment to the bond: the name, mailing address, physical address, and telephone number, including the area code, of the surety company to which any notice of claim should be sent.
- B. In lieu of a statutory Performance Bond, a performance deposit shall be tendered in the form of a certified check upon a state or national bank or trust company signed by a duly authorized officer thereof (check to be drawn payable to the City of Gautier), or a Certificate of Deposit from such bank or trust company assigned to the CITY or irrevocable letter of credit from a state or national bank or trust company in favor of the CITY.
- C. If a performance deposit is made, instead of a Performance Bond, it shall be returned to the CONTRACTOR upon completion of the contract to the CITY'S satisfaction.

VII. TERM OF CONTRACT

The day ordained by City Council for commencing residential solid waste collection and disposal service for the CITY shall be 16 September 2024. The contract shall be for a six year term ending on September 16, 2030.

CONTRACTOR understands and agrees that the only adjustments to terms under this contract may be the CONTRACTOR's compensation amount, based on the adjustment in the number of residential units serviced or enlargement of the service area.

VIII. PRE-SUBMITTAL CONFERENCE

A Pre-Submittal Conference will be held at 3330 Hwy 90 on July 19 2024, at 10:00 a.m. central time in the City of Gautier Council Chambers. Respondents are encouraged to prepare and submit their questions in writing in advance of the Pre-Submittal Conference in order to expedite the proceedings. CITY'S responses to questions received by this due date may be distributed at the Pre-Submittal Conference and posted on the CITY'S website at <http://www.gautier-ms.gov>. Respondents who do not have access to the Internet must notify CITY in accordance with Section XII, Restrictions on Communication, if Respondent wishes to receive copies of CITY'S responses by mail. Attendance at the Pre-Submittal Conference is optional.

Any oral responses given by CITY staff at the Pre-Submittal Conference shall be tentative. A written summary of the Pre-Submittal Conference shall contain official responses, if any. Any oral response given at the Pre-Submittal Conference that is not confirmed in the written summary of the Pre-Submittal Conference or by a subsequent addendum shall not be official or binding on the CITY. Only written responses shall be official and all other forms of communication with any officer, employee or agent of the CITY shall not be binding on the CITY.

DISQUALIFICATION OF PROPOSER

Although not intended to be an inclusive list of causes for disqualification, any one or more of the following causes, among others may be considered sufficient for the disqualification of a proposer and the rejection of his proposal:

- Evidence of collusion among proposers
- Lack of competency as revealed by either financial statements, experience or equipment statements as submitted or other factors.
 - Default or termination on a previous contract for failure to perform or otherwise.
 - Lobbying the City Manager, City Council, or City Staff during the proposal process

IX. SUMMARY OF PROPOSAL REQUIREMENTS

Respondent's Proposal shall include the following items in the following sequence:

- A. RESPONDENT QUALIFICATION GENERAL QUESTIONNAIRE: Complete and submit the Respondent Qualification General Questionnaire found in RFP *Attachment A*.

- B. **LITIGATION DISCLOSURE:** Complete and submit the Litigation Disclosure Form found in RFP *Attachment B*. If Respondent is proposing as a team or joint venture, then all persons or entities who will be parties to the contract (if awarded) shall complete and return this form with the proposal.
- C. **REGULATORY COMPLIANCE:** By submitting to this proposal, Respondent acknowledges that it shall comply with the Regulatory Compliance and Criminal History Warranty Form found in RFP *Attachment C*.
- D. **PRICING SCHEDULE** Complete and submit the Pricing Schedule Form found in RFP *Attachment D*.
- E. **EXPERIENCE, BACKGROUND, QUALIFICATIONS:** Prepare and submit narrative responses to address the following items. If Respondent is proposing as a team or joint venture, provide the same information for each member of the team, **including sub-CONTRACTORS**, or joint venture.
1. Describe Respondent's experience relevant to the scope of services contemplated by this RFP. List and describe relevant projects of similar size and scope performed over the past four years and identify personnel assigned to each project and their role.
 2. Describe Respondent's experience with providing residential solid waste collection services to public entities clients, especially comparably sized municipalities. If Respondent has provided services for the CITY in the past, identify the name of the project and the department for which Respondent provided those services.
 3. List other resources, including total number of employees, number and location of offices, number and types of equipment available to support this project.
 4. Provide three (3) references, for which Respondent has provided similar services. Include current phone number and e-mail address for each reference.
 5. State the number and professional qualifications (including solid waste licenses, other pertinent certifications and associations) of staff to be assigned to the project and relevant experience on projects of similar size and scope. Include resumes of key personnel.
 6. State the primary work assignment and the percentage of time key personnel will devote to the project if awarded the contract.
- F. **PROPOSED PLAN FOR SERVICE DELIVERY:** Prepare and submit the following:
1. **Operational Plan:** Submit a narrative of the methodology that will be used for all solid waste collection services for garbage, brush and bulky items. The proponent should outline how each service will be accomplished and performed by providing the following information:
 - a. Semi-Automated Garbage Collection
 - 1) Route description including proposed days of service
 - 2) Times and hours of daily operation
 - 3) List of collection equipment capacity dedicated to the service area

- 4) Number of crews dedicated to the service the service area
 - 5) Crew size and description
 - b. Other Collection Services (brush and bulky items and white goods collection, etc.)
 - 1) Route description including proposed days of service
 - 2) Times and hours of daily operation
 - 3) List of collection equipment capacity dedicated to the service area
 - 4) Number of crews dedicated to the service the service area
 - c. Identification of Landfills, Disposal Sites and Waste Reduction Processors, if any
2. Customer Service Office and Procedures
- 1) Hours of operation
 - 2) Staffing Plan based upon anticipated call volume
 - 3) Outline procedure for recording, assigning, and tracking customer service requests during and after regular business hours
 - 4) Provide evidence of the ability to respond to service requests within the Service Level Agreement Time Commitments contained in this RFP
 - 5) Identify Emergency contacts and provide telephone numbers for contact on a 7 day, 24 hour basis
- G. ANNUAL FINANCIAL INFORMATION: Respondent shall submit its most recent annual financial statement. An audited financial statement is preferred.
- H. PROOF OF INSURABILITY: Submit a letter from insurance provider stating provider's commitment to ensure the respondent for the types of coverages and at the levels specified in this RFP *Attachment E* if awarded a contract in response to this RFP. Respondent shall also submit a copy of their current insurance certificate.
- I. SIGNATURE PAGE: Respondent must complete, sign and submit the Signature Page found in RFP *Attachment G*. The Signature Page must be signed by a person, or persons, authorized to bind the entity, or entities, submitting the proposal. Proposals signed by a person other than an officer of the company or partner of the firm shall be accompanied by evidence of authority.
- J. PROPOSAL CHECKLIST: Complete and submit the Proposal Checklist found in RFP *Attachment H*.
- K. REFERENCES: Complete and submit references on *Attachment I*.

Respondent is expected to examine this RFP carefully, understand the terms and conditions for providing the services listed herein and respond completely. FAILURE TO COMPLETE AND PROVIDE ANY OF THESE DOCUMENTS MAY RESULT IN THE RESPONDENT'S PROPOSAL BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION, IN THE DISCRETION OF THE CITY.

X. CONTRACT DOCUMENTS AND AMENDMENTS TO RFP

Changes, amendments, or written responses to questions received regarding this RFP may be posted on the CITY'S website at <http://www.gautier-ms.gov>. It is Respondent's responsibility to review this site and ascertain whether any amendments have been made prior to submission of a proposal. A Respondent who does not have access to the Internet, must notify CITY in accordance with Section XII., Restrictions on Communication, that Respondent wishes to receive copies of amendments to this RFP by mail.

No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFP, and changes to the RFP – if any – shall be made in writing only.

The Contract Documents for this agreement shall consist of this RFP, its amendments and addenda, if any, and the Integration Agreement providing for negotiated changes and consolidation of the various contract writings, which Integration Agreement shall be duly executed by the parties' appropriate representatives.

XI. SUBMISSION OF PROPOSALS

- A. Respondent shall submit one (1) original, signed in ink, and ten (10) copies of the Proposal, in a sealed package, clearly marked on the front of the package *Municipal Solid Waste Collection and Disposal Services*. All Proposals must be received in the Purchasing Office no later than 3:00 p.m., central time, 30 July, 2024. Proposals submitted prior to the above time and date may be modified provided such modifications are sealed and received by the Purchasing Office prior to the deadline set for submission of proposals. Any Proposal or modification received after this time shall not be considered.

Mailing Address:

City of Gautier, Attn: Purchasing Agent
P.O. Box 670
Gautier, MS 39553

Physical Address:

City of Gautier, Attn: Purchasing Agent
3330 Hwy 90
Gautier, MS 39553

Proposals sent by facsimile, electronic bidding or email will not be accepted.

- B. Proposal Format: Each proposal shall be typewritten and submitted on 8 ½" x 11" white paper inside a three ring binder. Font size shall be no less than 12-point type. All pages shall be printed on one side only. Margins shall be no less than 1" around the perimeter of each page. Each page shall be numbered, except attachments which need not be numbered but must be indexed and tabbed. Electronic files shall not be included as part of the proposal; compact disks and/or computer disks submitted as part of the proposal shall not be considered. Each proposal must include the sections and attachments in the sequence listed in the Proposal Requirements Section,

and each section and attachment must be indexed and divided by tabs and indexed in a Table of Contents page. Failure to meet the above conditions may result in disqualification of the proposal.

- C. Respondents who submit responses to this RFP shall correctly reveal, disclose, and state the true and correct name of the individual, proprietorship, corporation, and /or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any). No nicknames, abbreviations (unless part of the legal title), shortened or shorthand, or local "handles" will be accepted in lieu of the full, true and correct legal name of the entity. These names shall comport exactly with the corporate and franchise records of the Mississippi Secretary of State and Mississippi State Auditor. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include the 11-digit Comptroller's Taxpayer Number on the signature page of the Proposal.

If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its Contract's performance upon the CITY'S learning of the misrepresented identity of the CONTRACTOR. The CITY will not allow a CONTRACTOR whose identity is bogus to perform or purport to perform the governmental functions of this contract to the CITY'S detriment. Misrepresented identity calls into question supporting documents and insurance commitments made by underwriters and others to the purported Contractor thereby affecting the CITY'S interests.

- a. All provisions in Respondent's proposal, including any estimated or projected costs, shall remain valid for ninety (90) days following the deadline date for submissions or, if a proposal is accepted, throughout the entire term of the contract.
- b. All proposals become the property of the CITY upon receipt and will not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where confidential information is contained; however, the CITY cannot guarantee that it will not be compelled to disclose all or part of any public record under the Mississippi Public Records Act, since information deemed to be confidential by Respondent may not be considered confidential under Mississippi law, or pursuant to a Court order.
- c. Any cost or expense incurred by the Respondent that is associated with the preparation of the Proposal, the Pre-Submittal conference, if any, or during any phase of the selection process, shall be borne solely by Respondent.

XII. RESTRICTIONS ON COMMUNICATION

Once the RFP has been released, Respondents are prohibited from communicating with CITY staff or council regarding the RFP or Proposals, with the following exceptions:

- a. Questions concerning this RFP shall be directed, in writing, to the City Manager, 3330 Hwy 90, Gautier, MS 39553 or via e-mail at lreddix@gautier-ms.gov. No inquiries or questions regarding this RFP will be answered if received after 12:00 p.m., (noon) central time on July 22, 2024, to allow ample time for distribution of answers and/or amendments to this RFP. Communication with the CITY'S Contact Person after the deadline for questions is not permitted. Respondents wishing to receive copies of the

questions and subsequent responses must notify the CITY'S Contact Person in writing prior to the date and time the questions are due.

- b. Respondent shall not contact CITY employees or council before an award has been made, except as set out in paragraph A of this section. (This restriction extends to "thank you" letters, phone calls, emails and any contact that results in the direct or indirect discussion of the RFP and/or Proposal submitted by Respondents). Violation of this provision by Respondent or his agent may lead to disqualification of his proposal from consideration.
- c. The CITY reserves the right to contact any Respondent for clarification after responses are opened and/or to further negotiate with any Respondent if such is deemed desirable by CITY. If Respondent is contacted by the CITY for clarification or negotiation, Respondent shall promptly respond.

XIII. EVALUATION CRITERIA

The CITY will conduct a comprehensive, fair and impartial evaluation of all Proposals received in response to this RFP. The CITY may appoint a selection committee to perform the evaluation. Each Proposal will be analyzed to determine overall responsiveness and qualifications under the RFP. Criteria to be evaluated may include the items listed below. The selection committee may select all, some or none of the Respondents, for interviews. If the CITY'S elects to conduct interviews, Respondents may be interviewed and re-scored based upon these same criteria, or other criteria to be determined by the selection committee. The CITY may also request additional information from Respondents at any time prior to final approval of a selected Respondent. The CITY reserves the right to select one, or more, or none of the Respondents to provide services. Final approval of a selected Respondent is subject to the action of the City of Gautier City Council.

Evaluation criteria:

- A. Price
- B. Financial Responsibility
- C. Technology
- D. Legal Responsibility
- E. Experience, Background and Qualifications
- F. Answers to the Attachments
- G. Compliance and Acceptance of the terms contained in this RFP

XIV. AWARD OF CONTRACT AND RESERVATION OF RIGHTS

- A. CITY reserves the right to award one or no contract(s) in response to this RFP.

- B. The Contract, if awarded, will be awarded to the Respondent whose Proposal is deemed most advantageous to CITY, as determined by the CITY or, its selection committee, upon approval of the City Council.
- C. CITY may accept any Proposal in whole or in part. If subsequent negotiations are conducted, they shall not constitute a rejection or alternate RFP on the part of CITY. However, final selection of a Respondent is subject to City Council approval.
- D. CITY reserves the right to accept one or reject any or all proposals received in response to this RFP, and to waive informalities and irregularities in the proposals received. The CITY also reserves the right to terminate this RFP, and reissue a subsequent solicitation, and/or remedy technical errors in the RFP process.
- E. City will require the selected Respondent(s) to execute the contract in substantially the form as set forth in this RFP as compiled in the Integration Agreement with amendments and addenda, if any immediately following City Council award. No work shall commence until CITY signs the Contract Document(s) and the successful Respondent provides the necessary evidence of insurance as required in this RFP and the Contract. Contract Documents are not binding on CITY until approved by the City Attorney. In the event the parties cannot negotiate and execute a contract within thirty days, the CITY reserves the right to terminate negotiations with the selected Respondent and commence negotiations with another Respondent.
- F. This RFP does not commit CITY to enter into a Contract, award any services related to this RFP, nor does it obligate CITY to pay any costs incurred in preparation or submission of a proposal or in anticipation of a contract.
- G. If selected, Respondent will be required to comply with the Insurance and Indemnification Requirements established herein.
- H. The successful respondent must be able to formally invoice the CITY for services rendered.
- I. Conflicts of Interest. Respondent acknowledges that it is informed that the City of Gautier prohibits any appointed city official or employee from having a financial interest in any contract with City or any City agency such as City-owned utilities. An appointed official or employee has a "prohibited financial interest" in a contract with City or in the sale to City of land materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: the City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten (10) percent or more of the voting stock or shares of the business entity, or ten (10) percent or more of the fair market value of the business entity; or a business entity in which any individual or entity above listed is a subCONTRACTOR on a City contract, a partner or a parent or subsidiary business entity.
- J. Respondent is required to warrant and certify that it, its officers, employees and agents are neither officials nor employees of the City.
- K. Independent CONTRACTOR. Respondent agrees and understands that, if selected, it and all persons designated by it to provide services in connection with a contract, is (are) and shall be deemed to be an independent CONTRACTOR(s), responsible for its (their) respective acts or omissions, and that CITY shall in no way be responsible for Respondent's actions, and that none of

the parties hereto will have authority to bind the others, or to hold out to third parties, that it has such authority.

XV. ASSIGNMENT AND USE OF SUBCONTRACTORS

No assignment of this Agreement in whole or in part shall be made by CONTRACTOR, nor shall transfer of any contract performance obligation effected by an ancillary or separate contract of CONTRACTOR, or by corporate sale, merger, or stock acquisition, or any change in the legal identity of CONTRACTOR, be made, without prior written consent from the CITY in accordance with the procedure set out herein. Depending on the provisions of the order initially approving the instant contract, any such described assignment, transfer, sale, merger, or change shall require approval from the City Council.

CONTRACTOR shall notify the CITY in writing evidencing the purpose, intent, terms and effects of the proposed assignment, merger, transfer, or change in ownership. CONTRACTOR shall provide the CITY with a copy of the proposed document effecting such change, or a memorandum, or other briefing document describing the proposal or executed agreement with sufficient detail to afford the City opportunity for informed review.

The CITY shall review the tendered documents pertaining to the proposed assignment, or other event described above, and shall respond to the CONTRACTOR in writing within thirty (30) days of initial receipt. The response shall contain the CITY's approval, proposed modifications, or disapproval of the proposed assignment, transfer, merger or sale or another event affecting the CITY's contract with the CONTRACTOR.

The CITY expressly reserves the right to disapprove any proposed assignment, change in ownership, transfer of contract performance obligations, or any such business reorganization affecting the legal identity of the CONTRACTOR. The CITY agrees to provide CONTRACTOR with a written explanation outlining why such change is viewed by CITY to be averse to the CITY's interests.

Any such change described above or assignment by CONTRACTOR, executed in violation of the above described submittal, review, and approval procedure is acknowledged by the CONTRACTOR to be void ab initio and CONTRACTOR shall risk termination at the CITY's option, but shall otherwise continue to be bound by the terms and conditions of this Agreement.

Use of SUB-CONTRACTORS by the CONTRACTOR or subsidiary or affiliate firms of the CONTRACTOR for technical or professional services shall not be considered an assignment of a portion of this Agreement. However, the CITY reserves the right to approve in writing the use of specific subCONTRACTORS used or intended to be used to fulfill any part of this contract pertaining to physical performance of any service.

Nothing herein shall be construed to give any rights or benefits to anyone other than the CITY and CONTRACTOR.

XVI. TENTATIVE SCHEDULE OF EVENTS

Following is a list of projected dates/times with respect to this RFP:

City of Gautier Solid Waste Collection RFP

RFP Issue Date	5 July 2024
Final Questions Accepted	30 July 2024 Noon
Pre-Submittal Conference	24 July 2024 10:00 AM
	City Hall Council Chamber
	3330 Hwy 90 Gautier, MS 39553
Proposals due	30 July 2024 3:00 PM
City Council Consideration	20 August 2024

XVII. RECORDS RETENTION

All records, reports, and other documents generated by or pertaining to this contract must be retained by CONTRACTOR for a period of no less than four (4) years following termination date.

XVIII. INDEMNITY

CONTRACTOR shall agree to and afford the CITY all indemnification and other rights afforded in RFP *Attachment F*.

XIX. APPLICABLE LAW

Any dispute arising from this contract, the interpretation of any terms in any contract document, or any litigation arising from the performance or nonperformance of this contract shall be subject to the laws of the State of Mississippi. Any and all actions pertaining to these matters must be filed in the courts of Jackson County, Mississippi.

XX. GLOSSARY

Whenever used in this RFP the following terms shall have (unless otherwise expressly indicated) the meaning defined and obligations attendant as follows:

- A. **BRUSH:** Brush and bulky items set at the curb, including trimmings and severed parts of all domestically cultivated trees and shrubbery: Severed brush and all such items placed in CITY right-of-way, for which a responsible party may not be identified. This definition also includes accumulation of all waste wood, discarded furniture, grass cuttings and branches along with other household and yard related wastes which comprise the regulatory definition of municipal solid waste, excluding commercial construction waste and remodeling or demolition debris.
- B. **BULKY ITEMS AND WHITE GOODS:** During brush and bulky item collection, household items consisting of large appliances, commonly referred to as white goods, along with discarded bathroom fixtures, such as sinks and toilets, furniture, mattresses, television sets and cathode ray tubes. The items have no size or weight limitations but are limited to residential and domestic items. CONTRACTOR shall recover and recycle Freon from refrigeration appliances, when appropriate. Metal goods must be recycled when possible. The customer is responsible for Appliances with Freon and must be tagged to indicate refrigerants have been removed by a certified technician in conformance with the Clean Air Act.
- C. **CITY:** THE CITY OF GAUTIER, MISSISSIPPI.

- D. **COMMERCIAL UNITS:** A commercial unit is a non-residential unit receiving CITY services. The CONTRACTOR shall be required to service such participating commercial units generating waste that qualifies as municipal solid waste. Commercial units shall receive service from the CONTRACTOR on the same scheduled basis as do domestic units, and each such commercial location (unit) shall count as one house for purposes of payment from the CITY to the CONTRACTOR. Commercial locations shall be limited to same conditions as residual Commercial units will be eligible for the CITY residential collection if they generate no more than 96 gallons of solid waste per week. Beyond that amount the CONTRACTOR can negotiate for an increased number of containers or a separate commercial contract.
- E. **CONTRACTOR:** The person, corporation, partnership, or legal entity performing municipal solid waste collection and disposal service and the recycling/marketing program under this proposal and the resulting contract.
- F. **DISPOSAL SITE and CONTRACTUAL TONNAGE COMMITMENTS:** The disposal site must be a legally permitted municipal solid waste depository including, but not limited to, sanitary landfills permitted or approved by all appropriate governmental agencies having jurisdiction and requiring such licenses, franchises, permits or approvals to receive for processing or final disposal municipal solid waste. Committed proposal prices are to include the disposal cost utilizing a legally permitted disposal facility.
- G. **HAZARDOUS WASTE AND INDUSTRIAL WASTE:** Hazardous Waste shall mean any liquid or solid waste identified or listed as a hazardous waste by the administrator of the United States Environmental Protection Agency (EPA) pursuant to the Federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 and as may be identified by any state or federal agency as hazardous or toxic and requiring special handling or special disposal treatment. Industrial waste is waste so defined by the Mississippi Department of Environmental Quality (MDEQ) and is not included in the definition of municipal solid waste. In keeping with the CITY's long established policies and practices of servicing only the needs of customers and citizens whose generation and disposal needs fall within the regulatory definition of municipal solid waste, this contract does not include curbside service for any class of industrial waste. Only benign volumes of household hazardous waste, meeting the regulatory definition of municipal solid waste, shall be serviced under this contract.
- H. **MONTHLY SOLID WASTE FEES:** Monthly fees charged by the CITY to all single-family residential units and commercial units receiving solid waste services.
- I. **MUNICIPAL SOLID WASTE:** Municipal solid waste means any garbage, refuse, industrial lunchroom or office waste, household waste, household hazardous waste, yard waste, and any other material resulting from the operation of residential, municipal, commercial or institutional establishments and from community activities; provided that 'municipal solid waste' does not include the following: (A) Radioactive waste; (B) Hazardous waste; (C) Infectious waste; (D) Industrial waste.
- J. **OUT-OF-CYCLE SERVICE:** Customer requests for collection of brush, bulky items and white goods are available in addition to the weekly brush and bulky item and white goods collection schedule. A free estimate on the service cost is provided to residents. A fee is charged based on the size of the load and prices fixed in an order passed by City Council (See *Exhibit D* for Out-of-Cycle fee schedule summary). The quality of Out-of-Cycle service is to be equivalent to that provided by the CITY and charges shall be collected directly by the CONTRACTOR from the requesting customer. Fees shall be identical to the CITY's authorized fee schedule. Within 48 hours of customer's pre-payment, the CONTRACTOR shall perform collection of the Out-of-Cycle request.

