

**REVISED AGENDA  
BILOXI CITY COUNCIL MEETING  
Tuesday, February 16, 2016  
1:30 p.m.  
Council Chambers, 2<sup>nd</sup> floor of City Hall  
140 Lameuse Street, Biloxi, Mississippi**

**1. AGENDA ORDER**

**2. PRESENTATION AGENDA**

A. Mayor's Report

--Presentation of Longevity Awards to City employees

B. Departmental Report

C. Council's Report

**3. PUBLIC AGENDA**

**CODE ENFORCEMENT HEARINGS**

Cleared \_\_\_\_\_ A. Bombay Investment Company, LLC 1210I-04-013.000/1712 Beach Blvd.

Still in violation B. Gina G. Johnson, 1209D-01-001.077/2073 Woodfield Lane

Still in violation C. Lee Brother's, LLC, 1110O-01-020.000/2506 Beach Boulevard

Cleared \_\_\_\_\_ D. Daniel J. Rogers, 1110K-01-008.000/2555 Audubon Place

Still in violation E. Melinda White Madden, et al., 1410J-05-023.000/523 Jefferson Street  
**30 day extension on 12-15-15 and 30 day extension on 1-19-16**

Cleared \_\_\_\_\_ F. South Beach North, LLC c/o RW Development  
1210I-04-017.000/1736 Beach Boulevard  
**30 day extension on 12-15-15 and 30 day extension on 1-19-16**

**Citizens Comments-(Total allotted time 45 minutes)**

#### 4. POLICY AGENDA

##### ORDINANCES (First Reading)

Second Reading A. Ordinance to rescind Ordinance 2295 and amend Section 22-2-6 of the Code of Ordinances of the City of Biloxi, Mississippi of 1992 to provide for separate water meters for each unit of a multi-family dwelling. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616ALEG}

##### ORDINANCES (Second Reading)

2299 B. Ordinance to amend Section 21-1-3 of the Code of Ordinances of the City of Biloxi, Mississippi of 1992 to Provide Penalty for Violation of the Motor Vehicle For-Hire Authority’s Rules and Regulations. (NEED IF STAY IN MVFHA). Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-020216ILEG} **First reading on February 2, 2016**

##### RESOLUTIONS

54-16 C. Resolution for an application request for Conditional Use, to authorize a Single Family Residence to be converted into a Two-Family Dwelling upon land situated within an NB-Neighborhood Business zoning district, for property identified as 225 Gill Avenue. Case No. 16-005, Sola Gratis, LLC (owner) and John Crain (applicant). Submitted by the Planning Commission.  
{\*-021616BPC} Ward 1

55-16 D. Resolution granting partial tax exemption pursuant to an application filed by Shivam of America, LLC. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616CLEG}

56-16 E. Resolution granting **Conditional Use** approval to authorize the establishment of **Short-Term Rentals** (for time frames of less than 30 days) within an existing, single family residential unit, for property situated in a **RM-20 Medium-Density Multi-Family Residential** Zoning District and identified as 129 Lee Street. Case No. 15-035, Marvin D. Hendrix. Submitted by the Planning Commission.  
{\*-122915APC} Ward 1 **Tabled subject to call on December 29, 2015**

#### 4. POLICY AGENDA-Continued

- 57-16 \_\_\_\_\_ F. Resolution declaring the intention of the Mayor and City Council (the “Governing Body”) of the City of Biloxi, Mississippi (the “City”) to approve a revolving line of credit secured by a Grant Anticipation Note, Series 2016 (the “2016 Note”) of the City in the maximum principal amount of not to exceed Five Million and 00/100 dollars (\$5,000,000.00) to raise money for the purposes of providing interim financing to defray the cost of (1) sewer improvement and paving projects in the City; and (2) approving a revolving line of credit secured by the 2016 Note of the City, to be dated the date of delivery thereof, in the principal amount of not to exceed Five Million and 00/100 dollars (\$5,000,000.00); and other related matters. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616AEXC}

