

AGENDA
BILOXI CITY COUNCIL MEETING
Tuesday, May 6, 2014
6:00 p.m.
Biloxi, Mississippi

INVOCATION BY: Pastor Len McRaney
Coalville United Methodist Church

1. AGENDA ORDER

2. PRESENTATION AGENDA

- A. Mayor's Report
 -- Presentation of a report to the City Council on the Biloxi Travel Expense Credit Card (to be spread upon the Minutes of this meeting).

- B. Departmental Report
 --Update on the status of the recovery of outstanding court fines through Pioneer Credit.

- C. Council's Report

3. PUBLIC AGENDA

CODE ENFORCEMENT HEARINGS

- _____A. Joann Ady, 1207N-01-002.041/13172 Larkin Drive
- _____B. David M. Gooch, 1110B-02-057.000/2442 Bay Vista Drive
30 day extension granted on March 25, 2014

Citizens Comments-(Total allotted time 45 minutes.)

4. POLICY AGENDA

ORDINANCES (First Reading)

- _____A. Ordinance to reinstate the "Enclosure of Use" text- a key element of Zoning in Biloxi for several decades, which section of text was erroneously deleted from the final draft of the Land Development Ordinance when it was updated in 2010. Case No. 14-007, City of Biloxi. Submitted by the Planning Commission.
 {*[-050614BPC](#)}

4. POLICY AGENDA-Continued

ORDINANCES (First Reading)

- _____ B. Ordinance to amend the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, by changing the zoning district classification for a parcel of land situated along the north side of Mason Road from its current zoning district classification of **A–Agricultural** to **RS-7.5 Medium–Density Single Family Residential** for a parcel of land situated along the North side of Mason Road. Case No. 14-015, William Holmes, Jr. (owner) and Les Seymour (applicant). Submitted by the Planning Commission.
{*-[050614CPC](#)}
- _____ C. Ordinance to amend Table 23-6-2(D)(2) Minimum Number of Off-Street Parking Spaces as follows: Under the Use Category Visitor Accommodations, within the minimum off-street parking spaces chart addressing minimum parking required for Hotels and Motels-substitute the standard of 1 space per guest room for both Hotels and Motels. Case No. 14-019, City of Biloxi. Submitted by the Planning Commission.
{*-[050614DPC](#)}
- _____ D. Ordinance to amend–Tables 23-4-1(B) and (C): Use Tables for Residential Districts and Non Residential and Planned Development Districts, respectively, by including the specific use “Bail Bondsman” as a Conditional Use within the NB–Neighborhood Business Zoning District. Case No. 14-020, City of Biloxi Submitted by the Planning Commission.
{*-[050614EPC](#)}

ORDINANCES (Second Reading)

- _____ E. Ordinance for application request to amend the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, as amended, by changing a parcel of land identified as 11485 Parkers Circle, from the current zoning district classification of RMH-Residential Manufactured/Mobile Home to NB-Neighborhood Business. Case No. 14-013, Martin J. Wagner (owner) and Chad Irby (applicant). Submitted by the Planning Commission.
{*-[042214APC](#)} Ward 7 *First Reading on April 22, 2014*

4. POLICY AGENDA-Continued

RESOLUTIONS

- _____ F. Resolution for an application request for **Conditional Use** to authorize the establishment of a contractor's office complete with warehouse and outdoor storage for property identified as 11485 Parkers Circle. Case No. 14-014, Martin J. Wagner (owner) and Chad Irby (applicant). Submitted by the Planning Commission.
{*-[050614APC](#)} Ward 7
- _____ G. Resolution identifying and committing local match of the City of Biloxi required to receive an Economic Development Highway Program Grant through the Mississippi Development Authority for the purpose of extending the East Biloxi Transportation Loop to support development of the Biloxi Boardwalk Casino Resort and the Margaritaville Casino and Resort Biloxi and thus enhance East Biloxi Redevelopment. Introduced by Mayor A. J. Holloway.
{*-[050614BFSP](#)}
- _____ H. Resolution authorizing and directing the issuance of Tax Increment Junior
SUBSTITUTE Lien Limited Obligation Bonds, Series 2014 (Margaritaville Casino Resort Traffic Flow and Thoroughfare Improvement Project), of the City of Biloxi, Mississippi (the "City"), in the principal amount of not to exceed Two Million Dollars (\$2,000,000) to raise money for the purpose of paying the cost of the Infrastructure Improvements (as hereinafter defined), including paying costs of issuance. Introduced by Mayor A. J. Holloway.
{*-[042214BEXCSUB](#)} *Tabled until April 29, 2014, (Meeting Not Held)*
- _____ I. Resolution of the Mayor and City Council of the City of Biloxi, Mississippi (the "City") approving a Supplemental Interlocal Cooperation Agreement between the City and Harrison County, Mississippi in connection with the issuance of Tax Increment Junior Lien Limited Obligation Bonds, Series 2014 (Margaritaville Casino Resort Traffic Flow and Thoroughfare Improvements Project) of the City to be issued to defray the cost of acquiring and constructing the infrastructure improvements set forth in Traffic Flow and Thoroughfare Improvement Plan, as amended. Introduced by Mayor A. J. Holloway.
{*-[050614DEXC](#)}