- K. **PRODUCER – (GENERATOR):** A producer is an occupant of a residential unit who generates municipal solid waste, primarily waste commonly regarded as residential garbage, or is a business unit that uses CITY contracted services to dispose of municipal solid waste.
- L. **REQUEST FOR PROPOSAL (RFP) AND CONTRACT DOCUMENTS:** Contract Documents consist of this RFP, all attachments, written addenda and amendments thereto, if any, all of which when supplemented with a fully executed Integration Agreement, duly signed by the parties, comprise their complete understanding.
- M. **RESIDENTIAL GARBAGE AND REFUSE:** All cans, bottles, rags, dry trash, paper, kitchen and household wastes, food containers, lawn trimmings, leaves and other materials typically generated by a residential dwelling unit, which material is regulated as domestic municipal solid waste.
- N. **RESIDENTIAL UNIT:** These types of residences include, but may not be limited to, single family residences on one electric meter or duplex dwelling units on one or more meters. Garbage collection services to single-family, residential units will be billed directly by the CITY.
- O. **SEMI-AUTOMATED COLLECTION:** Collection of waste material through the use of a vehicle equipped with tipper(s) on the rear of the vehicle. The cart is manually placed on the tipper which then empties a specially designed cart mechanically. The cart is then returned to the curb by the collection crew.
- P. **STORM DAMAGE DEBRIS COLLECTION:** Storm damage refers to damage and debris less than 100,000cy produced by strong winds, rain, hail, lightning, flooding, storms, tornadoes or hurricanes experienced by an area as identified by the City Manager. The cost for this service is per cy collection only (not disposal) and is listed as an option on *Attachment D*.

ALTERNATE

On the Pricing Schedule Attachment D Number 2 Please provide the increase per contractual unit price for the following Alternate Service that may be selected by the CITY

Alternate 1. Add curbside recycling once a week (18 gallon +) to base price.

EXHIBITS

Exhibit A

Map of Gautier and Days of Collection

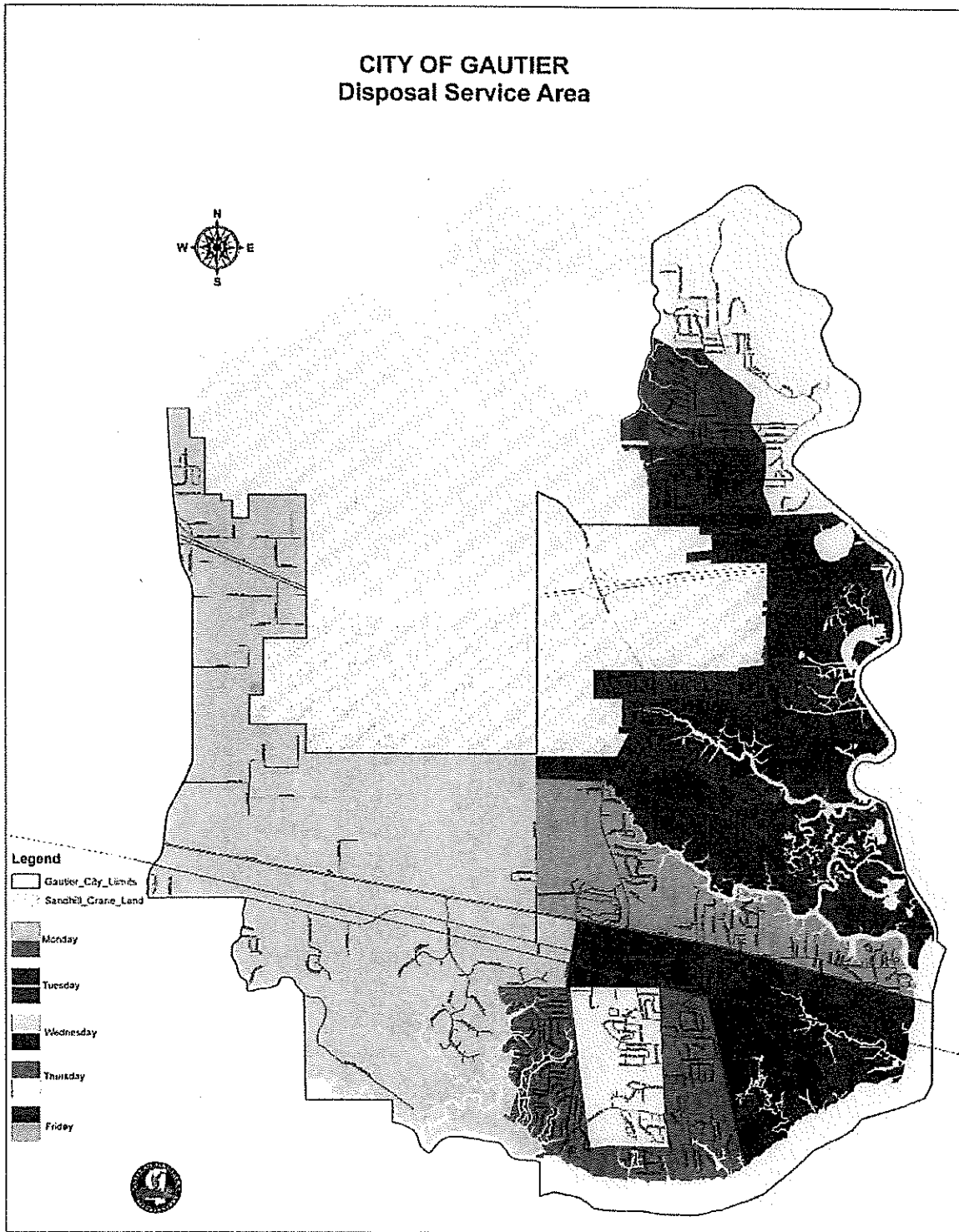


Exhibit B
Summary of services To Be Provided by the Contractor

SOLID WASTE SERVICES	FREQUENCY	CHARGE
Semi-automated or manual residential Garbage Collection and Disposal:	Once a Week	Included in Monthly Fee
Curbside recycling – Bin	Once /Week	Included in Monthly Fee
Curbside Brush and Bulky items and White Goods Collection Notice to Contract Area	Once /Week 6 Cubic Yards or less	Included in Monthly Fee
Community and City Clean-up including Neighborhood Sweeps	As notified by CITY	Included in Monthly Fee
Out of Cycle Brush, Bulky Item or White Goods Collection & Disposal	Monday-Friday, Within 48 hrs receipt of payment from resident	In Accordance with Fee Schedule (Exhibit E)
Customer Service Office	Seven Day/Week; 24 Hrs. Emergency Telephone Number must be provided.	Included in Monthly Fee
Storm Damage Clean up and Disposal	As notified by City	Per cy option on Attachment D
Christmas Tree Collection & Recycling	As required	Included in Monthly Fee
Comfort Station, trashcans & hand washing stations	As stated on pg. 32	Included in Monthly Fee
*Porta Potties	As needed for City Events	Included in Monthly Fee

*Note – Porta potties are only used at Mardi Gras Parade, Cruisin' the Coast, and Christmas Parade

EXHIBIT C

GARBAGE AND RECYCLING COLLECTION HOLIDAY SCHEDULE

To provide the highest level of customer service and to reduce the impact of make-up days the following holidays may be taken by Contactor Collection Personnel. The CONTRACTOR may opt to not work the following holidays, but shall propose a make-up collection schedule, acceptable to the city.

Holiday

Martin Luther King
President's Day
Good Friday
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve
Christmas Day
New Year's Eve

OTHER SPECIAL EVENTS

<u>EVENT</u>	<u>DAY</u>	<u>DATE</u>	<u>Scheduled Work Day</u>
Christmas Tree Collection	Friday	January 3, 2025	As required
City- wide Clean up (For one week beginning on Monday)	Saturday	TBD	As required

CONTRACTOR shall provide comfort stations, trashcans and hand washing stations for CITY Events at no cost to the CITY. Comfort station is for Cruisin' the Coast ONLY. Hand Stations are only for quarterly movie nights. Cardboard trashcans are requested for four (4) events.

CITY shall update calendar on an annual basis. Special events dates may be revised.

Please note that the annual Christmas Tree Collection is usually performed on the first Wednesday of January and the City-wide Clean up event is usually held the third Saturday of each April.

EXHIBIT D

Fees for Out-of-Cycle Brush, Bulky Items, and White Goods Collection

Category	Fee
Single item pick up, white good, or other item ups to 8 cubic yards (cy)	\$50.00
Up to 16 cy	\$75.00
Up to 24 cy	\$100.00
Up to 32 cy	\$125.00

Exhibit E

Service Level Agreement (SLA) Time Commitments

Any Breach of this RFP that is not specified will revert to the paragraph below.

Each request, work order or complaint shall be answered within the 24-hour time frame. Each failure to comply with the above the 24-hour time frame will result in a penalty of \$100.00 which will be deducted from the next invoice. Failure to resolve the request, work order or complaint within the 24-hour time frame, request, work order or complaint will be considered a violation and each additional 24-hour period in which the CONTRACTOR will be considered as a separate and distinct violation

EXHIBIT F

Monthly Contract Report

Contact Area: _____ Company: _____ Month: _____ Year: _____

1. TOTAL WASTE OR GARBAGE COLLECTION:
 - a) Tons Collected _____
 - b) Total Number of garbage setouts by homes picked during month: _____
2. BRUSH COLLECTION (Disposed at the Landfill):

a) Brush Collection	Tons Collected _____
b) Other (Christmas Tree, Storm Damage, etc.)	Tons Collected _____
c) TOTAL	Tons Collected _____
3. NUMBER OF CONTRACTED RESIDENTIAL UNITS _____
4. AVERAGE NUMBER OF HOMES PICKED UP DURING THE WEEK: _____
5. TOTAL WASTE STREAM (Tons per Month) _____
6. TOTAL RECYCLABLE (Tons per Month) _____

ATTACHMENTS

RFP ATTACHMENT A

Respondent Qualification General Questionnaire

1. Name/Name of Agency/Company: _____
2. Address: _____

3. Telephone/FAX: _____
4. Does your Company anticipate any mergers, transfer of organization ownership, management reorganization, or departure of key personnel within the next twelve (12) months that may affect the organization's ability to carry out its proposal?
Yes____ No____
5. Is your Company authorized and/or licensed to do business in Mississippi?
Yes____ No____
6. Where is the Company's corporate headquarters located? _____
7. a. Does the Company have an office located in Gautier, Mississippi?
Yes____ No____
b. If the answer to the previous question is "yes", how long has the Company conducted business from its Gautier office?
____ (years) ____ (months)
c. State the number of full-time employees at the Gautier office. _____
8. a. If the Company does not have a Gautier office, does the Company have an office located in Jackson County, Mississippi?
Yes____ No____
b. If the answer to the previous question is yes, how long has the Company conducted business from its Jackson County office?
____ (years) ____ (months)
d. State the number of full-time employees at the Jackson County office. _____

9. Has the Company or any of its principals been debarred or suspended from contracting with any public entity? Yes ☐ No ☐

If yes, identify the public entity and the name and current phone number of a representative of the public entity familiar with the debarment or suspension, and state the reason for or circumstances surrounding the debarment or suspension, including but not limited to the period of time for such debarment or suspension. _____

10. Indicate person whom the City may contact concerning your proposal or setting dates for meetings.

Name: _____
Address: _____
Telephone: _____
FAX: _____
Email: _____

11. Surety Information

Have you or the Company ever had a bond or surety canceled or forfeited? Yes (☐) No (☐).
If yes, state the name of the bonding company, date, amount of bond and reason for such cancellation or forfeiture. _____

12. Bankruptcy Information

Have you or the Company ever been declared bankrupt or filed for protection from creditors under state or federal proceedings? Yes (☐) No (☐)
If yes, state the date, court, jurisdiction, cause number, amount of liabilities and amount of assets. _____

13. Provide any other names under which your business has operated within the last 10 years.

RFP ATTACHMENT B

LITIGATION DISCLOSURE

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor in the last five (5) years?

Circle One

YES

NO

2. Have you or any member of your Firm or Team to be assigned to this engagement been terminated (for cause or otherwise) from any work being performed for the City of Gautier or any other Federal, State or Local Government, or Private Entity?

Circle One

YES

NO

3. Have you or any member of your Firm or Team to be assigned to this engagement been involved in any claim or litigation with the City of Gautier or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Circle One

YES

NO

If you have answered "Yes" to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.

ATTACHMENT C

Regulatory Compliance and Criminal History Warranty; Acknowledgement of Fiduciary Duty Owed by CONTRACTOR to City

- (a) **Compliance Histories, Warranty, Fiduciary Duty, Discretionary Termination.** The successful bidder [proponent] must demonstrate to the City's satisfaction that bidder [proponent] has clean environmental, criminal, and other compliance histories with state, federal, and local agencies or authorities. **By submission of a bid or proposal in response to this solicitation, bidder [proponent] Warrants to the City that he / she / it (in the case of a corporation or other legal entity), including advisors, executive and supervisory employees, agents and representatives, are in good stead with all regulatory authorities that may have interests in or jurisdiction over the work activity or service bid [proposed] by the CONTRACTOR.** Regulatory interest or jurisdiction may go directly to the Contract activity in question, to potential consequences of the activity, or indirectly to any regulated matter which may reflect upon the CONTRACTOR's competency and integrity. The City relies upon CONTRACTOR's Warranty and shall treat the CONTRACTOR as having a special fiduciary duty to the City in this respect due to potential for environmental, third party, and other regulatory liabilities which may attend this Contract, including but not limited to regulatory criminal responsibility. CONTRACTOR acknowledges such fiduciary duty to the City, promising a high standard of performance and best efforts to protect the public interest against consequences of environmental mishap. CONTRACTOR warrants that no matters pertaining to violations, notices of violation, or notices of regulatory concern are now pending against CONTRACTOR or those persons (employees / affiliates) of concern mentioned above; and that no civil or criminal litigation, and no manner of enforcement activity, however preliminary, is *pending* against CONTRACTOR or those persons, regardless of category or class of violation or potential violation. *If any such matters are pending, CONTRACTOR must reveal and explain those matters in writing at the time his / her / its bid [proposal] is tendered to the City.* If any such matters have been resolved, *during the last five (5) years*, CONTRACTOR must similarly reveal and explain same to the City with the bid [proposal] submission. The City retains the right to determine, according to its discretion, whether or not a pending, unresolved, or resolved enforcement issue or criminal matter concerning CONTRACTOR, its operations, or employees / agents / representatives may impact the responsible status of CONTRACTOR, i.e., render the CONTRACTOR unqualified, or detract from CONTRACTOR's competency standing. In reliance on CONTRACTOR's Warranty, the City reserves to itself the right to terminate the Contract, without further obligation upon the City and without further recourse or remedy for the CONTRACTOR except that the City shall duly pay CONTRACTOR for work or services performed to date of termination, should the City determine, following award of the Contract that CONTRACTOR failed to reveal and explain to the City's satisfaction any such matters having regulatory or criminal import or implications.

- (b) **Criminal Histories. Pending and Resolved; Termination. CONTRACTOR must disclose and explain in writing any pending criminal matters associated with his / her / its business operation. This disclosure goes to CONTRACTOR's person, and to all persons working for CONTRACTOR in a supervisory, advisory, executive, agency, or in any representative capacity or manner associated with CONTRACTOR's business enterprise, which person(s) have any criminal enforcement action pending against him or her, regardless of class or category of alleged violation which may be pending, however preliminary, including investigation. And concerning resolved criminal matters, CONTRACTOR must make similar written disclosures and explanations for the same category of persons, which disclosures and explanations concern any criminal enforcement action that may have been resolved against such persons during the last five (5) years. Failure to make such disclosures and explanations, with the submission of the bidder's [proponent's] response to the City's solicitation, shall be grounds for the City's termination of the Contract, should such information come to the City's attention after award of the contract; in which case, CONTRACTOR shall be without recourse and remedy, except for the City's payment to CONTRACTOR for services or work performed up to date of termination.**
- (c) **Voidable Contract: CONTRACTOR's failure to abide by disclosure and explanation requirements, in (a) and (b), above, shall render the Contract voidable at the City's discretion, with no compensation due CONTRACTOR, if concealed or undisclosed violations, or undisclosed or concealed investigations leading to formal criminal charges, are of such portent, in the City's judgment, as to place the City in a position of regulatory or third party liability exposure, or shall pose or result in a threat to the public health, safety, or welfare. Any sums paid CONTRACTOR, in the event of a voided contract, shall be recoverable by the City, in addition to and cumulative of any other legal or equitable remedies the City may have. CONTRACTOR understands the City shall enjoy the termination and voidable contract remedies set forth in paragraph (b) and this paragraph (c) due to the fiduciary duty owing from CONTRACTOR to City and due to the City's reliance on the CONTRACTOR's Warranty of Regulatory Compliance and clean Criminal History.**

RFP ATTACHMENT D**PRICING SCHEDULE**

State any and all fees you would charge to provide all services listed in this RFP if awarded a contract pursuant to this RFP.

- 1. Monthly contract rate per residential unit to be charged for the type of Solid Waste Services for the City of Gautier and breakdown of rate: (All spaces must be completed with a price).**

Solid Waste Services for City of Gautier	Price for Solid Waste Services per unit (Semi-Automated Collection)
Semi-Automated	
Brush, bulky items and white goods collection, i.e., storm damage clean-ups and brush mixed with rubbish disposal. Not to exceed 6 cubic yards a week per household	Included in price
Community, City-wide clean-up events, Christmas Tree disposal and storm debris cleanup as set forth in Sec. II G of the RFP	Included in price
(Does not include Customer Billings which are performed and absorbed by the CITY, except for costs for out-of-cycle services which are billed directly by the CONTRACTOR.)	
Comfort stations, trash cans and hand washing stations for CITY events as set forth in RFP	Included in price
Total per unit per month	
Total monthly charge to city based on 6500 units	
Additional Cart Cost billed directly by CONTRACTOR to resident	

- 2. Alternate Option:**

City of Gautier Solid Waste Collection RFP

Solid Waste Services for City of Gautier	Price for Solid Waste Services per unit (Semi-Automated Collection)
Semi-Automated	
Curbside recycling once a week (18 gallon +)	Alternate Included in price
Brush, bulky items and white goods collection, i.e., storm damage clean-ups and brush mixed with rubbish disposal. Not to exceed 6 cubic yards a week per household	Included in price
Community, City-wide clean-up events, Christmas Tree disposal and storm debris cleanup as set forth in Sec. II G of the RFP	Included in price
(Does not include Customer Billings which are performed and absorbed by the CITY, except for costs for out-of-cycle services which are billed directly by the CONTRACTOR.)	
Comfort stations, trash cans and hand washing stations for CITY events as set forth in RFP	Included in price
Total per unit per month	
Total monthly charge to city based on 6500 units	
Additional Cart Cost billed directly by CONTRACTOR to resident	

3. Storm Debris Option:

In the event of a storm or federally declared disaster generating less than 100,000 cubic yards of debris, please provide a per cubic yard price for <u>Collection Only</u> (not disposal) to collect and remove debris as stated in Sec II G (pg. 7) should the CITY request such service during the contract term.	Per Cubic Yard <u>Collection Only</u> \$ _____ per cy
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4. ENHANCED PROPOSAL OPTIONS SUBMITTED AT PROPONENT'S DISCRETION (Provide attachment if necessary.)

*Please note no exceptions to this RFP will be recognized.

RFP ATTACHMENT E

INSURANCE REQUIREMENTS

Prior to the commencement of any work under an Agreement awarded pursuant to this RFP, the selected Respondent shall furnish an original completed Certificate(s) of Insurance to the Purchasing Department, 3330 Hwy 90 MS 39553, Attn: Queita Reddix, which shall be clearly labeled Municipal Solid Waste Collection, Disposal Services for the City of Gautier 2018 in the Description of Operations block of the Certificate. The original Certificate(s) shall be completed by an agent authorized to bind the named underwriter(s) and their company to the coverage, limits and termination provisions shown thereon, containing all required information referenced or indicated thereon. The original Certificate(s) or form must have the agent's original signature, including the signer's company affiliation, title and phone number, and be mailed directly from the agent to the City. The City shall have no duty to pay or perform under said Agreement until such Certificate shall have been delivered to the Purchasing Department, Attn: Queita Reddix, and no officer or employee, other than the *City Clerk*, shall have authority to waive this requirement.

The CITY reserves the right to review these insurance requirements during the effective period of the Agreement and any extension or renewal thereof and to modify insurance coverages and their limits when deemed necessary and prudent by the *City Clerk*, based upon changes in statutory law, court decisions or circumstances surrounding the Agreement, but in no instance will CITY allow modification whereupon CITY may incur increased risk.

Respondent's financial integrity is of interest to the CITY, and, therefore, subject to Respondent's right to maintain reasonable deductibles in such amounts as are approved by the CITY, Respondent shall obtain and maintain in full force and effect, for the duration of the Agreement, and any extension thereof, at Respondent's sole expense, insurance coverage written on an occurrence basis, by companies authorized and permitted to do business in the State of Mississippi.