#### 5. CONSENT AGENDA

- 58-16 \_\_\_\_\_ A. Resolution confirming and approving Mayor's appointment of Jenny Tyler Baker as Public Defender for the Municipal Court of the City of Biloxi, Mississippi and for related purposes. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616BLEG}
- 59-16 \_\_\_\_\_ B. Resolution confirming and approving Mayor's appointment of Michael Alise as a Commissioner of the Biloxi Housing Authority for a term beginning on February 16, 2016 and ending February 15, 2021. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616FLEG}
- 60-16 \_\_\_\_\_ C. Resolution to approve entry into Interlocal Governmental Cooperation Agreement by and between Harrison County, Mississippi and the City of Biloxi, Mississippi for Tax Assessments and Collections for the Years 2016-2020. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616DLEG}
- 61-16 \_\_\_\_\_ D. Resolution to approve entry into Interlocal Governmental Cooperation Agreement by and between Harrison County, Mississippi and the City of Biloxi, Mississippi for the Years 2016-2020. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616ELEG}

**5. CONSENT AGENDA-Continued**

- 62-16 E. Resolution approving and authorizing mayor to execute Joinder in that certain cause of action in the Chancery Court of Harrison County, Second Judicial District, styled Anatole Bay Homeowners' Association v. City of Biloxi et al, Cause No. 16-31(1). Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616GLEG}
- 63-16 F. Resolution approving bid of Landmark Contracting, Inc. for City Project No. 972, C.T. Switzer Sr. Drive Enhancements, Federal Aid Project No. STP-7824-00(001)LPA/1 06640-701000. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616HLEG}
- 64-16 G. Resolution adopting and approving written procedures related to post-issuance compliance for outstanding obligations. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616ILEG}
- 65-16 H. Resolution to approve emergency repairs to Popp's Ferry Bridge dolphins pursuant to §31-7-13(k) of the Mississippi Code of 1974, Annotated. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616JLEG}
- 66-16 I. Resolution authorizing submittal of and committing match for a FY2016 Certified Local Government Grant Program application to the Mississippi Department of Archives and History. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616AED}
- 67-16 J. Resolution affirming the action and decision of the Building Official and authorizing special assessment of the Tax Roll for securing of a structure. Owned by: Alfonzo Walker, Jr., et al. City Parcel No. 1410F-02-020.000. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616ABD}
- 68-16 K. Resolution to approve and execute Change Order No. 1 with DNA Underground, LLC for the Petit Bois Drainage Project Phase II, Project No. CD 012. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616AFSP}

**5. CONSENT AGENDA-Continued**

- 69-16 \_\_\_\_\_ L. Resolution to accept, enter into, and execute the proposal submitted by Pickering Firm, LLC for the performance of professional engineering services on Project No. 967, Reynoir & Jackson Street Sidewalks. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616ACP}
- 70-16 \_\_\_\_\_ M. Resolution to accept, enter into, and execute Change Order No. 1 on the contract with Necaise Bros. Construction Co., Inc. for the Beauvoir (BEA2)- Edgewater Rebid Phase 2 of Area 4 of the Biloxi Infrastructure Project. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616BCP}
- 71-16 \_\_\_\_\_ N. Resolution to accept, enter into, and execute Change Order No. Two (2) on the contract with Hemphill Construction Co., Inc. for the City Project No. KG636/K7112, for North Biloxi Area 2, Phases 2, 4, 5, and 6. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616CCP}
- 72-16 \_\_\_\_\_ O. Resolution to accept, enter into, and execute Change Order No. Three (3) on the contract with Hemphill Construction Co., Inc. for the City Project No. KG636/K7112, for North Biloxi Area 2, Phases 2, 4, 5, and 6. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616DCP}
- 73-16 \_\_\_\_\_ P. Resolution to accept, enter into, and execute Change Order No. Four (4) on the contract with Hemphill Construction Co., Inc. for the City Project No. KG636/K7112, for North Biloxi Area 2, Phases 2, 4, 5, and 6. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616ECP}
- 74-16 \_\_\_\_\_ Q. Resolution to accept and execute Change Order No.6 on the contract with Starks Contracting, Inc. for Public Works Facility. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616FCP}
- 75-16 \_\_\_\_\_ R. Resolution to accept and execute Change Order No. 22 on the contract with Oscar Renda Contracting, Inc. for the Biloxi Infrastructure Repair Program, North Contract- SXSXN-KG638/K7112 (SXSXN, GRN1&2, GRN3, GRN4, GRN5, GRS1&2, GRS3&4, AND DIV1&2, Project Nos. KG6389/KG640/KG641/KG643/K7112 Construction. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-021616GCP}