4. POLICY AGENDA-Continued

_____J. Resolution of the Mayor and City Council of the City of Biloxi, Mississippi (the “City”), adopting, approving and authorizing the execution of the Security and Reimbursement Agreement dated as of May 7, 2014, with MVB Holding, LLC in conjunction with the Tax Increment Financing Plan, Traffic Flow and Thoroughfare Improvements Plan Project, Biloxi Mississippi November, 1997, as amended August 1999, as amended and restated June 2011, as amended and restated January 2012 and as amended by resolution approved by the governing body of the City on February 25, 2014, and authorizing the City to make reimbursements from the proceeds of the City's not to exceed \$2,000,000 Tax Increment Junior Lien Limited Obligation Bonds, Series 2014 (Margaritaville Casino Resort Traffic Flow and Thoroughfare Improvements Project), issued for the infrastructure improvements, as herein defined. Introduced by Mayor A. J. Holloway.

{*-[050614EEXC](#)}

_____K. Resolution approving the sale and award of not to exceed Two Million Dollars (\$2,000,000) City of Biloxi, Mississippi Tax Increment Junior Lien Limited Obligation Bonds, Series 2014 (Margaritaville Casino Resort Traffic Flow and Thoroughfare Improvements Project) (the “Bonds”) to be dated as of the date of delivery thereof and approving the form of and execution of a Bond Purchase Agreement (Private Placement) for the sale of the Bonds. Introduced by Mayor A. J. Holloway.

{*-[050614FEXC](#)}

5. CONSENT AGENDA

_____A. Resolution continuing the declaration of a state of emergency in the City of Biloxi, Mississippi for Hurricane Isaac, and authorizing the Mayor to do all things reasonable and necessary to protect the immediate health and safety of the City's citizens; and for related purposes. Introduced by Mayor A. J. Holloway.

{*-[050614AEXC](#)}

_____B. Resolution continuing the declaration of a State of Emergency in the City of Biloxi, Mississippi for the “BP Deepwater Horizon Oil Spill” and authorizing the Mayor to do all things reasonable and necessary to protect the immediate health and safety of the City's citizens; and for related purposes. Introduced by Mayor A. J. Holloway.