<u>Coverage</u>	<u>Limits of Liability</u>
Workmen's Compensation	Statutory
Employer's Liability	\$1,000.000.
Bodily Injury Liability	\$1,000.000.each occurrence
except automobile	\$1,000.000.aggregate
Property Damage Liability	\$1,000.000.each occurrence
except automobile	\$1,000.000.aggregate
Automobile Bodily Injury	\$1,000.000.each person
Liability	\$1,000.000.each occurrence
Excess Umbrella Liability	\$1,000.000.each occurrence

The CITY shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto as they apply to the limits required by the CITY, and may require

the deletion, revision or modification of particular policy terms, conditions, limitations or exclusions, except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any such policies. Respondent shall be required to comply with any such requests and shall submit a copy of the replacement Certificate of Insurance to CITY at an address provided by CITY within ten (10) days of the requested change. Respondent shall pay any costs incurred resulting from said changes.

Respondent agrees that, with respect to the above-required insurance, all insurance contracts and Certificate(s) of Insurance will contain the following required provisions:

1. Name the CITY and its officials, employees, volunteers and elected representatives as additional insureds as respects operations and activities of, or on behalf of, the named insured performed under contract with the CITY, with the exception of the workers' compensation and professional liability policies;
2. Provide for an endorsement that the "other insurance" clause shall not apply to the City of Gautier where the CITY is an additional insured shown on the policy;
3. Workers' compensation and employers' liability policy will provide a waiver of subrogation in favor of the CITY.

When there is a cancellation, non-renewal or material change in coverage, which is not made pursuant to a request by CITY, Respondent shall notify the CITY of such and shall give such notices not less than thirty (30) days prior to the change, if Respondent knows of said change in advance, or ten (10) days notice after the change, if the Respondent did not know of the change in advance. Such notice must be accompanied by a replacement Certificate of Insurance. All notices shall be given to the CITY at both of the following addresses:

City of Gautier	City of Gautier
City Clerk	Public Works Manager
Municipal Solid Waste Collection, Disposal Services for the Gautier Area 2018	Municipal Solid Waste Collection, Disposal Services for the City of Gautier Area 2018
3330 Hwy 90	3305 Gautier Vancleave Rd
Gautier, MS 39553	Gautier, MS 39553

If Respondent fails to maintain the aforementioned insurance, or fails to secure and maintain the aforementioned endorsements, the CITY may obtain such insurance, and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement; however, procuring of said insurance by the CITY is an alternative to other remedies the CITY may have and is not the exclusive remedy for failure of Respondent to maintain said insurance or secure such endorsement. In addition to any other remedies the CITY may have upon Respondent's failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, the CITY shall have the right to order Respondent to stop work under the Agreement, and/or withhold any payment(s) which become due to Respondent thereunder until Respondent demonstrates compliance with the requirements hereof.

Nothing herein contained shall be construed as limiting in any way the extent to which Respondent may be held responsible for payments of damages to persons or property resulting from Respondent's or its subCONTRACTORS' performance of the work covered under the Agreement. It is agreed that Respondent's insurance shall be deemed primary with respect to any insurance or self-insurance carried by the City for liability arising out of operations under this contract.

**ATTACHMENT F
INDEMNIFICATION REQUIREMENTS**

RESPONDENT / PROPONENT, if selected, hereafter referred to as RESPONDENT OR CONTRACTOR, covenants and agrees to FULLY INDEMNIFY and HOLD HARMLESS, the CITY and the elected officials, employees, officers, directors, volunteers and representatives of the CITY, individually or collectively, from and against any and all costs, claims, liens, damages, losses, expenses, fees, fines, penalties, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including but not limited to, personal or bodily injury, death and property damage, made upon the CITY directly or indirectly arising out of, resulting from or related to RESPONDENT's, if selected, activities under this CONTRACT, including any acts or omissions of RESPONDENT, if selected, any agent, officer, director, representative, employee, consultant or subCONTRACTOR of CONTRACTOR, and their respective officers, agents, employees, directors and representatives while in the exercise of performance of the rights or duties under this CONTRACT, all without however, waiving any governmental immunity available to the CITY under Mississippi Law and without waiving any defenses of the parties under Mississippi Law. IT IS FURTHER COVENANTED AND AGREED THAT SUCH INDEMNITY SHALL APPLY EVEN WHERE SUCH COSTS, CLAIMS, LIENS, DAMAGES, LOSSES, EXPENSES, FEES, FINES, PENALTIES, ACTIONS, DEMANDS, CAUSES OF ACTION, LIABILITY AND/OR SUITS ARISE IN ANY PART FROM THE NEGLIGENCE OF CITY, THE ELECTED OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS AND REPRESENTATIVES OF CITY, UNDER THIS CONTRACT. The provisions of this INDEMNITY are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. RESPONDENT, if selected, shall advise the CITY in writing within 24 hours of any claim or demand against the CITY or RESPONDENT, known to RESPONDENT, related to or arising out of RESPONDENT's activities under this CONTRACT and shall see to the investigation and defense of such claim or demand at RESPONDENT's cost. The CITY shall have the right, at its option and at its own expense, to participate in such defense without relieving CONTRACTOR / RESPONDENT of any of its obligations under this paragraph.

It is the EXPRESS INTENT of the parties to this CONTRACT, that the INDEMNITY provided for in this section, is an INDEMNITY extended by RESPONDENT, if selected, to INDEMNIFY, PROTECT and HOLD HARMLESS, the CITY from the consequences of the CITY'S OWN NEGLIGENCE, provided however, that the INDEMNITY provided for in this section SHALL APPLY only when the NEGLIGENT ACT of the City is a CONTRIBUTORY CAUSE of the resultant injury, death, or damage, and shall have no application when the negligent act of the City is the sole cause of the resultant injury, death, or damage. RESPONDENT, if selected, further AGREES TO DEFEND, AT ITS OWN EXPENSE and ON BEHALF OF THE CITY AND IN THE NAME OF THE CITY, any claim or litigation brought against the CITY and its elected officials, employees, officers, directors, volunteers and representatives, in connection with

any such injury, death, or damage for which this INDEMNITY shall apply, as set forth above.

The provisions of this INDEMNIFICATION are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

RESPONDENT, if selected, shall advise the CITY in writing within 24 hours of any claim or demand against the CITY or RESPONDENT, if selected, known to CONTRACTOR related to or arising out of CONTRACTOR's activities under this contract.

RFP ATTACHMENT G

SIGNATURE PAGE

“✓” Check box that indicates business structure of Respondent

- ☐ Individual or Proprietorship
- ☐ Partnership or Joint Venture
- ☐ Corporation

The undersigned certifies that (s)he is _____ (title) of the Respondent entity named below; that (s)he is designated to sign this Proposal Form (if a Corporation then by resolution with Certified Copy of resolution attached) for and on behalf of the entity named below, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions provided for in the Proposal as required by this RFP, and has the requisite authority to execute an Agreement on behalf of Respondent, if awarded, and that the 11-digit Comptroller's Taxpayer Number for the entity is:

11-digit Comptroller's Taxpayer Number

Respondent Organization Name (DBA also required if Individual or Proprietorship)

By: _____
Printed Name: _____
Title: _____

By: _____
(If Respondent is a Joint Venture, an authorized signature from a representative of each party is required)
Printed Name: _____
Title: _____

Employer Identification Number

By signature above, Respondent agrees to the following:

1. If awarded a contract in response to this RFP, Respondent will be able and willing to comply with the insurance and indemnification requirements set out in RFP Attachments E & F.
2. If awarded a contract in response to this RFP, Respondent will be able and willing to comply with all representations made by Respondent in Respondent's Proposal and during Proposal process.
3. Respondent has fully and truthfully submitted a Litigation Disclosure form with the understanding that failure to disclose the required information may result in disqualification of proposal from consideration.
4. Respondent agrees to fully and truthfully submit a Respondent Qualification General Questionnaire and understands that failure to fully disclose requested information may result in disqualification of proposal from consideration or termination of contract, once awarded.

RFP ATTACHMENT H

PROPOSAL CHECKLIST

Use this checklist to ensure that all required documents have been included in the proposal and that they are properly tabbed and appear in the correct order.

Tab in Proposal	Document	Initial to Indicate Document is Attached to Proposal
	Table of Contents	
<i>[Insert Tab]</i>	Respondent Qualification General Questionnaire (RFP Attachment A)	
<i>[Insert Tab]</i>	Litigation Disclosure (RFP Attachment B)	
<i>[Insert Tab]</i>	Pricing Schedule (RFP Attachment D)	
<i>[Insert Tab]</i>	Experience, Background, Qualifications	
<i>[Insert Tab]</i>	Proposed Plan for Service Delivery	
<i>[Insert Tab]</i>	Annual Financial Statement	
<i>[Insert Tab]</i>	Proof of Insurability (Letter and Copy of Current Certificate of Insurance	
<i>[Insert Tab]</i>	*Signature Page (& Resolution, if applicable) (RFP Attachment G)	
<i>[Insert Tab]</i>	Proposal Checklist (RFP Attachment H)	
	References (RFP Attachment I)	
	One (1) Original and ten (10) Copies of Proposal	

***Documents marked with an asterisk on this checklist require a signature. Be sure they are signed prior to submittal of proposal.**

RFP ATTACHMENT I

REFERENCES

Please list three (3) references of ongoing contracts with other municipalities or local government entities that may be contacted concerning CONTRACTORS performance. List contact information including, individual's name, telephone number and email for each reference.

Name of Business and Individual to be contacted	Phone Number	Email address

Questions for City of Gautier SW Collection RFP 2024

1. On page 5, Sec B-1 – states that additional carts may be requested for an additional cost to the resident (to be billed by the Contractor directly) – is there a limit to the number of carts allowed at each unit? And will the City consider doing the billing for the additional carts? **A: The City will not bill for the extra container. The contractor can specify the number of carts allowed.**
2. On page 6, Sec C-1 – states the area must be left ‘completely clean’...collection of brush and bulky item – please define the City’s expectation of ‘completely clean’? **A: Free of the debris that was placed for pick up.**
3. On page 6, Sec C-2 – states that notices must be delivered and notated on residents account immediately – can you clarify how the Contractor will be able to notate on the accounts – what account system will we use? **A: Once the notice has been hand delivered, the contractor will note on Trac EZ.**
4. On page 6, Sec C-6 – will the City consider adding reasonable parameters for collection that they have to be placed curbside to allow for safe removal? (For example, a refrigerator placed 6 inches from a mailbox or directly under a low hanging power line...) **A: No, if the item is placed at the curb it must be picked up.**
5. On page 7, Sec G (1st para) – states that the obligation of Brush and Bulky items not to exceed 6cy per service cycle...regardless of whether the 6cy was generated by a storm – since there isn’t a force majeure please confirm if it is the City’s intent for the Contractor to continue this line of collection directly after natural disasters and large storms? **A: Yes. This is in your current contract and will work like it has in the past.**
6. On page 8, Sec J(a) – it references Attachment F – is that supposed to be Attachment D? **A: Yes**
7. On page 10, Sec L – states LDs will be assessed through offsetting the monthly payment, will the City consider allowing for an appeal process prior to offset? **A: This question is not appropriate at this time. Contractor must submit its proposal in accordance with the RFP.**
8. On page 11, Sec L(a.ix.&x.) – will the City consider making this delivery period 72 hours from request as opposed to 24 hours? **A: No**
9. On page 11 & 12, Sec L(a&b) – where it mentions a number of offenses with correction periods, please clarify if these are stackable or not? (for example a.ii. could possibly stack with b.xix.) **A: Yes**
10. On page 15 Sec X – discusses ‘any type of receptable found in a rack, cart or enclosure of any kind’, please define and give examples of what these are since Contractor would be liable/responsible for them. **A: Again, this is in your current contract and will work the same way it has been. None the less, an example would be a 3-sided wooden enclosure that the carts are placed in.**
11. On page 16 Sec IV – please confirm that in the first line, where it says that if service is interrupted for any reason for more than 48 hours...in default of the Contract – is it the City’s intention that there is no allowance for Hurricanes or Natural Disasters, since there isn’t a force majeure? **A: See page 16 IV A**

12. On page 16 Sec IV(A.) – discusses the City’s notification to delay for weather disruptions or emergencies prior to 4:00 am of the collection day – will the City consider allowing the Contractor to give notice to the City as well? **A: No, it is up to the City to decide if the service should be delayed or postponed.**
13. On page 18, Sec VII – in an effort to give a fair and ‘true’ rate (not having to estimate future costs and causing it to be added from the beginning of the contract) will the City consider allowing for CPI adjustments so that only the true costs may get adjusted to the rate? **A: The contractor should respond to the proposal as written. If contractor is selected to negotiate with, that is a topic to be discussed then.**
14. On page 26, Sec XX(A.) – the definition of Brush includes ‘all such item placed in City right-of-way, for which a responsible party may not be identified’ – does this mean that the Contractor is responsible to remove all illegal dumping and any piles not specifically located in front of paying units? **A: No**
15. On page 26, Sec XX(B.) – the third from last and last sentence conflict with responsibility for freon removal. Please confirm which sentence should apply (normally this does fall to the customer). **A: The service provider is responsible for removing the Freon, when appropriate. Therefore, if contractor picks up a refrigerator where the Freon has not been removed contractor is responsible for it.**
16. On page 28, Sec XX(P.) – says that the cost it is for collection only (not disposal), please advise as to how and where the Contractor would be required to haul to disposal site since City will be paying for this disposal or will that part be negotiated and mutually agreed upon when and if the situation occurs? **A: To the disposal site designated by City should a storm arise.**
17. On page 28 w/31 Exhibit B under Storm Damage Clean up and Disposal states it will be ‘per cy option on Attachment D’ and in Attachment D (both 1. & 2.) it has ‘storm damage clean-ups’ (3rd line) AND ‘storm debris cleanup’ (4th line) as ‘included in price’ with (3.) as the Storm Debris as collection only ‘per cy’. Please clarify the level of service required for storm debris. **A: Again, this is in the current contract and contractor has experienced all those situations. Storm debris collection only applies to a storm disaster that generates less than 100,000 cy of debris in the city.**
18. On page 33 Exhibit D – this is an exhibit with old fees, will this be updated with a new contract? **A: There is no exhibit on Page 33.**
19. On page 34 Exhibit E – please confirm that the City’s expectation for each request, work order or complaint is the 24-hour time frame? **A: There is no exhibit on page 34.**
20. On page 43 Attachment D (4.) – will the City consider the use of existing carts (since they are still under warranty) as an enhanced proposal option submission? **A: Yes, provided they are in good working order.**

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

ORDER NUMBER 680-2024

WHEREAS, as part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Municipal Compliance Questionnaire for FY 2023-2024 is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: **None**

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

Municipal Compliance Questionnaire

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

Information

Note: Due to the size of some municipalities, some of the questions may not be applicable. If so, mark N/A in answer blanks. Answers to other questions may require more than "yes" or "no," and, as a result, more information on this questionnaire may be required and/or separate work papers may be needed.

1. Name and address of municipality:

CITY OF GAUTIER 3330 HWY 90 GAUTIER MS 39553

2. List the date and population of the latest official U.S. Census or most recent official census:

May 2024 – 19,023

3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).

ATTACHED

4. Period of time covered by this questionnaire:

From: **OCTOBER 2023**

To: **SEPTEMBER 2024**

5. Expiration date of current elected officials' term: **JUNE 2025**
-

MUNICIPAL COMPLIANCE QUESTIONNAIRE

Year Ended September 30, 2023

Answer All Questions: Y - YES, N - NO, N/A - NOT

APPLICABLE PART I - General

- | | |
|---|--------------|
| 1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) | Y
<hr/> |
| 2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) | Y
<hr/> |
| 3. Are municipal records open to the public? (Section 25-61-5) | Y
<hr/> |
| 4. Are meetings of the board open to the public?
(Section 25-41-5) | Y
<hr/> |
| 5. Are notices of special or recess meetings posted?
(Section 25-41-13) | Y
<hr/> |
| 5. Are all required personnel covered by appropriate surety bonds? | Y
<hr/> |
| · Board or council members (Sec. 21-17-5) | |
| · Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) | Y
<hr/> |
| · Municipal clerk (Section 21-15-38) | Y
<hr/> |
| · Deputy clerk (Section 21-15-23) | Y
<hr/> |
| · Chief of police (Section 21-21-1) | Y
<hr/> |
| · Deputy police (Section 45-5-9) (if hired under this law) | N/A
<hr/> |
| 7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) | Y
<hr/> |
| 8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting?
(Section 21-15-33) | Y
<hr/> |
| 9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) | Y
<hr/> |
| 10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) | Y
<hr/> |
| 11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) | Y
<hr/> |

12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19)	Y _____
---	------------

PART II - Cash and Related Records

1. Where required, is a claims docket maintained? (Section 21-39-7)	Y _____
--	------------

2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9)	Y _____
--	------------

3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7)	Y _____
---	------------

4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13)	Y _____
---	------------

5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13)	Y _____
---	------------

6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9)	Y _____
--	------------

7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23)	Y _____
---	------------

8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205)	Y _____
--	------------

9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25)	Y _____
--	------------

10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25)	Y _____
---	------------

11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) N
12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y
13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y
14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y
15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y
16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y
17. Are fixed assets properly tagged and accounted for? (Section II - Municipal Audit and Accounting Guide) Y
18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y
19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y

PART III - Purchasing and Receiving

1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] Y
2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y
3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] Y
4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y

PART IV - Bonds and Other Debt

- | | | |
|----|--|----------|
| 1. | Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) | <u>Y</u> |
| 2. | Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) | <u>Y</u> |
| 3. | Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) | <u>Y</u> |
| 4. | Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) | <u>Y</u> |
| 5. | Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) | <u>Y</u> |

PART V - Taxes and Other Receipts

- | | | |
|----|--|----------|
| 1. | Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) | <u>Y</u> |
| 2. | Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) | <u>Y</u> |
| 3. | Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) | <u>Y</u> |
| 4. | Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) | <u>Y</u> |
| 5. | Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) | <u>Y</u> |
| 6. | Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) | <u>Y</u> |
| 7. | Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) | <u>Y</u> |
| 8. | Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) | <u>Y</u> |

- | | |
|--|------------|
| 9. Has the municipality levied or appropriated not less than 1/4 mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39) | Y
_____ |
| 10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.) | Y
_____ |
| 11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21) | Y
_____ |
| 12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1) | Y
_____ |
| 13. Has the municipality determined the full and complete cost for solid waste for the previous fiscal year? (Section 17-17-347) | Y
_____ |
| 14. Has the municipality published an itemized report of all revenues, costs and expenses incurred by the municipality during the immediately preceding fiscal year in operating the garbage or rubbish collection or disposal system? (Section 17-17-348) | Y
_____ |
| 15. Has the municipality conducted an annual inventory of its assets in accordance with guidelines established by the Office of the State Auditor? (MMAAG) | Y
_____ |

Contact Information for Officials of the City of .Gautier, Mississippi

Mayor

Casey Vaughan
PO Box 267
Gautier, MS 39553
228-297-3063
cvaughan@gautier-ms.gov

City Manager

Paula Yancey 3330 Hwy 90
Gautier, MS 39553
228-623-1800
pyancey@gautier-ms.gov

City Attorney

Josh Danos 3330 Hwy 90
Gautier, MS 39553
228-215-1367
jdanos@bordisdanos.com

City Clerk

Teresa Montgomery
3330 Hwy 90
Gautier, MS 39553
228-497-8000
tmontgomery@gautier-
ms.gov

Councilman-at-Large

Adam Colledge
8124 Meadowdale Drive
Gautier, MS 39553
228-861-8158
acolledge@gautier-ms.gov

Councilman Ward 1

Cameron George
4313 Cobblestone lane
Gautier, MS 39553
228-219-4137
cgeorge@gautier-ms.gov

Councilman Ward 2

Richard "DJ" Jackson 1920
CW Webb Road
Gautier, MS 39553
228-424-5615
rjackson@gautier-m .gov

Councilman Ward 3

Gordon Gollott
1713 Pat Drive
Gautier, MS 39553
228-238-2691
ggollott@gautier-ms.gov

Councilman Ward 4

Rusty Anderson
2021 Robertsdale Drive
Gautier, MS 39553
228-218-9483
randerson@gautier-ms.gov

Councilman Ward 5

Dante Elbin
1409 Lagrange Drive
Gautier, MS 39553
228-217-2392
elbind@gautier-ms.gov

(MUNICIPAL NAME)

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 2024

We have reviewed all questions and responses as contained in this Municipal Compliance Questionnaire for the Municipality of Gautier, and, to the best of our knowledge and belief, all responses are accurate.

(City Clerk's Signature)

(Mayor's Signature)

(Date)

(Date)

Minute Book References:

Book Number _____

Page _____

(Clerk is to enter minute book references when questionnaire is accepted by board.)

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

RESOLUTION NUMBER 166-2024

WHEREAS, MCA § 7-7-60, Miss. Code Ann. (1972), provides authority for municipalities to operate petty cash funds in accordance with regulations set forth by the Office of the State Auditor; and

WHEREAS, said regulations require that establishment of petty cash funds be authorized by the governing authority and spread upon the minutes; and

WHEREAS, the City has determined that petty cash funds are necessary for the continued efficient operation of City business;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Gautier, Mississippi:

SECTION 1. That a petty cash fund is hereby issued to the following custodians to be used for legally budgeted purposes:

1. City Clerk	\$200.00
2. Planning Director	\$200.00
3. Police Chief	\$800.00
4. Fire Chief	\$150.00
5. Recreation Director	\$200.00

SECTION 2. That cash funds shall be spent for purchases in accordance with purchasing laws of the State and the policies of the City.

SECTION 3. That the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: **None**

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

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

ORDER NUMBER 681-2024

WHEREAS, the City Council has authorized the City Manager to establish payment plans and fee adjustments contingent upon Council approval; and

WHEREAS, the City Council has adopted a Comprehensive Fee Schedule that establishes such fees for the equitable provision of services;

WHEREAS, based on the reasons included on the attached documentation, the Mayor and Council hereby find that, due to unforeseen events, the respective users did not receive the benefit of the relevant utility;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that the attached list of water and sewer adjustments dated October 2024 in the amount of \$9,000.47 is hereby approved.