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**5. CONSENT AGENDA-Continued**

- 76-16 S. Resolution to accept and execute Change Order No. 23 on the contract with Oscar Renda Contracting, Inc. for the Biloxi Infrastructure Repair Program, North Contract- SXSXN-KG638/K7112 (SXSXN,GRN1&2, GRN3, GRN4, GRN5, GRS1&2, GRS3&4, AND DIV1&2, Project Nos. KG6389/KG640/KG641/KG643/K7112 Construction. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616HCP}
- 77-16 T. Resolution to accept and execute Change Order No. 24 on the contract with Oscar Renda Contracting, Inc. for the Biloxi Infrastructure Repair Program, North Contract- SXSXN-KG638/K7112 (SXSXN,GRN1&2, GRN3, GRN4, GRN5, GRS1&2, GRS3&4, AND DIV1&2, Project Nos. KG6389/KG640/KG641/KG643/K7112 Construction. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616ICP}
- 78-16 U. Resolution to accept and execute Change Order No. 25 on the contract with Oscar Renda Contracting, Inc. for the Biloxi Infrastructure Repair Program, North Contract - SXSXN-KG638/K7112 (SXSXN,GRN1&2, GRN3, GRN4, GRN5, GRS1&2, GRS3&4, AND DIV1&2, Project Nos. G6389/KG640/KG641/KG643/K7112 Construction. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616JCP}
- 79-16 V. Resolution to accept the Base Bid, Alternate 2, Alternate 3, additive Alternate A and additive Alternate submitted by Advanced Construction & Development, LLC., to award a contract and accept a budget transfer for Project No. 982, Hiller Park Pedestrian Access Improvements. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616KCP}
- 80-16 W. Resolution to correct the duplication in assigned capital project numbers by assigning Project No. 988 to the project known as "Parker's Creek Landing Boat Launch Project". Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616LCP}
- 81-16 X. Resolution authorizing purchase of sidearm by retiring member of the Biloxi Police Department (Anthony Proctor). Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616APD}

**82-16 \_\_\_\_\_ 6. ROUTINE AGENDA** {\*-021616RTN}

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

A. CITY PARCEL NO.: 1410F-05-045.000  
OWNED BY: Johanna Jackson & J.S. Fairley  
ADDRESS: 1612 Shelby Lane  
Ocean Springs, MS 39564

CONTRACTOR: Doug deSilvey  
RESOLUTION NO.: 671-15  
ASSESSMENT AMOUNT: \$288.00

Section 2: To authorize approval of the claims listed on the docket of claims No. 2016E-01, in the amount of \$455,102.69, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

Section 3: To authorize approval of the claims listed on the docket of claims No. 2016E-02, in the amount of \$1,873,091.62, attached as Exhibit "B" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

Section 4: The foregoing warrants that are being approved cannot be released until funds have been received by the City of Biloxi and have been deposited into the bank.

**83-16 \_\_\_\_\_ .** Resolution for Executive Session to discuss litigation strategy with respect to that cause of action styled Kennedy v. City of Biloxi, et al., in the United States District Court, Southern District of Mississippi, Southern Division, Case No. 1:15cv00348 HSO-JCG. Introduced by Mayor Andrew "FoFo" Gilich.  
{\*-021616APD}