{*-[050614BEXC](#)}

5. CONSENT AGENDA-Continued

- _____C. Resolution authorizing the Mayor of the City of Biloxi to establish just compensation and sign certification in the Restore Biloxi Infrastructure Project-HWY 90 Improvements-KG645. Introduced by Mayor A. J. Holloway.
{*-[050614AFSP](#)}
- _____D. Resolution appointing Stephanie P. Rosetti as Assistant Deputy Clerk of the Council. Introduced by Council President Paul A Tisdale.
{*-[050614COU](#)}
- _____E. Resolution to approve the one-source purchase of Five Radar Units for use by Patrol from Applied Concepts, Inc. in the total amount of \$14,722.50. Funding: Police Budget via the Federal Equitable Sharing Fund. Introduced by Mayor A. J. Holloway.
{*-[050614APUR](#)}
- _____F. Resolution to approve the one-source purchase of Five In-Car Video Systems for use by Patrol from Tcsware, Inc. in the total amount of \$28,190.00. Funding: Police Budget via the Federal Equitable Sharing Fund. Introduced by Mayor A. J. Holloway.
{*-[050614BPUR](#)}
- _____G. Resolution to approve the one-source purchase of Five In-Car Mobile Data Systems for use by Patrol from Tcsware, Inc. in the total amount of \$29,067.75. Funding: Police Budget via the Federal Equitable Sharing Fund. Introduced by Mayor A. J. Holloway.
{*-[050614CPUR](#)}
- _____H. Resolution to approve the lowest and best quote received to perform Annual Physical Examinations from TrustCare in the total amount of \$33,785.00. Funding: Fire Budget. Introduced by Mayor A. J. Holloway.
{*-[050614DPUR](#)}
- _____I. Resolution to approve the purchase of Six Dell Optiplex 7010N Computers from Dell Marketing in the total amount of \$5,959.74 as authorized by State of Mississippi EPL No. 3658. Funding: Public Works Budget. Introduced by Mayor A. J. Holloway.
{*-[050614EPUR](#)}
- _____J. Resolution to approve the lowest and best quote received to stripe Oaklawn Road from J.L. McCool Contractors in the total amount of \$6,942.00. Funding: Capital Project Budget. Introduced by Mayor A. J. Holloway.
{*-[050614FPUR](#)}

5. CONSENT AGENDA-Continued

- _____K. Resolution to accept and authorize the final payment and to advertise the contract with Orocon Construction, LLC for Project No. K9561, Biloxi Bait & Fuel Building at Small Craft Harbor as complete. Introduced by Mayor A. J. Holloway.
{*-[050614BCP](#)}
- _____L. Resolution to renew the annual maintenance agreement with Election Systems Software, Inc. for the City of Biloxi's Voting Machines. Introduced by Mayor A. J. Holloway.
{*-[050614CCP](#)}
- _____M. Resolution authorizing lease with Overtime Sports Management Biloxi, LLC, for office space in Port Division Building in Biloxi Small Craft Harbor. Introduced by Mayor A. J. Holloway.
{*-[050614DCP](#)}
- _____N. Resolution requesting the Department of Defense to recognize National Defense and Security value of Keesler Air Force Base and its C-130 Training Program and to preserve and retain that program at Keesler during current fiscal re-organization. Introduced by Council Vice President Kenny Glavan.
{*-[050614ACOU](#)}
- _____O. Resolution rejecting bid of Lane Construction Company of Mississippi, Inc. and accepting bid of Hemphill Construction Co. for City Project No. KG630 for Biloxi Infrastructure Repair Program Phase 2 of Area 4 –Beauvoir (BEA2)–Edgewater. Introduced by Mayor A. J. Holloway.
{*-[050614ALEG](#)}
- _____P. Resolution accepting bid of Oscar Renda Contracting, Inc. as lowest and best bidder for the North Contract (SXS, GRN1 & 2, GRN3, GRN4, GRNS, GRS1 & 2, GRS3 & 4 and DIV1 & 2); City Project Nos. KG638, KG640, KG640, KG643 and K7112; and PW Nos. 11020, 11016, 11018, 11022, and 7112. Introduced by Mayor A. J. Holloway.
{*-[050614BLEG](#)}

6. ROUTINE AGENDA {*-050614RTN}

SECTION 1: To accept bids submitted by each vendor in the amount shown below as the lowest and/or best bid based on the recommendation of the Executive Branch to accept each such bid as follows:

- A. (Purchase #1) Annual Water & Sewer Supplies
Public Works Department
VENDOR – SEE ATTACHED
AMOUNT – SEE ATTACHED

SECTION 2: To authorize special assessment to code enforcement action taken to clean the following parcels:

- A. CITY PARCEL NO: 1310H-01-006.000
OWNER & ADDRESS: Ralph W. Marsh
325 Benachi Avenue
Biloxi, MS 39530
CONTRACTOR: John Boggan
RESOLUTION NO.: 111-14
ASSESSMENT AMOUNT: \$350.00

SECTION 3: To authorize approval of the claims listed on the docket of claims No. 2014G-03, in the amount of \$1,323,725.92, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

SECTION 4: To authorize approval of the claims listed on the docket of claims No. 2014G-04, in the amount of \$2,328,383.67, attached as Exhibit "B" and to authorize the Mayor and/or Municipal Clerk to pay said claims.