IT IS 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 **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

OCTOBER 2024 UTILITY ADJUSTMENTS								
THESE FOLLOW POLICY/ RECOMMEND APPROVAL								
CUSTOMER NAME	ACCT #	100	400	195	130	800	ADJ	REASON FOR
		WATER	SEWER	L/C	CAPACITY	TAX		ADJUSTMENT
	003-10001-004		116.65	35.00			151.65	Pool Fill
	003-33301-000	103.06	231.25	35.00			369.31	Line in yard
	011-02201-005		125.20				125.20	Pool Fill
	013-24001-000		31.81	35.00			66.81	Water Heater
	013-24901-002		38.56				38.56	Pool Fill
	017-12681-001		62.54				62.54	Pool Fill
	023-14201-014	189.15	394.76	35.00			618.91	Under Slab
	025-17101-001		123.52				123.52	Behind Walls
	027-01401-000	170.38	449.21	70.00	275.00	36.08	1,000.67	Behind Walls
	027-08801-000		151.58	35.00			186.58	Pool Fill
	029-16001-010	133.27	281.61	35.00			449.88	Line in yard
	035-09801-000		133.65				133.65	Pool Fill
	035-09951-000		216.29	35.00			251.29	Behind Walls
	037-12001-000		33.14				33.14	Pool Fill
	038-08701-000		77.36				77.36	Pool Fill
	039-02101-000		27.83				27.83	Water Heater
	039-11101-002		23.38				23.38	Pool Fill
	041-02101-000		58.33				58.33	Water Heater
	044-08701-004	665.85	1,013.52	70.00			1,749.37	Line in yard
	047-13301-000		13.38				13.38	Line in yard
	047-14601-001	116.38	277.39	70.00	75.00	18.30	557.07	Behind Walls
	056-11701-000		99.53	35.00			134.53	Pool Fill
	065-28001-001		96.02				96.02	Pool Fill
	065-34201-000	144.57	412.24	35.00	200.00	26.57	818.38	Behind Walls
	083-09101-010	88.37	117.01	35.00			240.38	Theft of Utilities
	086-10101-005		124.47	70.00			194.47	Pool Fill
	089-06401-015	128.54	304.27	70.00			502.81	Line in yard
	092-12201-000		393.08	70.00			463.08	Pool Fill
	095-00801-005	49.83	95.80				145.63	Line in yard
	103-07401-000	77.67	139.78				217.45	Water Heater
	110-24601-003		69.29				69.29	Pool Fill
	TOTAL	1,867.07	5,732.45	770.00	550.00	80.95	9,000.47	
COMPLETED								

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

RESOLUTION NUMBER 167-2024

RESOLUTION OF THE CITY OF GAUTIER, MISSISSIPPI REMOVING BROKEN FURNITURE AND EQUIPMENT FROM THE CITY OF GAUTIER'S INVENTORY

WHEREAS, the City Clerk Department is requesting the following office furniture and equipment be removed from inventory and declared surplus:

- asset number 701 - black chair
- asset number 702 - red chair
- asset number 1735 - 3" fire hose
- asset number 1848 - 5" fire hose
- asset number 1850 - 5" fire hose
- asset number 2008 - 5" fire hose
- asset number 2018 - 1-3/4" fire hose
- asset number 2022 - 1-3/4" fire hose
- asset number 2077 - 5", 50' fire hose
- asset number 2092 - 5" fire hose
- asset number 2400 - sand blaster
- asset number 2410 - parts washer
- asset number 2425 - file cabinet
- asset number 2440 - port a power
 - asset number 2452 - buffer
- asset number 2739 - Infinity fitness equipment
- asset number 3712 and 3713 - seek reveal fire pro thermal imaging camera
- asset number 3845 - HP Deskjet 4155 printer

WHEREAS, the Mayor and Members of the Council have determined that given the condition, this office furniture and equipment have no value, and therefore removal from inventory and declared surplus is in the best interest of the City of Gautier.

BE IT, THEREFORE, RESOLVED that the office furniture and equipment described above is hereby removed from inventory and declared surplus.

BE IT, FURTHER, RESOLVED that the Council authorizes the City Manager or City Clerk to execute all documents necessary for this purpose.

The motion to approve the foregoing resolution was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

WHEREUPON, the Mayor and Members of the Council of the City of Gautier, Mississippi, declared the motion carried and the Resolution adopted this the 1st of October, 2024.

ATTEST:

MAYOR

CITY CLERK

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Sherry Farabee, Deputy City Clerk
Date: 09/23/2024
Subject: Authorization to remove broken furniture and equipment from the City of Gautier's inventory.

REQUEST:

City Council authorization is requested by the City Clerk's Department to remove the following items from the City of Gautier's inventory and discard or surplus. Asset number 701, black chair, asset number 702, red chair, asset number 1735, 3" fire hose, asset number 1848, 5" fire hose, asset number 1850, 5" fire hose, asset number 2008, 5" fire hose, asset number 2018, 1-3/4" fire hose, asset number 2022, 1-3/4" fire hose, asset number 2077, 5", 50' fire hose, asset number 2092, 5" fire hose, asset number 2400, sand blaster, asset number 2410, parts washer, asset number 2425, file cabinet, asset number 2440, port a power, asset number 2452, buffer, asset number 2739, Infinity fitness equipment, asset number 3712 and 3713, seek reveal fire pro thermal imaging camera, and asset number 3845, HP deskjet 4155 printer.

BACKGROUND:

The City Clerk's department has determined that these items are no longer in working order or outdated, and they have been replaced. Removal from inventory is in the best interest of the City of Gautier.

DISCUSSION:

None

RECOMMENDATION:

The City Staff recommends that City Council authorize the removal of these items from inventory, so the inventory spreadsheet may be updated.

ATTACHMENTS:

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

ORDER NUMBER 682-2024

WHEREAS, the City Clerk Department has requested that the City Council review and approve the updated, current inventory spreadsheet of the City of Gautier's assets; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the updated inventory spreadsheet of the City of Gautier's assets is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Sherry Farabee, Deputy City Clerk
Date: 09/23/2024
Subject: Approval for the current updated inventory spreadsheet for the City of Gautier

REQUEST:

Authorization to approve the current updated inventory spreadsheet of the City of Gautier's assets.

BACKGROUND:

When assets have been purchased for the City of Gautier, each department head is given an asset inventory tag to place on the item. The department head will then report the serial number and item so that it can be placed on the inventory spreadsheet.

DISCUSSION:

The City Clerk's department is current with all purchases from department heads and assets have been documented on the current spreadsheet. The City Clerk's department has made sure that all items have been properly removed from inventory when broken or replaced.

RECOMMENDATION:

The City Staff recommends City Council to authorize the updated inventory spreadsheet.

ATTACHMENTS:

1. Furniture and Equipment Inventory
2. Buildings Inventory
3. land inventory
4. Infrastructure Inventory

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

ORDER NUMBER 683-2024

WHEREAS, the Mississippi Gulf Coast Community College has requested from the City the use of four (4) portable lights for the annual Community Fall Festival Trunk or Treat beginning October 28, 2024 through October 30, 2024 for security purposes; and

WHEREAS, the City has authority to provide said equipment to an entity such as the community college pursuant to Miss. Code Ann. § 21-19-49;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the request by Mississippi Gulf Coast College for the use of four (4) portable lights for the annual Community Trunk or Treat from October 28, 2024 through October 30, 2024, for security purposes, is hereby approved.

IT IS 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 **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

From: [Charles Houston](#)
To: [Chassity Bilbo](#)
Subject: Portable Lighting Request
Date: Tuesday, September 17, 2024 5:39:49 PM
Attachments: [image001.png](#)

Ms. Bilbo,

MGCCC would like to request to borrow the City of Gautier's portable lighting units for our fall festival being held on our campus on Tuesday, 10/29/2024. They would like to see if we can have the usual 4 lighting units along with 1 additional unit. Not sure if you have 5 of them or not? If you could arrange for them to be dropped off that Monday, 10/28/2024, that would be great. Please let me know if you have any questions.

Thank You!



Cary Houston, MCJA

Chief of Police

Jackson County Campus

PO Box 100

2300 US HWY 90

Gautier, MS 39553

228-497-7697 Office

cary.houston@mgccc.edu

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

ORDER NUMBER 684-2024

WHEREAS, Jimmy Zemeck previously expressed the desire to donate four (4) fig trees to be planted within the City; and

WHEREAS, the Recreation Department requests authorization to accept the donation of four (4) fig trees to be planted at George Martin City Park; and

WHEREAS, the Mayor and Council Members have determined that acceptance of this donation is in the best interest of the City of Gautier.

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that acceptance of four (4) fig trees from Jimmy Zemeck to plant at George Martin City Park is hereby approved.

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

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Chassity Bilbo, Recreation Director
Date: 09/24/2024
Subject: Approval to accept a donation of four fig trees to be planted at George Martin City Park

REQUEST:

The Recreation Department is seeking authorization from City Council to accept a donation of four fig trees to be planted at George Martin City Park from Mr. Jimmy Zemeck

BACKGROUND:

Mr. Jimmy Zemeck attended the September 17, 2024 Council meeting and notified Council that he would like to donate 4 fig trees to the City of Gautier at no cost to the city.

DISCUSSION:

The four trees will be planted at George Martin City Park near the blueberry trees.

RECOMMENDATION:

The Recreation Department recommends that City Council accept a donation of four fig trees to be planted at George Martin City Park.

City Council may:

1. Accept a donation of four fig trees to be planted at George Martin City Park.; or
2. Not accept a donation of four fig trees to be planted at George Martin City Park.

ATTACHMENTS:

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

ORDER NUMBER 685-2024

WHEREAS, the 28th Annual Cruisin' the Coast will be held October 6, 2024 through October 13, 2024 on the Mississippi Gulf Coast and will feature activities like cruise-ins, headline bands & oldies entertainment, a swap meet, the CTC/Vicari Auto Auction and much more; and

WHEREAS, this is an excellent opportunity for the City of Gautier to promote and bring favorable recognition to the City of Gautier and will have a great economic impact to the local businesses within the City of Gautier; and

WHEREAS, several sponsors have offered donations to the City for the purpose of hosting this event, including Silver Sponsor – Ingalls Shipbuilding (\$1,000); and

WHEREAS, the Mayor and Council Members have determined that acceptance of this donation is in the best interest of the City of Gautier.

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that acceptance of the monetary donation from Ingalls Shipbuilding (\$1,000) for the City of Gautier's Cruisin' Through the Decades Event to be held October 6, 2024 starting at 12:00 P.M. is hereby approved.

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

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Chassity Bilbo, Recreation Director
Date: 09/24/2024
Subject: Approval to accept a monetary donation for The City of Gautier's Cruisin' Through the Decades Event

REQUEST:

The Recreation Department is seeking authorization from City Council to accept the following monetary donation for the City of Gautier's Cruisin' Through the Decades Event held on October 6, 2024.

BACKGROUND:

The 28th Annual Cruisin' the Coast will be held Oct. 6 – 12, 2024 on the Mississippi Gulf Coast and will feature activities like cruise-ins, headline bands & oldies entertainment, a swap meet, the CTC/Vicari Auto Auction and much more. The City of Gautier has been approved to host a one-day event called, Cruisin' Through the Decades that will take place October 6, 2024 starting at 12 p.m. This is an excellent opportunity for the City of Gautier to promote and bring favorable recognition to the City of Gautier and will have a great economic impact to the local businesses within the City of Gautier.

DISCUSSION:

The City of Gautier has received monetary donations from the following sponsors:

1. Silver Sponsor-\$1,000- Ingalls Shipbuilding

RECOMMENDATION:

The Recreation Department recommends that City Council approve the above monetary donation for the Cruisin Through the Decades Event.

The City Council may:

1. Approve the monetary donations listed above; or
2. Not approve the monetary donations listed above.

ATTACHMENTS:

1. Sponsorship Ingalls

VENDOR NO. 4000284 CHECK NO. 404570 MO. 09 DAY 10 YEAR 2024



THIS IS WATERMARKED PAPER - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK

CHECK NO.
121579



P.O. Box 149, Pascagoula, Mississippi 38580-0149

MONTH DAY YEAR
09 10 24
VOID AFTER 3 MONTHS
FROM DATE

85-388-655

TO: Hancock Whitney Bank
Member FDIC
hancockwhitney.com

ONE THOUSAND DOLLARS AND NO CENTS

PAY
EXACTLY

ACCOUNTS PAYABLE

\$ *****1,000 00
DOLLARS CENTS

PAY TO
THE
ORDER
OF
CITY OF GAUTIER
3330 HIGHWAY 90
GAUTIER, MS 39553

O.R. W. J. K.

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

RESOLUTION APPROVING CLOSURE OF ROADS AND TRAFFIC CONTROL MEASURES AS DESCRIBED IN THE APPLICATION FOR SPECIAL EVENT PERMIT SUBMITTED BY THE GAUTIER HIGH SCHOOL ALUMNI ASSOCIATION FOR A HOMECOMING TAILGATING EVENT

RESOLUTION NUMBER 168-2024

WHEREAS, the Gautier High School Alumni Association has made a request for road closures as fully described in an application for special permit submitted on September 20, 2024; and

WHEREAS, the purpose of the road closure is to conduct the inaugural homecoming tailgate event, on October 18th from 12pm until 9pm on Dolphin Drive; and

WHEREAS, pursuant to Miss. Code Ann. 21-27-3, municipalities have full jurisdiction over city streets; and

WHEREAS, pursuant to that jurisdiction, cities may close public streets temporarily for public purposes, e.g., parades, festivals, regulation of traffic or other valid purposes under the police power; and

WHEREAS, this authority would include the ability to temporarily close streets to prevent injury to, destruction of, or interference with public or private property, based upon a finding of necessity; and

WHEREAS, based on the application submitted by the Gautier High School Alumni Association, the Mayor and Members of Council hereby find that closure of the relevant public streets for the time period requested is necessary to prevent injury to, destruction of, or interference with public or private property;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Gautier, Mississippi that the request for road closures as fully described in an application for special permit dated September 20, 2024 is hereby approved.

BE IT, FURTHER RESOLVED that associated traffic and crowd control is hereby approved, subject to the discretion and judgment of the Police Chief;

BE IT, FURTHER RESOLVED that the Council authorizes the City Manager or Clerk to execute all documents necessary.

The motion to approve the foregoing resolution was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

WHEREUPON, the Mayor and Members of the Council of the City of Gautier, Mississippi, declared the motion carried and the Resolution adopted this the 1ST day of October, 2024.

MAYOR

ATTEST:

CITY CLERK

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Chassity Bilbo, Recreation Director
Date: 09/24/2024
Subject: Request to approve a special event permit for the GHS Alumni Tailgate Event

REQUEST:

The Gautier High School Alumni Association has requested approval to host an inaugural homecoming tailgate event on October 18th from 12pm-9pm on Dolphin Dr.

BACKGROUND:

GHS Alumni's proposal is to organize a tailgating event in Gautier before the homecoming game. Each class would have its own tent. This event would serve as a great opportunity to reunite alumni and celebrate their school's spirit, while also raising funds to give back to the community and support Gautier High School. GHS alumni have contributed financially toward making this event a reality, including sponsoring a senior for a college scholarship—further underscoring the purpose of giving back to their community. This will be a family-friendly environment and the alumni is not permitting the use of alcohol. This tailgating event can create lasting memories, strengthen alumni bonds, and help bring our community out in support of our football team. The GHS Alumni is confident that this will be a well-organized, safe, and respectful event that the entire City of Gautier can be proud of.

DISCUSSION:

The GHS Alumni is asking for the following in-kind services from the City of Gautier: Trash cans, barricades and temporary power for the DJ. Waste Pro has agreed to sponsor 6-10 porta potties once the event has been approved by the city. The GHS Alumni association will provide signage to direct participants to park in the designated parking areas. The tailgate event will take place on Dolphin Dr and will require the closure of all East and West bound lanes of Dolphin between the west property line of the Singing River Mental Health Building property, west to the east side of the Round-a-bout on October 18th from 12pm-9pm. See attached map. The GHS Alumni Association will be responsible for cleanup after the event. Cleanup will take place no later than 8am on Saturday, October 19th due to the annual Mullet and Music Festival. There will be no vendors at this event due to not making the deadline to apply for a promoted event permit with the Dept. of Revenue.

This is an excellent opportunity for the City of Gautier to be promoted and a way to bring favorable recognition to the City of Gautier and will have a great economic impact to the local businesses within the City of Gautier.

RECOMMENDATION:

The Recreation Department recommends that City Council approve GHS Alumni's special event permit, as this event is an economic tool that brings into favorable notices the opportunities, possibilities, and resources of the City of Gautier.

City Council may:

1. Approve the GHS Alumni's special event permit as requested;
2. Not approve the GHS Alumni's special event permit as requested; or
3. May approve the special event application with changes

ATTACHMENTS:

1. Special Event Permit - Signed
2. Tailgate Event Map
3. Waste Pro Sponsorship
4. Tailgate Contract whole



CITY OF GAUTIER
APPLICATION FOR SPECIAL EVENT PERMIT

Submit This Form to the City Clerk Office at least ____ days prior to requested event.

(Please print or type all information below)

Event Information:

Date of Event 10/18/2024 Day or Week Friday Starting Time ____ AM/PM

Ending Time: ____ AM/PM Proposed Location of the Event: Back of the mall parking lot by the roundabout

Describe the type of event to be conducted: 2024 GHS Homecoming Tailgate

Reason for Event, Demonstration or March: The event is to cultivate a safe and fun space to expound on the pride of being a Gautier High School graduate. This will be a family friendly environment and we are not permitting the use of alcohol. There will be no vendors.

If Event includes a city property or streets, give proposed route:

(Street)

(Direction Turn)

(Street)

1. *see blow under signature
2. _____
3. _____
4. _____
5. _____

ATTACH A DETAILED MAP OF THE PROPOSED ROUTE IF REQUESTING A STREET CLOSURE FOR THE EVENT.
ATTACH A LIST OF THE ADJACENT BUSINESS OWNERS

Applicant Information:

Organization:

Name: Gautier High School Alumni Association Phone: (228) 623 - 2132

Address: N/A

Type of Organization: Alumni City _____ State _____ Zip _____
(Religious, Civic, Social, Etc.) Profit: ____ Non-Profit Federal ID# 82-4076031

Individual Making Application for Organization:

Name: Shilah Triplett Phone (Home): (228) 623 - 2132

Address: 1625 Martin Bluff Road Apt 87 Phone (Work): (____) ____ - ____

City: Gautier State: MS Zip Code: 39553

Position with Organization: Homecoming Chair

Individual(s) Responsible for keeping order and maintenance:

Name: Shilah Triplett Phone (H): (228) 623 - 2132 (W) (____) ____ - ____

Name: Marquitta Buxton Phone (W): (228) 627 - 0055 (W) (____) ____ - ____

Public Demonstrations and Parades are covered under city of Gautier Code of Ordinances

Requirements of Applicant:

☐ Security	☐ Clean up During Event	☐ Staging
☐ Traffic Direction	☐ Clean up After Event	☐ Fencing
☒ Barricades	☐ Bag Meters	☐ Other
☒ Set Up Barricades	☒ Trash Receptacles/Bag	☐ Temporary power for the DJ

In applying for this permit, I the undersigned, as the responsible individual of the above named organization: **AGREE TO HOLD THE CITY OF GAUTIER FREE AND HARMLESS OF ANY LIABILITY WHICH MAY RESULT FROM SAID EVENT, AND ACCEPT FULL RESPONSIBILITY FOR ANY SUCH LIABILITY.**

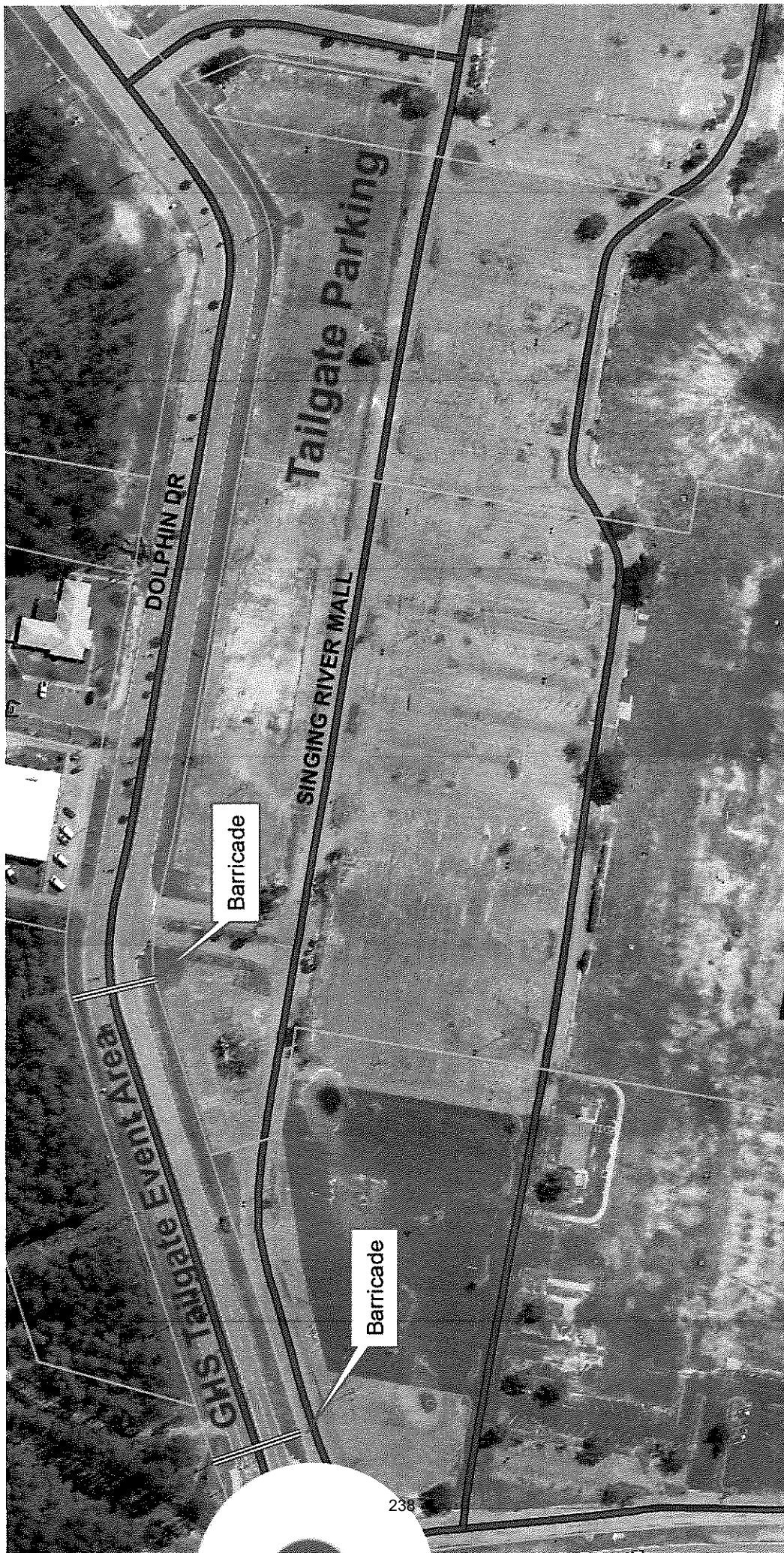
Applicant's Signature: Shilah Triplett Date: 09/20/2024

Shilah Triplett (Sep 20, 2024 12:04 CDT)

*We are asking both lanes of traffic coming from Gautier Vancleave Rd just past the east entrance of the former Singing River Mall property on Dolphin Rd to the roundabout. We are asking for the barricades be set up from 12 pm until 9 pm.

FOR OFFICE USE ONLY

Date Rec'd: _____ Received By: _____
Event has been: _____
Approved: _____ Disapproved: _____
Approval/Disapproval Authority: _____
Date: _____



Good Morning, Mr. Geboy.

My name is Marquitta Buxton, President of the Gautier High School Alumni Association. Copied in this email is the Homecoming Chair, Shilah Triplett. We are attempting to make history by executing the first homecoming tailgate for the City of Gautier. We have submitted a proposal to the city and are pending an approval. We are currently looking at securing the back of the mall property by the roundabout. This event is scheduled for October 18, 2024.

The purpose of this email is to serve as our formal request for the use of 6-10 of your portable toilets. We would appreciate if you could sponsor this event and aid us in keeping costs down as we are attempting to use this event as a fundraiser to offer scholarships to 1 to 2 deserving high school students this year and ongoing. We will, gladly, list Waste Pro as a sponsor on the signage that we plan to get and place along Gautier.

The Alumni Association has an active EIN and is a nonprofit organization. The EIN is 82-4076031. We will, happily, complete a W-9 and a sponsorship request form.

Please advise how we need to proceed to receive fulfillment of this request. If you need to contact us by phone, you may reach Shilah Triplett at 228-623-2132 and/or myself at 228-627-0055.

Kindest thanks,

Marquitta Buxton

Shilah Triplett

From: Rene Fountain <rfountain@wasteprousa.com>
Sent: Friday, September 20, 2024 10:01 AM
To: Marquitta Buxton
Cc: Shilah Triplett
Subject: RE: Portable Toilet Request: Gautier High School Alumni Association

Good morning,

We will provide 6-10 portables for your event. Please contact me when you have secured the pending approval from the City of Gautier, and we will proceed with setting this up.
Have a nice weekend.

"Like Us? – We would appreciate a great review. To leave a review on Google is easy, first Google "Waste Pro Gautier". Select "Write a review". You can give a star rating, leave comments, and upload photos. Thank You!"

Gautier

Review us on ★ ★ ★ ★ ★

Google

Rene' Fountain

Internal Sales Representative
4205 Beasley Road
Gautier, MS 39553
228-256-0211
rfountain@wasteprousa.com



From: John Geboy <jgeboy@wasteprousa.com>
Sent: Friday, September 20, 2024 9:12 AM
To: Marquitta Buxton <marquittab@gmail.com>; Rene Fountain <rfountain@wasteprousa.com>
Cc: shilah@mscoastchamber.com
Subject: Re: Portable Toilet Request: Gautier High School Alumni Association

I have sent this out Rep Rene to assist you.

Sent from my iPhone

On Sep 20, 2024, at 8:50 AM, Marquitta Buxton <marquittab@gmail.com> wrote:

Gautier High School Alumni Association

ghsgatoralumniassn@gmail.com

Contact 1: Shilah Triplett (228) 623-2132

Contact 2: Marquitta Buxton (228) 627-0055

In reference to the property known as the area adjacent to the roundabout on the Singing River Mall property in the city of Gautier, MS, the Gautier High School Alumni Association requests your permission to utilize your establishment for parking and to provide tent setup and a safe and family friendly environment to host a tailgate. The date of the event is October 18, 2024.

We will be hiring private security to ensure this remains the safe environment that it is being advertised as. The Gautier High School Alumni Association, in conjunction with the City of Gautier, is not permitting or advertising the use of alcohol on the premises. The Alumni Association will ensure no debris is discarded on the mall property. An assessment of the property will be done and completed by 8 a.m. on October 19, 2024, to which we will ensure the mall parking lot is restored to its pristine condition.

() I accept the terms of this agreement.

() I accept the terms of this agreement with these added stipulations:

() I do not accept the terms of this agreement.

Chassity Bilbo, Parks & Recs Director

Paula Yancey, City Manager


Shilah Triplett (Sep 22, 2024 17:30 CDT)

Shilah Triplett, Alumni Tailgate Chair


Marquitta Buxton (Sep 22, 2024 17:29 CDT)

Marquitta Buxton, Alumni President

sharmayneharris@icloud.com

Sharmayne Harris c/o '98

lbeavers2013@yahoo.com

Lashunda Beavers c/o '01

zysadewash2@yahoo.com

Shaquanda Magee c/o '02

marquitta.buxton@gmail.com

Marquitta Buxton c/o '04

aliciamathes.fi@gmail.com

Alicia Mathes c/o '05

falenciajones@gmail.com

Falencia Jones c/o '06

jbolden1908@gmail.com

Ja'Leasa Bolden c/o '07

cwalton15@gmail.com

Connie Walton c/o '08

kameml12@yahoo.com

Kenesha McNeal c/o '09

onealwoods85@yahoo.com

Ryan Triplett c/o '10

shanicefloore15@gmail.com

Shanice Floore c/o '11

shaterricajones11@gmail.com

Shaterrica Jones c/o '12

aboriginalmuscogee@gmail.com

Trevaughn Armstrong c/o '13

tiffanytownsend20@gmail.com

Tiffany Towsend c/o '14

courtneyhyde4@gmail.com

Courtney Hyde c/o '15

janiyawatkins2@gmail.com

Janiya Watkins c/o '16

keiriarudolph@gmail.com

Keiria Rudolph c/o '17

amiricol16@gmail.com

Amiricol Stallworth c/o '19

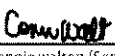
odomariana2020@gmail.com

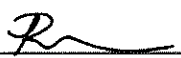
Ariana Odom c/o '20

Signature: 
Erica Harris (Sep 21, 2024 16:58 CDT)
Email: sharmayneharris@icloud.com

Signature: 
LaShunda Beavers (Sep 20, 2024 15:16 CDT)
Email: zysadewash2@yahoo.com

Signature: 
Alicia Mathes (Sep 20, 2024 16:00 CDT)
Email: falenciajones@gmail.com

Signature: 
Connie walton (Sep 20, 2024 15:52 CDT)
Email: cwalton15@gmail.com

Signature: 
Ryan Triplett Jr. (Sep 20, 2024 16:02 CDT)
Email: onealwoods85@yahoo.com

Signature: 
ShaTerrica Jones (Sep 20, 2024 15:19 CDT)
Email: shaterricajones11@gmail.com

Signature: 
Tiffany Townsend (Sep 20, 2024 15:24 CDT)
Email: tiffanytownsend20@gmail.com

Signature: 
Keiria Rudolph (Sep 20, 2024 15:17 CDT)
Email: keiriarudolph@gmail.com

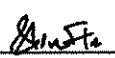
Signature: 
Ariana Odom (Sep 22, 2024 14:32 CDT)
Email: odomariana2020@gmail.com

Signature: 
LaShunda Beavers (Sep 22, 2024 12:08 CDT)
Email: lbeavers2013@gmail.com

Signature: 
Alicia Mathes (Sep 22, 2024 14:45 CDT)
Email: aliciamathes.fi@gmail.com

Signature: 
Jaleesa Bolden (Sep 21, 2024 15:35 CDT)
Email: jbolden1908@gmail.com

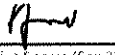
Signature: 
Kenesha McNeal (Sep 20, 2024 15:58 CDT)
Email: kameml12@yahoo.com

Signature: 
Shanice Floore (Sep 22, 2024 03:52 CDT)
Email: shanicefloore15@gmail.com

Signature: 
Jaelen Armstrong (Sep 20, 2024 15:14 CDT)
Email: aboriginalmuscogee@gmail.com

Signature: 
Courtney Hyde (Sep 22, 2024 03:02 EDT)
Email: courtneyhyde4@gmail.com

Signature: 
Amircol Stallworth (Sep 20, 2024 15:35 CDT)
Email: amircol16@gmail.com

Signature: 
Janiya Spears (Sep 22, 2024 15:53 CDT)
Email: janiyawatkins2@gmail.com

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

ORDER NUMBER 686-2024

WHEREAS, the Grants and Projects Department is requesting authorization to advertise for bids for the San Lorenzo and Cypress/Ferry Point streambank stabilization and debris/sediment removal project (NRCS (2021) NR244423XXXXC001); and

WHEREAS, the City received a total of \$104,362.50 in Emergency Watershed Protection Program grant funds for drainage work in two locations across the City; and

WHEREAS, this is a 75/25 grant, with the estimated total project cost is \$126,500 (\$94,875 from federal funds and \$31,625 in local match); and

WHEREAS, NRCS will provide up to \$9,487.50 for technical assistance to aid with related engineering costs; and

WHEREAS, this project will include streambank stabilization and debris/sediment removal at Cypress Landing/Ferry Point Road and San Lorenzo with rip rap as an add alternate to the project; and

WHEREAS, if approved, the advertisement for bids will run in the Sun Herald on October 2 and October 9, 2024, with the bid opening on October 31, 2024, at 1pm; and

WHEREAS, the Mayor and Council Members hereby find that advertising for bids on this project is in the best interests of the City of Gautier;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City is hereby authorized advertise for bids for the San Lorenzo and Cypress/Ferry Point streambank stabilization and debris/sediment removal project (NRCS (2021) NR244423XXXXC001).

IT IS 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 **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Kimberly Compton Saucier, Grants and Projects Director
Date: September 24, 2024
Subject: Authorization to Advertise for Bid for San Lorenzo and Cypress/Ferry Point streambank stabilization and debris/sediment removal NRCS (2021) NR244423XXXXC001

REQUEST:

The Grants and Projects Department requests City Council authorization to advertise for bids for the San Lorenzo and Cypress/Ferry Point streambank stabilization and debris/sediment removal project.

BACKGROUND:

The Emergency Watershed Protection Program (EWP) was established by Congress to respond to emergencies created by natural disasters. The EWP Program is designed to help people and conserve natural resources by relieving imminent hazards to life and property caused by floods, fires, drought, windstorms, and other natural occurrences. The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) administers the EWP Program.

The City was notified via email on December 13, 2022, that it had received a total of \$104,362.50 in Emergency Watershed Protection Program grant funds for drainage work in two locations across the City. This is a 75/25 grant, and the estimated total project cost is \$126,500 (\$94,875 in federal funds and \$31,625 in local match). NRCS will also provide up to \$9,487.50 for technical assistance to aid with related engineering costs.

This project will include streambank stabilization and debris/sediment removal at Cypress Landing/Ferry Point Road and San Lorenzo with rip rap as an add alternate to the project.

DISCUSSION:

If approved, this advertisement will publish in the *Sun Herald* on October 2 and October 9, 2024. Bids will be opened at 1 p.m. on October 31, 2024, at Gautier City Hall.

RECOMMENDATION:

The Grants and Projects Department recommends that the City Council authorize advertisement for bids for the streambank stabilization and debris/sediment removal at Cypress Landing/Ferry Point Road and San Lorenzo with rip rap as an add alternate to the project.

The City Council may:

1. Accept the advertisement, as presented; or
2. Not accept the advertisement, as presented.

ATTACHMENT(S):

1. Advertisement for bid

NOTICE OF INVITATION FOR BID

Notice is hereby given that the City of Gautier, Mississippi, will receive sealed bids at City Hall, City of Gautier, 3330 Highway 90, Gautier, Mississippi 39533 until 1:00 P.M. on, OCTOBER 31, 2024 for the following:

CITY OF GAUTIER 2024 NRCS SITES SAN LORENZO & FERRY POINT

These bids are invited to perform debris and sediment clearing and also to construct a concrete paved ditch in Gautier, Mississippi.

All Bids must be accompanied by a certified check or bank draft payable to the order of The City of Gautier, Mississippi, negotiable U.S. Government bonds (at par value), or a satisfactory Bid bond executed by the Bidder and an acceptable surety, must be submitted in an amount equal to five percent (5%) of the total bid.

All Bids submitted in excess of \$50,000.00 by a prime or subcontractor to do any erection, building, construction, repair, maintenance or related work, must comply with Section 31-3-21, Mississippi Code of 1972, by having a current Certificate of Responsibility from the State Board of Public Contractors. The Contractor's classification should include the ability to perform work in regards to the following: Municipal and Public Works projects.

Bid documents are being made available via paper copy or digital copy. All Prospective Bidders and Plan Holders are required to register for an account and log-in at www.SeymourEngPlans.com. At this site, plans can be viewed at no charge or physically purchased. All Prospective Bidders and Plan Holders must have a valid email address for registration. Purchased bid documents are non-refundable and must be purchased through the website. A view only copy of the plans, specifications, and proposal documents are also available at the office of Seymour Engineering, 925 Tommy Munro Drive, Suite G, Biloxi, Mississippi. The Seymour Engineering Project Manager is Hunter Sonier, E.I. and can be contacted at the listed address or at hsonier@seymoureng.com regarding the project. Plans and Contract Documents may be examined online or at the office of Seymour Engineering during regular business hours (8:00 a.m. – 5:00 p.m., Monday – Friday).

Bids may be submitted via envelope or electronically at www.SeymourEngPlans.com until the time specified. Bids received after the specified time will be returned unopened. Bids submitted by envelope must be addressed to Leoqueita Reddix, PURCHASING AGENT, City of Gautier, City Hall, 3330 Highway 90, Gautier, Mississippi 39533 and designated as Bid for:

CITY OF GAUTIER 2024 NRCS SITES SAN LORENZO & FERRY POINT

The current Certificate of Responsibility Number shall be indicated on the exterior of the sealed bid envelope in order to be opened. All Bids submitted for \$50,000 or less shall be so marked on the exterior of the sealed bid envelope.

The City of Gautier reserves the right to reject any and all bids received and to award said bid in the best interest of the City. Bids may be held for a period not to exceed sixty (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the Contract.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2024.

PAULA YANCEY, CITY MANAGER
CITY OF GAUTIER
3330 US-90
GAUTIER, MS 39553

Advertise: October 2, 2024
Advertise: October 9, 2024
Bid Opening: October 31, 2024

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

ORDER NUMBER 687-2024

WHEREAS, ATL Special FX has expressed the desire to display pyrotechnic effects at The Sound Amphitheater during the Brantley Gilbert concert on October 12, 2024;

WHEREAS, the pyrotechnic effects will begin during the concert at 9:30pm until 11pm; and

WHEREAS, this request to use pyrotechnic effects shall be provided at no charge to the City; and

WHEREAS, the Fire Marshall has read the pyrotechnics safety plan and recommends approval; and

WHEREAS, the Mayor and Members of the Council of the City of Gautier, Mississippi, find the display of pyrotechnic effects at The Sound Amphitheater during the Brantley Gilbert Concert on October 12, 2024 is in the best interest of the City; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the ATL Special FX is hereby authorized to display pyrotechnic effects at The Sound Amphitheater during the Brantley Gilbert Concert on October 12, 2024, as recommended by the Fire Marshal.

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

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.



CITY OF GAUTIER APPLICATION FOR SPECIAL EVENT PERMIT

Submit This Form to the City Clerk Office at least ____ days prior to requested event.

(Please print or type all information below)

Event Information:

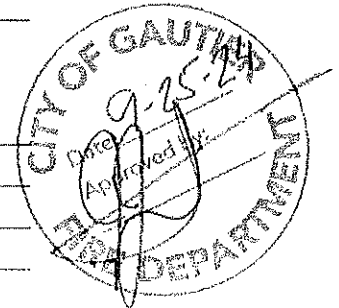
Date of Event 10-12-24 Day or Week Friday Starting Time 9:30PM AM/PM

Ending Time: 11 AM/PM

Proposed Location of the Event: 3855Dolphin Dr Describe the type of event to be conducted: Concert Pyro Reason for Event, Demonstration or March: Concert

If Event includes a city property or streets, give proposed route:
(Street) (Direction Turn) (Street)

1. _____
2. _____
3. _____
4. _____
5. _____



ATTACH A DETAILED MAP OF THE PROPOSED ROUTE IF REQUESTING A STREET CLOSURE FOR THE EVENT
ATTACH A LIST OF THE ADJACENT BUSINESS OWNERS

Applicant Information:

Organization:

Name: _____ Phone: (____) _____
Address: _____

City _____ State _____ Zip _____
Type of Organization: _____ Profit: _____ Non-Profit Federal ID# _____
(Religious, Civic, Social, Etc.)

Individual Making Application for Organization:

Name: ATL Special FX Phone (Home): (____) _____
Address: 488 Maltbie St Lawrenceville GA 30046 Phone (Work): (____) 985-1149
City: _____ State: _____ Zip Code: _____
Position with Organization: Permit Manager

Individual(s) Responsible for keeping order and maintenance:

Name: _____ Phone (H): (____) _____ (W) (____) _____
Name: _____ Phone (W): (____) _____ (W) (____) _____

Public Demonstrations and Parades are covered under city of Gautier Code of Ordinances

Requirements of Applicant:

____ Security _____ Clean up During Event _____ Staging
____ Traffic Direction _____ Clean up After Event _____ Fencing
____ Barricades _____ Bag Meters _____ Other
____ Set Up Barricades _____ Trash Receptacles/Bag _____

In applying for this permit, I the undersigned, as the responsible individual of the above named organization; AGREE TO HOLD THE CITY OF GAUTIER FREE AND HARMLESS OF ANY LIABILITY WHICH MAY RESULT FROM SAID EVENT, AND ACCEPT FULL RESPONSIBILITY FOR ANY SUCH LIABILITY.

Applicant's Signature: _____ Date: 9-24-24

FOR OFFICE USE ONLY	
Date Rec'd:	Received By:
Event has been:	Disapproved:
Approved:	Approval/Disapproval Authority:
Date:	Date:

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

ORDER NUMBER 688-2024

WHEREAS, on or before September 10, 2024, the City Council approved the Revised Compensation Scales and Step Plans for Certified Police Officers, and Authorized Pay Adjustments for the FY 2025 Budget; and

WHEREAS, due to formula errors, the Step Plan for Certified Police Officers did not accurately reflect the Municipal Budget for FY 2025; and

WHEREAS, the attached revised Step Plan reflects the adjustments presented to the Chief of Police, and the Municipal Budget for FY 2025; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Revised Step Plan for Certified Police Officers is hereby approved.

IT IS FURTHER ORDERED that said pay adjustments based on the revised scales will be effective on the first pay cycle of October 11, 2024.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAY: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 1, 2024.

POLICE STEP PLAN
Proposed FY 2025
2184 Schedule

TENURE	STEP	HOURLY	ANNUAL
Officer			
Starting Rate	1	\$19.00	\$41,496.00
1 Year	2	\$21.00	\$45,864.00
2 Years	3	\$22.00	\$48,048.00
3 Years	4	\$22.50	\$49,140.00
4 Years	5	\$23.00	\$50,232.00
5 Years	6	\$24.00	\$52,416.00
6 Years	7	\$25.00	\$54,600.00
7 Years	8	\$25.50	\$55,692.00
8 Years	9	\$26.00	\$56,784.00
9 Years	10	\$27.00	\$58,968.00

Promotional Pay: Minimum in rank or 4%

Sergeant	Minimum	\$23.00	\$50,232.00
1 to 9 Years		2.5% annually	
Lieutenant	Minimum	\$25.00	\$54,600.00
1 to 9 Years		2% annually	

2080 Schedule

TENURE	STEP	HOURLY	ANNUAL
Officer			
Starting Rate	1	\$19.95	\$41,496.00
1 Year	2	\$22.05	\$45,864.00
2 Years	3	\$23.10	\$48,048.00
3 Years	4	\$23.62	\$49,129.60
4 Years	5	\$24.15	\$50,232.00
5 Years	6	\$25.20	\$52,416.00
6 Years	7	\$26.25	\$54,600.00
7 Years	8	\$26.77	\$55,681.60
8 Years	9	\$27.30	\$56,784.00
9 Years	10	\$28.35	\$58,968.00

Promotional Pay: Minimum in rank or 4%

Sergeant	Minimum	\$24.15	\$50,232.00
1 to 9 Years		2.5% annually	
Lieutenant	Minimum	\$26.25	\$54,600.00
1 to 9 Years		2% annually	

Captain	Minimum		\$58,656.00
NO STEP... Salary increase by Council Order			

Councilman Jackson made the motion to recess until October 15, 2024 at 6:30pm.
Councilman Gollott seconded the motion. The vote was carried unanimously.

MAYOR

ATTEST:

CITY CLERK

Submitted for approval of the Mayor and Members of the Council of the City of Gautier,
Mississippi, at the meeting of October 15, 2024.

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

Council Meeting:

October 15, 2024

Title:

Receive September 2024 Privilege License Reports

Introduced by:

Contact Person/Telephone

Teresa Montgomery 497-8000

Summary Explanation: Receive September 2024 Privilege License Reports

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, Miss. Code Ann. 27-17-501 requires the governing authority of municipalities to receive a report of the privilege licenses issued during the preceding month; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Privilege License Reports for September 2024 are hereby received.

IT IS 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:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 15, 2024.

City of Gautier				
Business Registry				
Sep-24				
<u>ACCOUNT#</u>	<u>LICENSE #</u>	<u>BUSINESS NAME/OWNER</u>	<u>AMOUNT</u>	<u>STATUS</u>
1893	2025-09-0008820	The Tiki Bar and Grill LLC	\$60.00	New Business
1894	2025-09-0008821	Mindworks Wellness	\$20.00	New Business
1383	2025-09-0008822	B&D Plastics LLC	\$150.00	Current
862	2025-08-0008823	Studio 1 Productions	\$20.00	Current
786	2025-08-0008824	Gautier Thrift Store	\$22.00	Delinquent
1281	2025-08-0008825	Keesler Federal Credit Union	\$30.00	Current
792	2025-09-0008826	Santa Maria RV Resort & Marina	\$20.00	Current
935	2025-09-0008827	Duncan Noble	\$20.00	Current
1620	2025-09-0008828	Flynn Consulting & Tutoring	\$20.00	Current
1839	2025-09-0008829	Alet Dental	\$20.00	Current
524	2025-09-0008830	McClures's Comfort zone	\$20.00	Current
511	2025-09-0008831	Primo Engineering	\$20.00	Current
1895	2025-09-0008832	Douglas Construction	\$20.00	New Business
1896	2025-09-0008833	Walker's Steel Mill	\$20.00	New Business
513	2025-09-0008834	McDonald's #5595	\$30.00	Current
870	2025-09-0008835	O'Reilly Auto Parts #1978	\$150.00	Current
261	2025-09-0008836	Children's Clinic of Gautier	\$20.00	Current
532	2025-09-0008837	O'Bryant-O'Keefe Funeral Home	\$20.00	Current
557	2025-09-0008838	Awesome Maint. & Janitorial Services	\$20.00	Current
516	2025-09-0008839	Conrad Yelvington Dist.	\$30.00	Current
1838	2025-09-0008840	Bluecoat Consulting LLC	\$20.00	Current
1324	2024-06-0008841	Quadmed LLC	\$122.14	Delinquent
1324	2025-06-0008842	Quadmed LLC	\$110.32	Delinquent
1897	2025-09-0008843	Gautier Land & Lawn Services	\$20.00	New Business
1790	2025-09-0008844	Posh Pets	\$20.00	Current
1384	2025-09-0008845	Just Relax Therapeutic Massage	\$20.00	Current
534	2025-09-0008846	Belk	\$1,840.00	Current
1285	2025-10-0008847	Walden Auto Repair	\$20.00	Current
879	2025-10-0008848	Hurd Realty	\$20.00	Current
52	2025-10-0008849	Singing River Grocery	\$40.00	Current
5	2025-10-0008850	Air Masters Mechanical, Inc.	\$210.00	Current
1794	2025-10-0008851	Family RV Sales, LLC	\$20.00	Current
1011	2025-09-0008852	DRM Homes, LLC	\$20.00	Current
1284	2025-10-0008853	Clark's Attic, LLC	\$20.00	Current
1094	2025-09-0008854	Hot Nails	\$30.00	Current
19	2025-10-0008855	Fast Mart #12	\$40.00	Current
62	2025-10-0008856	Town & Country Vet. Hospital	\$30.00	Current
1898	2025-09-0008857	SunnyWahn LLC	\$20.00	New Business
1795	2025-10-0008858	Ramey's #23	\$451.00	Current
8	2025-10-0008859	Burger King #9337	\$30.00	Current
32	2025-10-0008860	Indian Point RV Resort	\$30.00	Current
1842	2025-10-0008861	Pretty Girls Beauty Services	\$20.00	Current
7	2025-10-0008862	Auto Truck & Trailer Parts, Inc.	\$20.00	Current
1665	2025-10-0008863	Herbert's Legend Texaco	\$70.00	Current
1625	2025-10-0008864	Spay Neuter Impact Project	\$30.00	Current
941	2025-10-0008865	Victory Chiropractic Center	\$20.00	Current
1899	2025-09-0008866	Spot Therapy	\$30.00	New Business
1900	2025-09-0008867	Coastal Suds	\$20.00	New Business
1502	2025-09-0008868	A Kut Above Tree Services, Inc.	\$20.00	Current
63	2025-10-0008869	Waffle House, Inc.	\$60.00	Current
791	2025-09-0008870	Walgreens	\$580.00	Current
1791	2025-09-0008871	Five Star Food Service, Inc.	\$116.00	Current
54		Spa & Tub Manufacturers, Inc.		Closed Business
TOTAL:				
New Business			8	
Transient Vendor			0	
Closed Business			1	
Delinquent Renewal Issued			3	
Current			41	

New Business September 2024	Business Address	Business Phone	Business Description
The Tiki Bar and Grill LLC	3212 Mary Walker Dr	228-281-3157	Restaurant/Bar
Mindworks Wellness	2012 Hwy 90 Suite 12	601-530-5287	Mental/Behavioral Health assesment & treatment
Douglas Construction	4104 Gautier Vancleave Rd Suite 101	228-249-7672	Construction
Walker's Steel Mill	2707 Hwy 90 Suite 13	228-219-9114	Gym
Gautiers Land & Lawn Services	3329 Waterview Way	228-238-5869	Home office for lawn service
SunnyWahn, LLC	315 Hwy 90 Suite B	228-355-2744	Massage Therapist
Spot Therapy	6514 Hwy 90	228-355-9946	Pediatric Therapy
Barrett Ventured, LLC DBA Coastal Suds	7205 Martin Bluff Rd Ste B & C	228-297-8541	Coin laundry, wash and fold services

CITY OF GAUTIER
Consent Agenda Item #3
Fact Sheet

Council Meeting:
Title:

October 15, 2024
Receive July 2024 Finance Reports

Introduced by:
Contact Person/Telephone

Teresa Montgomery 497-8000

Summary Explanation: Receive July 2024 Finance Reports.

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, Miss. Code Ann. 21-35-13 requires a budget report to be presented to the governing authority at the regular meeting each month.

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Finance Report for July 2024 are hereby received.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

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

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting October 15, 2024.

JUL 2024 Ending Cash Balances

GENERAL DEPOSITORY

Fund Name		Account #	Balance
General Fund	Depository Account	001-000-001	\$5,779,475.54
HB1 Modernization Act Funds	Depository Account	002-000-001	\$1,601,621.71
ARP Fiscal Recovery Funds	Depository Account	003-000-001	\$1,254,922.04
Amphitheater Venue	Depository Account	004-000-001	(\$305,035.24)
MDAH School House Grant	Depository Account	030-000-001	\$20,427.43
SE MS METRO TASK FORCE	Depository Account	156-000-001	\$188,071.49
U S Justice Equitable Sharing	Depository Account	157-000-001	\$65,484.95
Fire Protection Fund	Depository Account	160-000-001	(\$211,915.85)
Tidelands Grant	Depository Account	171-000-001	\$28,943.03
Library Support Fund	Depository Account	172-000-001	\$2,759.95
Fairway Boat Launch	Depository Account	173-000-001	(\$2,400.00)
Shepard State Park Fund	Depository Account	176-000-001	\$36,468.79
USDA NRCS EWP Program	Depository Account	300-000-001	\$41,895.07
MDOT TA Grant: Martin Bluff Sidewalk	Depository Account	303-000-001	
Town Center Retail Dev Complex	Depository Account	309-000-001	
Solid Waste Fund	Depository Account	404-000-001	\$35,209.02
EPA: Brownfields Assessment	Depository Account	409-000-001	
General Ledger Cash Balance			\$8,535,927.93
General Depository Reconciled Cash Balance			\$8,535,977.93

ENTERPRISE FUND

Fund Name		Account #	Balance
OST-GV Sewer Improvements	Enterprise Account	360-000-002	
GV-Robertsdale Sewer Imps	Enterprise Account	361-000-002	\$12.00
Hickory Hill Water Quality-Stormwater	Enterprise Account	362-000-002	(\$30,795.00)
Head Start Drainage Imp Project	Enterprise Account	370-000-002	\$0.00
Animal Shelter Water Main Ext	Enterprise Account	371-000-002	(\$86,900.00)
Water & Sewer Utility	Enterprise Account	400-000-002	\$4,808,567.64
S2023 GO Note Equipment Fund	Enterprise Account	401-000-002	\$258,156.37
Hurricane Katrina (PW Bldg)	Enterprise Account	449-000-002	
General Ledger Cash Balance			\$4,949,041.01
Enterprise Reconciled Cash Balance			\$4,945,356.26

BOND & RESTRICTED FUNDS

Fund Name		Account #	Balance
7M GO Bond S2010	Bond Fund	130-000-001	\$669,575.77
HB 1353 Shepard State Park Project	Restricted Fund	177-000-001	\$839,908.22
W&S Bond S2018-S2019: Debt Service	Debt Service Fund	250/252-000-007	\$287,897.95
W&S Bond S2018-S2019: DS Reserve	Restricted Fund	251/253-000-003	\$726,906.38
W&S Bond S2018-S2019: Contingency	Restricted Fund	251/253-000-005	\$60,942.22
W&S Bond S2018-S2019: Depreciation	Restricted Fund	251/253-000-009	\$60,942.22
S2019 MPI GO Bond DS Fund	Restricted Fund	254-000-007	\$20,624.26
S2019 Construction Fund MPI GO Bond	Bond Fund	Funds 304-308	\$50,515.21
HB Town Commons - Great Lawn	Restricted Fund	304-000-002	\$0.00
MSPAC_TC Park HB1535 Project	Restricted Fund	304/309-000-004	\$1,511,379.13
Inclusion Playground HB603	Restricted Fund	304-000-009	\$39,080.76
Performing Arts Center HB603	Restricted Fund	309-000-005	\$2,007,294.35
SB 2971 Amphitheater-Museum	Restricted Fund	309-000-006	\$847,313.53
S2019 Cash w/ Fiscal Agent (Debt Service)	Restricted Fund	305-000-014	\$3.11
W&S Bond S2018-S2019: Construction	Bond Fund	Fund 355	\$265,475.15
S2020 Utility Bond Refunding DS Reserve	Restricted Fund	498-000-003	\$256,766.03
Customer Meter Deposit Funds	Restricted Fund	406-000-001	\$962,629.72
Total Bond & Restricted Reconciled Cash Balances			\$8,607,254.01

JUL 2024
YEAR TO DATE TOTALS

General Fund Totals

	BUDGET FY 2024	JUL 2024	Balance	83.33% % to date
General Fund Revenues	12,478,213.00	10,561,496.59	1,916,716.41	84.6%
Expenditures:				
001 Legislative	246,854.00	198,454.08	48,399.92	80.3%
010 City Court	350,763.00	252,889.90	97,873.10	72.0%
021 City Manager	282,800.00	163,523.91	119,276.09	57.8%
022 Human Resources	76,969.00	58,390.57	18,578.43	75.8%
040 City Clerk	510,208.00	385,347.21	124,860.79	75.5%
060 City Attorney	175,000.00	121,892.61	53,107.39	69.6%
090 Economic Dev - Planning	520,795.00	339,996.91	180,798.09	65.2%
092 Building & General Expenses	1,297,845.00	830,115.95	467,729.05	63.9%
094 Grants & Project Admin	233,964.00	174,096.64	59,867.36	74.4%
100 Police	4,549,148.00	3,691,143.56	858,004.44	81.1%
161 Fire	3,057,931.00	2,258,782.65	799,148.35	73.8%
170 Recreation	808,414.00	605,789.21	202,624.79	74.9%
201 PW: Streets	734,800.00	373,077.58	361,722.42	50.7%
205 PW: Maintenance	392,996.00	268,255.91	124,740.09	68.2%
680 Debt Service	87,454.00	87,453.55	0.45	99.9%
900 Interfund Transfers	771,132.00	701,355.00	69,777.00	90.9%
General Fund Expenditures	14,097,073.00	10,510,565.24	3,586,507.76	74.5%
<i>Total Operating Expenditures</i>	12,930,778.00	9,160,695.18	3,770,082.82	
<i>Total Capital Outlay Expenditures</i>	171,500.00	523,203.69	(351,703.69)	
<i>Total Debt Service</i>	223,663.00	125,311.37	98,351.63	
<i>Total Transfers Out</i>	771,132.00	701,355.00	69,777.00	
<i>Total Unappropriated</i>	0.00	0.00	0.00	
<i>Check Total</i>	14,097,073.00	10,510,565.24	3,586,507.76	
<i>Personnel</i>	9,289,832.00	7,037,061.97	2,252,770.03	
<i>Supplies</i>	686,211.00	356,524.07	329,686.93	
<i>Other Services</i>	2,954,735.00	1,767,109.14	1,187,625.86	
<i>Capital Outlay</i>	171,500.00	523,203.69	(351,703.69)	
<i>Debt Service</i>	223,663.00	125,311.37	98,351.63	
<i>Interfund Transfers for DS</i>	771,132.00	701,355.00	69,777.00	
<i>Unappropriated</i>	0.00	0.00	0.00	
<i>Check Total</i>	14,097,073.00	10,510,565.24	3,586,507.76	

**JUL 2024
YEAR TO DATE TOTALS**

Special Funds	BUDGET FY 2023	As of JUL 2024	Balance	83.33% % to date
002 HB1 Modernization Funds				
Revenues	1,123,294.00	1,195,544.26	(72,250.26)	106.4%
Expenditures	2,026,176.45	496,805.00	1,529,371.45	24.5%
003 ARP FEDERAL FUNDS SLFR22621				
Revenues	3,932,809.75	735,351.96	3,197,457.79	18.6%
Expenditures	5,884,118.49	1,431,303.27	4,452,815.22	24.3%
004 Amphitheater Venue Fund				
Revenues	555,000.00	120,000.00	435,000.00	21.6%
Expenditures	555,000.00	425,035.24	129,964.76	76.5%
030 MDAH 2014 Community Heritage				
Revenues	74,577.00		74,577.00	
Expenditures	95,004.43		95,004.43	
130 \$7M GO Bond - Capital Improvements				
Revenues	4,368,687.22	905,282.79	3,463,404.43	20.7%
Expenditures	5,597,535.75	1,596,444.92	4,001,090.83	28.5%
156 SE MS METRO TASK FORCE				
Revenues	0.00	150,000.00	(150,000.00)	
Expenditures	119,655.00	82,858.94	36,796.06	69.2%
157 US Justice Equitable Sharing				
Revenues	0.00	49,097.68	(49,097.68)	
Expenditures	13,434.43	1,024.59	12,409.84	7.6%
160 Fire Protection Fund				
Revenues	543,000.00		543,000.00	
Expenditures	629,500.00	613,284.07	16,215.93	97.4%
171 Combined Tidelands Grant				
Revenues	840,695.11	85,518.27	755,176.84	10.1%
Expenditures	799,895.33	15,775.46	784,119.87	1.9%
172 Library Support Fund				
Revenues	129,119.00	118,582.18	10,536.82	91.8%
Expenditures	129,119.00	115,822.23	13,296.77	89.7%
173 Fairway Boat Launch - Tidelands				
Revenues	250,000.00	2,400.00	247,600.00	0.9%
Expenditures	250,000.00	4,800.00	245,200.00	1.9%
176 Shepard State Park				
Revenues	180,570.00	97,266.55	83,303.45	53.8%
Expenditures	197,515.00	120,887.01	76,627.99	61.2%

JUL 2024
YEAR TO DATE TOTALS

Special Funds	BUDGET FY 2023	As of JUL 2024	Balance	83.33% % to date
177 HB1353 Local Imps: Shepard				
Revenues	500.00	4,987.07	(4,487.07)	997.4%
Expenditures	1,446,824.48	611,488.08	835,336.40	42.2%
250 2018 W&S Bond Debt Service				
Revenues	290,350.00	240,461.63	49,888.37	82.8%
Expenditures	286,318.76	286,318.76	0.00	100.0%
251 2018 W&S Bond Debt Serv Reserve				
Revenues	11,440.00	11,356.85	83.15	99.2%
Expenditures	1,950.00		1,950.00	
252 2019 W&S Bond Debt Service				
Revenues	387,300.00	320,535.97	66,764.03	82.7%
Expenditures	379,181.25	379,181.25	0.00	100.0%
253 2019 W&S Bond Debt Serv Reserve				
Revenues	11,750.00	11,766.64	(16.64)	100.1%
Expenditures	2,700.00		2,700.00	
254 S2018 MPI GO Bond Debt Service				
Revenues	298,060.00	228,756.12	69,303.88	76.7%
Expenditures	298,431.26	229,165.84	69,265.42	76.7%
255 S2020 Refnd GO Bond Debt Service				
Revenues	472,700.00	472,700.00	0.00	100.0%
Expenditures	472,700.00	472,700.00	0.00	100.0%
300 USDA-NRCS EWP				
Revenues	149,362.50	45,000.00	104,362.50	30.1%
Expenditures	151,800.00	6,500.00	145,300.00	4.2%
303 MDOT-TA Grant: Martin Bluff Sidewalk				
Revenues	0.00		0.00	
Expenditures	90,748.83	90,748.83	0.00	100.0%
304 Town Commons Park Project				
Revenues	213,000.00	215,499.01	(2,499.01)	101.1%
Expenditures	5,960,635.99	5,271,735.79	688,900.20	88.4%
305 S2019 MPI GO Bond Construction Fund				
Revenues	1,200.00	3,337.65	(2,137.65)	278.1%
Expenditures	25,000.00		25,000.00	
309 Town Center: MS Songwriters PA Center				
Revenues	3,600.00	14,547.69	(10,947.69)	404.1%
Expenditures	4,508,320.64	124,275.00	4,384,045.64	2.7%

**JUL 2024
YEAR TO DATE TOTALS**

Special Funds	BUDGET FY 2023	As of JUL 2024	Balance	83.33% % to date
355 Water Supply & Treatment Plant				
Revenues	6,000.00	4,892.79	1,107.21	81.5%
Expenditures	3,848,023.20	3,572,052.75	275,970.45	92.8%
356 Lark Water Treatment Plant				
Revenues	2,770,000.00		2,770,000.00	
Expenditures	2,770,000.00		2,770,000.00	
361 GV-Robertsdale Sewer Imps				
Revenues	385,988.73	347,090.28	38,898.45	89.9%
Expenditures	0.00		0.00	
362 Hickory Hill Wtr Qty-Stormwater				
Revenues	2,973,981.00	70,795.00	2,903,186.00	2.3%
Expenditures	2,973,981.00	101,590.00	2,872,391.00	3.4%
370 Head Start Drainage Improvements				
Revenues	226,908.95	249,318.30	(22,409.35)	109.8%
Expenditures	74,039.01	56,112.22	17,926.79	75.7%
371 Animal Shelter Water Main Extension				
Revenues	282,075.50	230,349.02	51,726.48	81.6%
Expenditures	102,300.00	134,925.02	(32,625.02)	131.8%
401 S2023 GO Note Equipment Fund				
Revenues	0.00	1,380,000.00	(1,380,000.00)	
Expenditures	0.00	1,121,843.63	(1,121,843.63)	
404 Solid Waste Fund				
Revenues	1,587,600.00	1,184,949.93	402,650.07	74.6%
Expenditures	1,586,388.00	1,260,332.00	326,056.00	79.4%
498 DSR Fund: 2020 UTY Bond Refunding				
Revenues	600.00	961.38	(361.38)	160.2%
Expenditures	0.00		0.00	

**JUL 2024
YEAR TO DATE TOTALS**

ENTERPRISE FUND (400)

	BUDGET FY 2024	JUL 2024	Balance	83.33% % to date
Utility Fund Revenues	10,841,375.00	9,241,670.40	1,599,704.60	85.2%
Administration	3,920,970.00	2,661,926.60	1,259,043.40	67.8%
Water & Sewer O & M	3,818,072.00	3,018,401.12	799,670.88	79.0%
Debt Service	1,069,872.00	838,920.97	230,951.03	78.4%
Transfers	1,792,000.00	580,000.00	1,212,000.00	32.3%
Contingencies	200,000.00	0.00	200,000.00	
Utility Fund Expenditures	10,800,914.00	7,099,248.69	3,701,665.31	65.7%
<i>Total Operating Expenditures</i>	<i>7,535,042.00</i>	<i>5,596,275.70</i>	<i>1,938,766.30</i>	
<i>Total Capital Outlay Expenditures</i>	<i>204,000.00</i>	<i>84,052.02</i>	<i>119,947.98</i>	
<i>Total Debt Service</i>	<i>1,069,872.00</i>	<i>838,920.97</i>	<i>230,951.03</i>	
<i>Total Interfund Transfers</i>	<i>1,792,000.00</i>	<i>580,000.00</i>	<i>1,212,000.00</i>	
<i>Total Contingency Expenditures</i>	<i>200,000.00</i>	<i>0.00</i>	<i>200,000.00</i>	
<i>Check Total</i>	<i>10,800,914.00</i>	<i>7,099,248.69</i>	<i>3,701,665.31</i>	
<i>Personnel</i>	<i>560,570.00</i>	<i>445,495.13</i>	<i>115,074.87</i>	
<i>Supplies</i>	<i>313,000.00</i>	<i>244,704.50</i>	<i>68,295.50</i>	
<i>Other Services</i>	<i>6,661,472.00</i>	<i>4,906,076.07</i>	<i>1,755,395.93</i>	
<i>Capital Outlay</i>	<i>204,000.00</i>	<i>84,052.02</i>	<i>119,947.98</i>	
<i>Debt Service</i>	<i>1,069,872.00</i>	<i>838,920.97</i>	<i>230,951.03</i>	
<i>Interfund Transfers</i>	<i>1,792,000.00</i>	<i>580,000.00</i>	<i>1,212,000.00</i>	
<i>Contingencies</i>	<i>200,000.00</i>	<i>0.00</i>	<i>200,000.00</i>	
<i>Check Total</i>	<i>10,800,914.00</i>	<i>7,099,248.69</i>	<i>3,701,665.31</i>	

**CITY OF GAUTIER
Consent Agenda Item #4
Fact Sheet**

Council Meeting:
Title:

October 15, 2024
**Approval of a Business Services Agreement Renewal
with Sparklight for the City of Gautier's Maintenance
Garage**

Introduced by:
Contact Person/Telephone

Teresa Montgomery 497-8000

**Summary Explanation: Approval of a Business Services Agreement Renewal with Sparklight for the
City of Gautier's Maintenance Garage**

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:											
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐

Second Made by:											
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, the the City’s mechanic utilizes internet services to run new diagnostic software; and

WHEREAS, Sparklight has provided the internet service for the City’s Maintenance Garage since 2021; and

WHEREAS, the renewal to the Sparklight Business Service Agreement will be \$127.18 per month for thirty-six (36) months; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that renewal of the attached Sparklight Business Service Agreement for the City’s Maintenance Garage is hereby approved to the extent the terms are compliant with the laws of the State of Mississippi.

IT IS 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:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 15, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Queita Reddix, Purchasing Agent
Date: 10/09/2024
Subject: Approval of Sparklight Business Service Agreement Renewal
Gautier Maintenance Garage.

REQUEST:

City Council approval is requested for a business agreement renewal with Sparklight Business for Wi-Fi and Internet services at Gautier Maintenance Garage. The service charge will cost \$127.18 per month

BACKGROUND:

Sparklight has provided Wi-Fi and Internet services at Gautier Maintenance Garage for the last three years.

DISCUSSION:

The City's Mechanic utilizes the internet to run new diagnostic software.

RECOMMENDATION:

The Planning Department recommends that the City Council approve the renewal contract with Sparklight Business at \$127.18 per month.

ATTACHMENTS:

1. Sparklight Contract Renewal for Gautier Maintenance Garage.

		Business Service Agreement	
		Date: 9/18/2024 9:54 AM	
Sparklight Business Account Rep:		Vaughn Walker	Sparklight System Address:
Phone Number:		6023646157	210 E Earll Drive
Fax Number:			Phoenix, AZ 85012
Customer Information		Authorized Customer Representative	
Company Name:	Gautier Maint Garage	Full Name:	Queita Reddix
Street Address:	3330 Highway 90	Billing Telephone:	
City/State/Zip:	Gautier, MS, 39553	Fax:	
Billing Address:	3390 Highway 90	Contact Number:	2284973338
City/State/Zip:	Gautier, MS 39553	Email:	lreddix@gautier-ms.gov
Sparklight Account#	134679919		

Taxes and Fees Not Included

Service

Service Description	Quantity
Business Internet 150	1
Business Wi-Fi/Router	1
Installation Charge(May Include Construction):	\$0.00
Term (In Months):	36
Total:	\$127.18

Equipment

Description	Quantity	Unit Price	Total Fee
Modem Lease	1	\$10.99	\$10.99

Agreement

THE SERVICE CHARGES AND FEES TOTAL \$127.18 PER MONTH FOR THE DURATION OF THE INITIAL TERM AND MAY BE REVISED AFTERWARD. THOUGH VIDEO SERVICE FEES MAY BE INCREASED, HSD AND PHONE SERVICE FEES WILL NOT BE INCREASED DURING THE TERM. SEPARATELY, THE EQUIPMENT FEES MAY BE REVISED. ALL SERVICE CHARGES ARE SUBJECT TO ADDITIONAL APPLICABLE LOCAL, STATE AND FEDERAL TAXES, FEES OR SURCHARGES AS REQUIRED OR PERMITTED BY LAW.

By signing below, Customer represents and warrants to Sparklight that Customer has the authority to execute, deliver, and agrees to be bound by and comply with the terms of this Business Services Agreement and the General Terms and Conditions available at <https://business.sparklight.com/legal/general-terms>, which are incorporated herein by this reference (the "General Terms"). THE GENERAL TERMS INCLUDE AN ARBITRATION SECTION, WHICH PROVIDES THAT THE PARTIES DESIRE TO RESOLVE ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO THE BUSINESS SERVICES AGREEMENT THROUGH ARBITRATION, AND BY AGREEING TO ARBITRATION, CUSTOMER IS GIVING

UP CERTAIN RIGHTS, INCLUDING THE RIGHT TO TRIAL BY JURY. Sparklight may accept this Business Services Agreement by (a) countersigning below; or (b) commencing to deliver the Service(s) specified in this Business Services Agreement.

Customer Authorized Signature

Name (Print)

Date

CITY OF GAUTIER
Consent Agenda Item #5
Fact Sheet

Council Meeting:
Title:

October 15, 2024
Approval of Supplemental Agreement No. 1 to the construction, engineering, and inspection contract with Michael Baker International for the Martin Bluff Roadway Improvements Project

Introduced by:
Contact Person/Telephone

April Stennett 497-8000 ext. 306

Summary Explanation: Approval of Supplemental Agreement No. 1 to the Construction, Engineering, and Inspection contract with Michael Baker International for the Martin Bluff Roadway Improvements Project (STP-9194-00(001)LPA/105069-801000)

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Second Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, on April 20, 2021, the City and Michael Baker International entered into an agreement for construction engineering and inspection (CE&I) services, engineering administration, construction engineering services, and resident project engineer services for the Martin Bluff Roadway Improvements project; and

WHEREAS, this project is intended to provide improved traffic operations and safety on Martin Bluff Road. The project limits are between Gautier-Vancleave Road and Frontage Road, north of Interstate 10; and

WHEREAS, Supplemental Agreement No. 1 serves to provide additional CE&I services related to the project for an additional 234 days, due to the contractor's supplemental agreements 1, 3, and 4, which resulted in a revised total of 442 working days; and

WHEREAS, this supplemental agreement will increase the consultant's contract maximum allowable cost to not exceed \$306,309.26, and Gulf Regional Planning Commission (GRPC) has committed to cover the additional consultant's cost for the project; and

WHEREAS, the supplemental agreement has been reviewed and approved and executed by MDOT; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Supplemental Agreement No. 1 for the increase in time and cost associated with the construction engineering and inspection services contract with Michael Baker International for work associated with the Martin Bluff Roadway Improvements (STP-9194-00(001)LPA/105069-801000), and the funding committed by Gulf Regional Planning Commission to cover the additional consultants cost, is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was 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 October 15, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Kimberly Compton Saucier, Grants and Projects Director
Date: October 2, 2024
Subject: Supplemental Agreement #1 to the Construction Engineering and Inspection Contract with Michael Baker International for the Martin Bluff Roadway Improvements (STP-9194-00(001)LPA/105069-801000)

REQUEST:

The Grants and Projects Department requests City Council authorization to approve Supplemental Agreement #1 to the construction engineering and inspection services contract with Michael Baker International for work associated with the Martin Bluff Roadway Improvements (STP-9194-00(001)LPA/105069-801000).

BACKGROUND:

On April 20, 2021, the City and Michael Baker International entered into an agreement for services for construction engineering and inspection (CE&I) services, engineering administration, construction engineering services, and resident project engineer services.

This project is intended to provide improved traffic operations and safety on Martin Bluff Road. The project limits are between Gautier-Vancleave Road and the Service Road north of Interstate 10.

DISCUSSION:

This Supplemental Agreement #1 serves to provide additional CE&I services related to the project for an additional 234 days due to the contractor's supplemental agreements 1, 3, and 4 which resulted in a revised total of 442 working days. The supplemental agreement will increase the consultant's contract maximum allowable cost to not exceed \$306,309.26.

The supplemental agreement has been reviewed and approved by MDOT. Gulf Regional Planning Commission (GRPC) has committed to cover the additional consultant's cost for this project.

RECOMMENDATION:

The Grants and Projects Department recommends that City Council approve this Supplemental Agreement #1 for the increase in time and cost associated with the construction engineering and inspection services contract with Michael Baker International for work associated with the Martin Bluff Roadway Improvements (STP-9194-00(001)LPA/105069-801000) to be funded by funds committed by Gulf Regional Planning Commission.

The City Council may:

1. Approve the supplemental agreement, as presented; or
2. Not approve the supplemental agreement, as presented.

ATTACHMENT(S):

1. Supplemental Agreement #1

Created – 11/01/08

Revised – 02/11/15

Construction Engineering and Inspection Contract Supplemental Agreement boilerplate

Between the

CITY OF GAUTIER

And

MICHAEL BAKER INTERNATIONAL

SUPPLEMENTAL AGREEMENT NO. 1

MARTIN BLUFF ROAD WIDENING AND IMPROVEMENTS

JACKSON COUNTY

PROJECT NUMBER STP-9194-00(001)LPA/105069-801000

WHEREAS, MICHAEL BAKER INTERNATIONAL (the CONSULTANT) entered into the Construction Engineering & Inspection Contract with the CITY OF GAUTIER (the LPA) on the 20TH of April, 2021, to provide Martin Bluff Road Widening and Improvements, as provided for in Project No. STP-9194-00(001)LPA/105069-801000 (the PROJECT); and,

WHEREAS, the CONSULTANT has been requested to provide additional “CONSTRUCTION ENGINEERING and INSPECTION SERVICES” resulting from a change in the scope of the project from Supplemental Agreements 1, 3, and 4 to the construction contract, increasing the contract time from 208 working days to 442 working days; and,

WHEREAS, the LPA agrees that the CONSULTANT is entitled to additional compensation for Additional Services (Extra Work) as required by the LPA; and

WHEREAS, the CONSULTANT agrees to perform the Extra Work for an additional cost not to exceed \$306,309.26;

NOW THEREFORE, it is mutually agreed that the CONSULTANT will accomplish such Additional Services (Extra Work) in accordance with the Contract as modified herein and the LPA will compensate the CONSULTANT for services as follows:

Scope-Of-Work

The CONSULTANT has been requested to provide additional services related to the PROJECT which include:

The CONSULTANT shall continue to provide CE&I services for an additional 234 days due to the Contractor’s Supplemental Agreements 1, 3, and 4. This will result in a revised total of 442 working days.

The Maximum Allowable Cost shall be amended to add the sum of \$306,309.26, so the revised total Maximum Allowable Contract Costs is \$730,091.16. The new Maximum Allowable Cost is delineated below in the Schedule.

Created – 11/01/08

Revised – 02/11/15

Construction Engineering and Inspection Contract Supplemental Agreement boilerplate

FEES AND EXPENSES

“Table 1-R: Rate Schedule for Labor Hours” shall be modified to include rates for 2024 and 2025. Therefore, both parties agree that “Table 1-R: Rate Schedule for Labor Hours” will be replaced by “Table 2-R: Rate Schedule for Labor Hours” as shown below:

TABLE 2-R: RATE SCHEDULE FOR LABOR HOURS

NAME	LABOR CLASSIFICATION	2021 Loaded Rate	2022 Loaded RATE	2023 Loaded Rate	2024 Loaded Rate	2025 Loaded RATE
Jeffrey D. May	Principal	\$258.89	\$266.66	\$274.66	\$311.82	\$321.17
Kreg Overstreet, PE	Project Engineer	NA	NA	\$206.62	\$216.96	\$223.47
	Engineer Intern	\$75.12	\$77.38	\$79.70	\$92.12	\$94.88
	Lead Inspector	\$87.48	\$90.10	\$92.80	\$97.48	\$100.40
	Lead Inspector (OT)	\$105.80	\$108.97	\$112.24	\$117.89	\$121.43
	Inspector III	\$79.98	\$82.38	\$84.85	\$86.26	\$88.85
	Inspector III (OT)	\$96.73	\$99.63	\$102.62	\$104.32	\$107.45
	Admin Assistant	\$72.91	\$75.09	\$77.35	\$88.61	\$91.27

Fees and Expenses Schedule

	Labor	Direct Cost	Subconsultants	Total
Original	\$349,221.73	\$5,462.16	\$69,098.01	\$423,781.90
SA #1	\$271,019.26	\$0.00	\$35,290.00	\$306,309.26
Totals	\$620,240.99	\$5,462.16	\$104,388.01	\$730,091.16

This Supplemental Agreement in no way modifies or changes the original of which it becomes a part except as specifically stated herein.

The effective date of this Supplemental Agreement is June 1, 2024.

Created – 11/01/08

Revised – 02/11/15

Construction Engineering and Inspection Contract Supplemental Agreement boilerplate

Dated, the _____ day of _____, 2024.

CITY OF GAUTIER

Paula Yancey, City Manager

Dated, the _____ day of _____, 2024.

MICHAEL BAKER INTERNATIONAL

Jeffrey D. May, PE, PMP

BILLING RATE TABLE

Michael Baker International

Construction Engineering & Inspection Services

Home Overhead Rate ²	148.79%	%
FCCM (Home)	0.00%	%
Field Overhead Rate ²	117.04%	%
FCCM (Field)	0.00%	%
Profit	10.00%	%

REGULAR BILLING TIME

Classification	Raw Wage Rate	Audited OH Rate ³	FCCM	Profit	Regular Billing Rate
Principal	\$ 113.94	\$ 169.53	\$ -	\$ 28.35	\$ 311.82
Project Engineer	\$ 79.28	\$ 117.96	\$ -	\$ 19.72	\$ 216.96
Engineer Intern	\$ 33.66	\$ 50.08	\$ -	\$ 8.37	\$ 92.12
Lead Inspector	\$ 40.83	\$ 47.79	\$ -	\$ 8.86	\$ 97.48
Inspector III	\$ 36.13	\$ 42.29	\$ -	\$ 7.84	\$ 86.26
Administrative Assistant	\$ 32.38	\$ 48.18	\$ -	\$ 8.06	\$ 88.61
{additional classifications}		\$ -	\$ -	\$ -	\$ -

OVERTIME BILLING RATES ^{***}

Classification	Raw Wage Rate	Audited OH Rate ³	FCCM	Profit	Regular Billing Rate
Lead Inspector	\$ 40.83	\$ 47.79	\$ -	\$ 8.86	\$ 117.89
Inspector III	\$ 36.13	\$ 42.29	\$ -	\$ 7.84	\$ 104.32
{additional classifications}			\$ -	\$ -	\$ -

² Approved by MDOT

³ Formula's may need to be adjusted if consultant has field overhead rate approved.

*** Overtime may only be allowable for those employees per Federal requirements.

*** Overtime is calculated by Raw Wage only * 1.5. Overhead and profit shall not be increased by 1.5

BILLING RATE TABLE

Michael Baker International

Construction Engineering & Inspection Services

Home Overhead Rate ²	148.79%	%
FCCM (Home)	0.00%	%
Field Overhead Rate ²	117.04%	%
FCCM (Field)	0.00%	%
Profit	10.00%	%

REGULAR BILLING TIME

Classification	Raw Wage Rate	Audited OH Rate ³	FCCM	Profit	Regular Billing Rate
Principal	\$ 117.36	\$ 174.62	\$ -	\$ 29.20	\$ 321.17
Project Engineer	\$ 81.66	\$ 121.50	\$ -	\$ 20.32	\$ 223.47
Engineer Intern	\$ 34.67	\$ 51.59	\$ -	\$ 8.63	\$ 94.88
Lead Inspector	\$ 42.05	\$ 49.22	\$ -	\$ 9.13	\$ 100.40
Inspector III	\$ 37.21	\$ 43.56	\$ -	\$ 8.08	\$ 88.85
Administrative Assistant	\$ 33.35	\$ 49.62	\$ -	\$ 8.30	\$ 91.27
{additional classifications}		\$ -	\$ -	\$ -	\$ -

OVERTIME BILLING RATES ^{***}

Classification	Raw Wage Rate	Audited OH Rate ³	FCCM	Profit	Regular Billing Rate
Lead Inspector	\$ 42.05	\$ 49.22	\$ -	\$ 9.13	\$ 121.43
Inspector III	\$ 37.21	\$ 43.56	\$ -	\$ 8.08	\$ 107.45
{additional classifications}			\$ -	\$ -	\$ -

² Approved by MDOT

³ Formula's may need to be adjusted if consultant has field overhead rate approved.

*** Overtime may only be allowable for those employees per Federal requirements.

*** Overtime is calculated by Raw Wage only * 1.5. Overhead and profit shall not be increased by 1.5

HOUR DISTRIBUTION / LABOR COSTS

Michael Baker International
 Construction Engineering & Inspection Services

Project No. STP-9194-00(001)LPA/105069-801000

REGULAR HOURS ONLY

POSITION TITLE	Hours Per Month / 2024												Subtotal Hours	Hourly Rate	Extension
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
	6	7	11	15	19	20	21	21	20	16	11	5			
Principal								2	2	2	2	2	10	\$ 311.82	\$ 3,118.20
Project Engineer						21.5	48	48	48	48	48	48	309.5	\$ 216.96	\$ 67,149.12
Engineer Intern						8	8	8	8	8	8	8	56	\$ 92.12	\$ 5,158.72
Lead Inspector						160	168	176	160	184	144	128	1120	\$ 97.48	\$ 109,177.60
Inspector III						8	8	8	8	8	8	8	56	\$ 86.26	\$ 4,830.56
Administrative Assistant						40	48	56	56	56	56	56	368	\$ 88.61	\$ 32,608.48
{additional classifications}													0	\$ -	\$ -

Labor Subtotal (Regular) \$ 222,042.68

Project No. STP-9194-00(001)LPA/105069-801000

OVERTIME HOURS ONLY

POSITION TITLE	Overtime Hours Per Month												Subtotal Hours	Hourly Rate	Extension
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
	6	7	11	15	19	20	21	21	20	16	11	5			
Lead Inspector						14	16	20	16	16	20	16	118	\$ 117.89	\$ 13,911.02
Inspector III													0	\$ 104.32	\$ -
{additional classifications}													0	\$ -	\$ -

Labor Subtotal (Overtime) \$ 13,911.02

\$ 235,953.70

CONTRACTOR's Project Completion Time: 377 Productive Days
 Construction Cost Estimate: \$ 8,706,994.90

Work Conducted on the Project
 No Work being Conducted on the Project

Michael Baker International
Construction Engineering & Inspection Services

Project No. STP-9194-00(001)LPA/105069-801000

REGULAR HOURS ONLY

POSITION TITLE	Hours Per Month / 2025												Subtotal Hours	Hourly Rate	Extension
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
	6	7	11	15	19	20	21	21	20	16	11	5			
Principal	2	2											4	\$ 321.17	\$ 1,284.69
Project Engineer	32	32											64	\$ 223.47	\$ 14,302.32
Engineer Intern	8	8											16	\$ 94.88	\$ 1,518.09
Lead Inspector	72	20											92	\$ 100.40	\$ 9,237.13
Inspector III	8	8											16	\$ 88.85	\$ 1,421.54
Administrative Assistant	40	40											80	\$ 91.27	\$ 7,301.80
{additional classifications}													0	\$ -	\$ -

Labor Subtotal (Regular) \$ **35,065.56**

Project No. STP-9194-00(001)LPA/105069-801000

OVERTIME HOURS ONLY

POSITION TITLE	Overtime Hours Per Month												Subtotal Hours	Hourly Rate	Extension
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec			
	6	7	11	15	19	20	21	21	20	16	11	5			
Lead Inspector													0	\$ 121.43	\$ -
Inspector III													0	\$ -	\$ -
{additional classifications}													0	\$ -	\$ -

Labor Subtotal (Overtime) \$ -

\$ 35,065.56

CONTRACTOR's Project Completion Time: 377 Productive Days
Construction Cost Estimate: \$ 8,706,994.90

Work Conducted on the Project
No Work being Conducted on the Project

ESTIMATED MAXIMUM FEE FOR TESTING SERVICES - SA#1

Project Name

Martin Bluff Road Material Testing/ Jackson County

MDOT Project No.

STP-9194-00(001) LPA

Testing Firm Name

Terracon

MDOT District Material Engineer Approval Date for the S&T Report

8-Oct-20

Overhead Rate

184.950%

FCCM

1.070%

Profit

12.000%

Classification	Raw Wage Rate	Audited OH Rate	FCCM	Profit	Regular Billing Rate
Sr. Engineer (Williams)	\$ 62.36	\$ 115.33	\$ 0.67	\$ 21.32	\$ 199.69
Project Manager (Oberhausen)	\$ 46.85	\$ 86.65	\$ 0.50	\$ 16.02	\$ 150.02
Technician (Andrews)	\$ 20.00	\$ 36.99	\$ 0.21	\$ 6.84	\$ 64.04
Clerical (Jenkins)	\$ 26.55	\$ 49.10	\$ 0.28	\$ 9.08	\$ 85.02
	\$ -	\$ -	\$ -	\$ -	\$ -

LABOR COSTS

	Hours	Regular Billing Rate	Total
Sr. Engineer (Williams)	10	\$ 199.69	\$ 1,996.85
Project Manager (Oberhausen)	74.5	\$ 150.02	\$ 11,176.51
Technician (Andrews)	200	\$ 64.04	\$ 12,808.56
Clerical (Jenkins)	30	\$ 85.02	\$ 2,550.50
		\$ -	\$ -

SUBTOTAL - LABOR COSTS

314.5 \$ 28,532.43

FIELD AND LABORATORY

	Quantity	Unit	Unit Cost	Total Cost
Borrow / Unclassified Excavation				
Gradation, Dry Sieve Analysis plus, if needed, the Hydrometer (T 88) Cl. B5, (Borrow Exc)	6	Each	\$ 80.00	\$ 480.00
Granular Material (With plus 10 material); Gradation, Dry Sieve Analysis (T 27)	4	Each	\$ 120.00	\$ 480.00
Atterberg Limits T 89 and T 90	4	Each	\$ 50.00	\$ 200.00
Standard Proctor Density T 99, MT 8	6	Each	\$ 200.00	\$ 1,200.00
Concrete				
Compressive Strength T22	120	Each	\$ 20.00	\$ 2,400.00
Asphalt				
Bulk Specific Gravity of Compacted Asphalt T 166	0	Each	\$ 50.00	\$ -
SUB-TOTAL - FIELD AND LABORATORY			\$	4,760.00
EXPENSE ITEMS	Quantity	Unit	Rate	Total Cost
Automobile Travel (Est. 64 trips @ 50 miles RT)	3196.12	Miles	\$ 0.625	\$ 1,997.58
SUB-TOTAL - EXPENSE ITEMS			\$	1,997.58
TOTAL PROPOSED FEE			\$	35,290.00

CITY OF GAUTIER
Consent Agenda Item #6
Fact Sheet

Council Meeting:
Title:

October 15, 2024
Approval of a Memorandum of Understanding
(MOU) with the Jackson County Emergency
Communications District

Introduced by:
Contact Person/Telephone

Chief David Bever 497-8000

Summary Explanation: Approval of a Memorandum of Understanding (MOU) with the Jackson County Emergency Communications District

EXHIBITS FOR REVIEW

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

Staff Recommendation:
Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, the Gautier Police Department is requesting approval of the Memorandum of Understanding (MOU) with the Jackson County Emergency Communications District; and

WHEREAS, the Jackson County Emergency Communications District (JCECD) provides and manages the radio network used by public safety agencies within Jackson County; and

WHEREAS, this MOU establishes permissions and guidelines for use of interoperability within Jackson County Emergency Communications District's P25 700 MHz radio channels by local governments and their associated emergency response organizations; and

WHEREAS, This MOU between the City of Gautier and the Jackson County Emergency Communications District benefits the community and the City by having access to a public safety radio network without costs to the City; and

WHEREAS, the Mayor and Council Members hereby find that entering into the Memorandum of Understanding with the Jackson County Emergency Communications District is in the best interest of the City.

IT IS HEREBY ORDERED by the Mayor and Member of the Council of the City of Gautier, Mississippi, that the Memorandum of Understanding (MOU) between the Jackson County Emergency Communications District and the City of Gautier/Gautier Police Department is hereby approved.

IT IS FURTHER ORDERED that the City Manager, Police Chief, and City Clerk are authorized to execute any and all documents necessary for this purpose.

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

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 15, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: David Bever, Chief of Police
Date: October 8, 2024
Subject: Approval of Memorandum of Understanding between the Jackson County
Emergency Communications District and the City of Gautier.

REQUEST:

The Chief of Police is requesting the City Council's approval to enter into a Memorandum of Understanding with the Jackson County Emergency Communications District.

BACKGROUND:

The Jackson County Emergency Communications District (JCECD) provides and manages the radio network used by public safety agencies within Jackson County. This MOU establishes permissions and guidelines for use of interoperability within Jackson County Emergency Communications District's P25 700 MHz radio channels by local governments and their associated emergency response organizations.

DISCUSSION:

The City of Gautier entering into a MOU with the JCECD benefits the community and the City of Gautier by having access to a public safety radio network without costs to the City.

RECOMMENDATION:

The Chief of Police recommends the Mayor and Council approve the City of Gautier entering into a Memorandum of Understanding with the Jackson County Emergency Communications District.

ATTACHMENT:

The Memorandum of Understanding



MEMORANDUM OF UNDERSTANDING

Jackson County Interoperability Channel Plan

Jackson County Emergency Communications District

And

City of Gautier

Purpose

This Memorandum of Understanding (MOU) establishes permissions and guidelines for use of interoperability within Jackson County Emergency Communications District's (hereinafter, "JCECD") P25 700 MHz radio channels by

- Local government jurisdictions and their associated emergency response agencies;
- State agencies in Mississippi and their associated emergency response organizations;
- Federal agency local units in Mississippi and their associated emergency response organizations and
- Private sector emergency response organizations licensed or otherwise entitled to operate in the Public Safety Pool as defined in Part 90 of the FCC Rules (47CFR subpart B paragraphs 90.15-90.20).

It imposes certain protocols, procedures, and obligations upon jurisdictions hereby authorized to use radio channels held by the JCED.

Authority

This MOU satisfies Federal Communications Commission Part 90 rules for extending license privileges to others by agreement.

Federal agencies are permitted access to interoperability channels as authorized by 47 CFR 2.102 (c) & 2.103. and shall adhere to the attached guidelines.

Applicability

This MOU authorizes the use of certain radio frequencies and talk groups by emergency response organizations as defined by Department of Homeland Security (Office of Domestic Preparedness) and the Mississippi Emergency Management Agency. Generally, this includes organizations in the following governmental disciplines:

Emergency Management

Public Safety Communications

Law Enforcement

Fire Departments

Public Health

Health Care

Governmental Administration

Emergency Medical Services

Public Works / Transportation

Hazardous Materials

This MOU further authorizes use of JCECD-licensed frequencies for the purpose of coordination between emergency response agencies and resources. Such coordination may occur during interagency operations, enroute travel, or on-incident communications

Understandings

Jackson County Emergency Communications District will:

- Manage and maintain proper licenses for the use of the interoperability frequencies identified herein.
- Issue the talk groups for the county and issue user ID's that will be used on the JCECD's licensed 800 MHz trunking system.
- Monitor usage of the interoperability talk groups

Radio User will:

- Participate in regional communications planning that provides for regional radio communications interoperability if required
- Manage use of the interoperability frequencies and talk groups by its users, ensuring compliance with all applicable local laws, ordinances, and rules.
- Use the interoperability frequencies and talk groups for their intended purpose of coordination between emergency response agencies and resources. Such coordination may occur during interagency operations, enroute travel, or on-incident.

- Use the interoperability frequencies and talk groups for operational communications in accordance with all applicable local and regional policies and procedures.
- Prioritize use of the interoperability frequencies and talk groups:
 - o Emergency or urgent operation involving imminent danger to life or property
 - o Disaster or extreme emergency operation requiring extensive interoperability and inter-agency communications.
 - o Special event, generally of a pre-planned nature
 - o Joint training exercises
 - o Inter-agency and enroute communications
- Implement radio communications procedures consistent with the National Incident Management System (NIMS) and Incident Command System (ICS) including:
 - o Use "plain language" without 10-codes or agency-specific codes/jargon.
 - o Use the calling protocol: "Agency-Unit #, this is Agency-Unit #", rather than "Unit # to Unit #".

The parties mutually agree:

- Radio user and the JCECD agree that their mutual interests will be furthered by continued coordination between the user and the Jackson County Communications District; and
- Radio user and the JCECD agree that this MOU may be cancelled at any time, by written notice to the other party; or by a subsequent agreement.

This Memorandum of Understanding was agreed to by the duly authorized representatives of the Parties and is effective as of the latest date set forth below.

RADIO USER

Radio User: _____ City of Gautier _____

By: _____

Printed Name: _____ Mayor Casey Vaughan _____

Radio User Address: 3330 US-90 Gautier, MS 39553

JACKSON COUNTY COMMUNICATIONS DISTRICT

By: Kenneth Johnson 10/3/24

Printed Name: Kenneth Johnson

Title: Jackson County 911 Director

**CITY OF GAUTIER
Consent Agenda Item #7
Fact Sheet**

Council Meeting:
Title:

October 15, 2024
**Authorization to enter into a Contract Agreement with
Pyro Shows**

Introduced by:
Contact Person/Telephone

Chassity Bilbo 497-8000

Summary Explanation: Authorization to enter into a Contract Agreement with Pyro Shows in the amount of \$10,000 for a firework show at the City's Annual Lights and Lagniappe on the Bayou.

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

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

Action Taken:

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

ORDER NUMBER 000-2024

WHEREAS, the City of Gautier will host its annual Lights and Lagniappe on the Bayou on December 7th at the Singing River Mall Property; and

WHEREAS, the City desires to have fireworks entertainment at the event, as it has in past years; and

WHEREAS, Pyro Shows has offered to perform this entertainment for a price of \$10,000.00, requiring a 50% down payment, pursuant to the attached contract; and

WHEREAS, Pyro Shows intends to present a firework show titled "Christmas Light the Night"; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the contract agreement with Pyro Shows is hereby approved and authorized.

IT IS 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:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 15, 2024.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Chassity Bilbo, Recreation Director
Date: 09/24/2024
Subject: Approval of a Contract Agreement with Pyro Shows

REQUEST:

The Recreation Department requests City Council authorization to enter into a contract agreement with Pyro Shows in the amount of \$10,000, requiring a 50% down payment for the City's Annual Lights and Lagniappe on the Bayou.

BACKGROUND:

The City of Gautier will host its annual Lights and Lagniappe on the Bayou on December 7th 1:00 p.m. - 6:00 p.m. at Former Singing River Mall Property. This year's festivities will include a Christmas tree lighting, Christmas themed festival, pictures with Santa and fireworks show presented by Pyro Shows titled "Christmas Light the Night"

DISCUSSION:

Pyro Shows has been providing fireworks entertainment throughout the world for almost half a century. From Stockholm, Sweden, to San Sebastian, Spain, and from Abu Dhabi in the UAE, to Taipei, Taiwan, Pyro Shows has competed in some of the most prestigious international competitions. Pyro Shows won first place in the North American Fireworks Competition in Norfolk, Virginia, and has had the honor to provide the 4th of July fireworks at the Washington Monument in Washington, D.C. for 13 times since 1995. Pyro Shows currently provides fireworks for the Biloxi Shuckers, Scarlet Pearl Casino, and Mississippi State University.

RECOMMENDATION:

The Recreation Department recommends that City approve a Contract Agreement with Pyro Shows in the amount of \$10,000.

City Council May:

1. Approve a Contract Agreement with Pyro Shows in the amount of \$10,000.
2. Not approve a Contract Agreement with Pyro Shows in the amount of \$10,000.

ATTACHMENTS:

1. Contract - Gautier Christmas 12.7.2024
2. Certificate of Ins - City of Gautier, MS 12.7.2024



PYRO SHOWS, INC.
Contract Agreement

This Agreement made on **September 26, 2024** by and between **PYRO SHOWS, Inc., a Tennessee Corporation**, whose address is **115 N. 1st Street, LaFollette, Tennessee, 37766**, with a mailing address at **P.O. Box 1776, LaFollette, TN 37766** and hereinafter referred to as **"PYRO SHOWS"** and **City of Gautier, MS** with its principal place of business located at **3330 Highway 90, Gautier, MS 39553** hereinafter referred to as **"Customer"**.

In consideration of the mutual promises and undertakings set forth herein, receipt of said consideration being acknowledged, the parties hereby agree as follows:

- I. **FIREWORKS DISPLAY:** PYRO SHOWS agrees to furnish to Customer a fireworks display, hereinafter referred to as "Show", pursuant to the project/sales order # **24 MS 12-07-Custom-10000-000635** dated **September 26, 2024**. The Show(s) will be given on **December 7, 2024**. Rain date/postponement date: **No Rain Date Selected**.
- II. **TARIFF PROVISION:** Because our pyrotechnics are products which are primarily imported into the U.S., PYRO SHOWS is legally responsible for payment of any applicable tariffs (a border tax imposed on the buyer) for pyrotechnics. From the date of execution of the contract herein, in the event of additional cost due to increased price of product as imposed by manufacturer and/or tariffs levied for imported products. Available options are as follows: Customer may opt to increase their budget to absorb tariff - OR - Customer may maintain the current budget of their show with a corresponding reduction in the amount of product included in their show. Should Customer elect to defer, modify, or cancel Show, Customer shall notify PYRO SHOWS no less than ninety (90) days prior to Show date to cancel or reduce the size of show.
- III. **CANCELLATION:** PYRO SHOWS shall determine what weather conditions prohibit PYRO SHOWS from proceeding with the Show; in which case, PYRO SHOWS agrees to present the Show on the following day or previously agreed upon postponement date. In addition to contracted Show cost, Customer shall remit the actual additional expenses PYRO SHOWS shall incur in presenting the show on subsequent occasion to include labor, lodging, per diem, etc.; in no event shall these additional expenses be less than ten percent (10%) of the contracted price of the Show. In the event the Show must be RESCHEDULED to a mutually agreed upon date other than the previously agreed upon rain date, in addition to contracted Show cost, Customer shall remit the actual additional expenses PYRO SHOWS shall incur in presenting the Show on subsequent occasion to include labor, lodging, per diem etc.; in no event shall these expenses be less than thirty percent (30%) of the contracted price of the Show. Should Customer elect to CANCEL the Show for any reason, Customer must provide PYRO SHOWS with a thirty (30) days' written notice by certified mail, return receipt, to PYRO SHOWS' address as set forth above. Customer agrees that PYRO SHOWS shall incur substantial expense in preparation for the Show and, accordingly, agrees to pay PYRO SHOWS fifty (50%) of the total contract price for the show as liquidated damages for cancellation due to the fault of the Customer.
- IV. **SECURITY AREA:** Customer agrees to furnish sufficient space for PYRO SHOWS to properly conduct the Show as determined by NFPA 1123-2014 (hereinafter "Security Area"). Customer agrees to provide adequate security protection to preclude persons unauthorized by PYRO SHOWS from entering the Security Area. For the purposes of the Agreement, "Unauthorized Persons" shall mean anyone other than the employees of PYRO SHOWS or persons specifically designated in writing by the sponsor or the Authority Having Jurisdiction (AHJ), and submitted and approved, to PYRO SHOWS prior to the event. Any expenses for security or stand-by fire protection shall be the responsibility of the Customer.
- V. **SITE CLEANUP:** PYRO SHOWS shall be responsible for basic cleanup of the launch area to include policing of the fallout zone for any unexploded ordnance and removal of all large paper debris, wood, wire, foil, racks, mortars and firing equipment used in the setup for the show. Customer shall be responsible for cleanup of debris located in and around fallout zone.
- VI. **INDEMNIFICATION AND HOLD HARMLESS:** To the extent permissible under Mississippi law, Customer agrees to hold PYRO SHOWS harmless from any damages caused to Customer which result as a consequence of unauthorized persons entering the Security Area. To the extent permissible under Mississippi law, Customer agrees to defend and indemnify PYRO SHOWS from any and all claims brought against PYRO SHOWS for damages caused wholly or in part by Unauthorized Person who have entered the Security Area.
- VII. **AMENDMENT & ASSIGNMENT:** This agreement is deemed personal and confidential to Customer, his heirs, executors and administrators only, and may not be sold, assigned, amended, or transferred without the prior written consent of PYRO SHOWS.



PYRO SHOWS, INC.
Contract Agreement

- VIII. COMPLIANCE WITH THE LAWS AND REGULATIONS:** Promptly upon the execution of this Agreement, Customer shall apply for the approval hereof to any agency, officer, or authority of any government if such approval is required by any applicable law, ordinance, code, or regulation. To the extent permissible under Mississippi law, Customer agrees to indemnify and hold harmless PYRO SHOWS from against all claims, suits, and causes of action, demands, penalties, losses or damages which may arise or accrue because of the failure or neglect of customer to obtain such approval. This Agreement is made expressly subject to and Customer expressly agrees to comply with and abide by all applicable laws, ordinances, codes and regulations insofar as the same may be applicable to the terms and conditions of this Agreement, including all rules and regulations now existing or that may be promulgated under and in accordance with any such law or laws.
- IX. PERMITS AND LICENSES:** PYRO SHOWS shall process the necessary permits and licenses to enable PYRO SHOWS to perform fully hereunder unless otherwise forbidden by any other applicable statute, rule or otherwise. It is hereby stipulated that this Agreement is to be construed and governed by the laws of the State of ~~Tennessee~~ Mississippi, and any suit involving this contract shall be brought in the Courts of ~~Campbell~~ Jackson County in the State of ~~Tennessee~~ Mississippi. The Customer hereby submits itself to the jurisdiction of the aforementioned Courts and waives any rights to initiate proceedings against PYRO SHOWS in any other courts or jurisdictions. For Shows that include licensed music accompaniment, Customer agrees to verify with their organization, venue, sponsor, and/or municipality, the permission to simulcast music and agrees to pay any and all fees associated with the broadcast of said music in the public environment of the Show.
- X. LATE PAYMENT:** PYRO SHOWS shall charge, and Customer agrees to pay, one and one half percent (1 1/2%) per month late payment fee for each month until PYRO SHOWS is paid the amount set forth in Paragraph XIV herein. The stated late payment fee shall begin to run from the applicable date(s) established in Section XIV, unless this provision is prohibited by law.
- XI. ADVERTISEMENT AND PROMOTIONS:** Customer agrees that when promoting fireworks performed by PYRO SHOWS, Customer will name PYRO SHOWS as the fireworks provider in promotional advertising media. Customer agrees to allow PYRO SHOWS to use Customer's name as Customer.
- XII. COMPLAINTS:** In the event that Customer has a complaint concerning the Show, or any material or product used in or pursuant to the Show, or of the conduct of the Show by PYRO SHOWS, or any act or omission of PYRO SHOWS or its agents, either directly or indirectly, without limitation, Customer shall make complaint known to PYRO SHOWS in writing by certified mail to PYRO SHOWS' address as set forth above, ~~within ten (10) days after the date of the Show. In the event that Customer fails to register any complaint in the time and in the manner specified, Customer agrees that it shall not claim such complaint as cause for an offset or withhold any payment due to PYRO SHOWS hereunder on account of or because of such complaint or any matter arising from, relating to or a consequence of the complaint. Furthermore, Customer agrees that should PYRO SHOWS have to collect any amount due PYRO SHOWS hereunder which Customer claims as an offset or which is withheld by Customer on account of, or because of, a complaint not registered with PYRO SHOWS in the time and in the manner specified herein, by law or through an Attorney at Law, PYRO SHOWS shall be entitled to collect attorneys' fees in the amount of 15% of the amount owing PYRO SHOWS or the maximum amount allowed by law, whichever is greater, along with all cost of collection.~~
- XIII. INSURANCE:** PYRO SHOWS will provide General Liability Insurance and Automobile Liability in the amount of \$10,000,000.00, combined single limit, covering its activities and services in connection with the show described in this contract. PYRO SHOWS also agrees to include Customer as additional Insured under the terms of this coverage. PYRO SHOWS, INC. will provide a Certificate of Insurance. All entities listed on the certificate will be deemed an additional Insured per this contract.
- XIV. PAYMENT TERMS:** City of Gautier, MS shall pay PYRO SHOWS \$ 10,000.00 plus applicable taxes in the amount of \$ 0.00 for a grand total of \$ 10,000.00 according to the terms and conditions set forth for presenting the Show. Customer shall submit a 50% deposit (\$ 5,000.00) upon return of signed contract by **October 26, 2024**. Balance will be due in the PYRO SHOWS office upon Customer's receipt of invoice.
- XV. TAXES:** Customer shall be responsible for all applicable sales taxes.



PYRO SHOWS, INC.
Contract Agreement

IMPORTANT: Checks must be made payable to **PYRO SHOWS, INC.** and mailed to **P.O. Box 1776, LaFollette, TN 37766.**

All the terms and conditions set forth in any addendum attached to this Agreement are made part of this Agreement and incorporated by reference herein.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

PYRO SHOWS, INC.

BY: _____ DATE: _____
Lansden E. Hill Jr., President and CEO -OR- Michael E. Walden, Vice President

CUSTOMER

BY: _____ DATE: _____
Signature Printed Name Title

WARRANTY EXCLUSIONS

To the extent permissible under Mississippi law, EXCEPT AS SPECIFICALLY PROVIDED HEREIN, THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

No representation of affirmation of fact including but not limited to statement regarding capacity, suitability for use, or performance of equipment or products shall be, or be deemed to be, a warranty by PYRO SHOWS for any purpose, nor give rise to any liability or obligation of PYRO SHOWS whatsoever.

To the extent permissible under Mississippi law, IN NO EVENT SHALL PYRO SHOWS BE LIABLE FOR ANY LOSS OF PROFITS OR OTHER ECONOMIC LOSS, INDIRECT, SPECIAL, CONSEQUENTIAL, OR OTHER SIMILAR DAMAGES ARISING OUT OF ANY CLAIMED BREACH OF OBLIGATIONS HEREUNDER.

**CITY OF GAUTIER
Consent Agenda Item #8
Fact Sheet**

Council Meeting:
Title:

October 15, 2024
Resolution directing the placement of liens on properties located in Gautier, Mississippi, for fees and charges incurred by the City of Gautier to abate the unsafe conditions of vacant structures, pursuant to Mississippi Code Section 21-19-11

Introduced by:
Contact Person/Telephone

Scott Ankerson 497-8000 ext. 312

Summary Explanation: Resolution directing the placement of liens on properties located in Gautier, Mississippi, for fees and charges incurred by the City of Gautier to abate the unsafe conditions of vacant structures

EXHIBITS FOR REVIEW

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

Staff Recommendation:
Approval

Motion Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Second Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

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

Action Taken:

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

RESOLUTION NUMBER 000-2024

WHEREAS, in accordance with Section 21-19-11, Mississippi Code of 1972, the Council of the City of Gautier, Mississippi, hereby approved, after lawful notice and hearing, that the parcel of land described in "Exhibit A" was in such a state of uncleanness as to be a menace to the public health and safety of the community and authorized it to be abated by the City; and

WHEREAS, during each public hearing, the City Council approved assessment of the cost associated with the abatements, in addition to penalties, as indicated on Exhibit A; and

WHEREAS, the parcel has now been abated by the City of Gautier; and

WHEREAS, it is hereby resolved that the amount set for the parcel listed hereinafter is the actual cost of cleaning of the parcel, plus any penalties, as identified; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI:

SECTION 1. That the City Council for the City of Gautier hereby adopts the foregoing recitals as its findings.

SECTION 2. That the parcel of land identified in "Exhibit A," which is described by reference to deeds recorded at the appropriate pages in the Jackson County, Mississippi, Land Deed Books, is hereby charged with the cost of cleaning the parcel, plus any penalties, as identified.

SECTION 3. That these amounts are hereby declared to be an assessment and lien against the parcel listed in "Exhibit A," which shall be enrolled in the office of the Circuit Clerk of Jackson County, Mississippi, as judgements are enrolled, and the Jackson County Tax Collector, acting as collector of City taxes, is hereby directed to sell the parcel of land to satisfy the liens in the manner provided by law for the sale of land for delinquent taxes.

IT IS FURTHER RESOLVED that the City Manager and City Clerk are 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:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of October 15, 2024.



Mayor: Casey Vaughan
At Large: Adam Colledge
Ward 1: Cameron George
Ward 2: Richard Jackson
Ward 3: Gordon Gollott

CITY OF GAUTIER

Nature's Playground

Ward 4: Rusty Anderson
Ward 5: Dante Elbin
City Manager: Paula Yancey
City Attorney: Josh Danos
City Clerk: Teresa Montgomery

October 4, 2024

Re: Resolution For Lien Assessment

Dear Council Members:

I am requesting the Council approve the abatement costs of 2812 Fairview. The costs are associated with a previous abatement and lien order this Council issued for this property. Details of the abatement costs are provided below. If you need any further information, my number is 228-497-1868 ext 360 and my email address is pfagan@gautier-ms.gov.

EXHIBIT A

Parcel & Address	Owner & Mailing Address	Total Assessment
#82502050.100 2812 Fairview Gautier, MS 39553	Dustin Bates Last Known Address 2812 Fairview, Gautier, MS	Cost: \$3,980 Penalty: \$1,990 Total Assessment: \$5,970

Sincerely,

Patrick Fagan

Code Enforcement
City of Gautier
3330 Hwy 90
Gautier, MS. 39553

**CITY OF GAUTIER, MISSISSIPPI
STUDY AGENDA
October 15, 2024**

ITEM DESCRIPTION:

Citizen Comments

City Council Comments

City Manager Comments

City Clerk Comments

City Attorney Comments

NOTES:
