

AGENDA
BILOXI CITY COUNCIL MEETING
Tuesday, December 15, 2020
1:30 p.m.
Council Chambers, 2nd floor of City Hall
140 Lameuse Street, Biloxi, Mississippi

1. AGENDA ORDER

2. PRESENTATION AGENDA

- A. Mayor's Report
- B. Departmental Report
- C. Council's Report

3. PUBLIC AGENDA

Citizens Comments-(Total allotted time 45 minutes)

4. POLICY AGENDA

ORDINANCES (First Reading)

- _____A. Ordinance to amend Section 22-2-32(e) of the Code of Ordinances relating to the Sewer Rate Schedule. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520ALEG](#)}

ORDINANCES (Second Reading)

- _____B. Ordinance to amend The Land Development Ordinance, specifically to amend Section 23-4-3(0) and Section 23-10-2 for regulations pertaining to Short-Term Rental and Timeshare Uses. Case No. 20-016, City of Biloxi. Submitted by the Planning Commission.
{*-[120120FPC](#)} **First reading on December 1, 2020**

RESOLUTIONS

- _____C. Resolution declaring intent to grant certain tax rebate and tax increment financing incentives to Biloxi Capital, LLC, to induce private equity and lenders to commit to financing Biloxi Capital's proposed new \$700 million, 1,300-room hotel and resort on the former Tivoli Hotel property on Highway 90 in Biloxi; and for related purposes. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520DLEG](#)}

4. POLICY AGENDA-Continued

- _____D. Resolution declaring the intention of the Governing Body to issue Tax Increment Financing Bonds of said City in an aggregate principal amount not to exceed seventy-eight million dollars (\$78,000,000) to finance the cost of installing and constructing certain infrastructure improvements in connection with the redevelopment of the Broadwater in accordance with the authority granted to municipalities by the Legislature with respect to tax increment financing (“TIF”) as set forth in Chapter 45 of Title 21, Mississippi Code of 1972, as amended, and with respect to the Regional Economic Development Act (“REDA”) as set forth in Chapter 64 of Title 57, Mississippi Code of 1972, as amended; finding and determining that such Project is a Project eligible for Tax Increment Financing in accordance with said TIF Act; directing the holding of a public hearing regarding a Tax Increment Financing Plan in connection with the Project with notice of the hearing to be in substantially similar form as the notice attached as Exhibit “A” to this resolution; authorizing the Mayor to apply to the Mississippi Development Authority for Certification of Convenience and necessity for the Project under the REDA Act and authorizing the Mayor to execute an agreement with the Harrison County Board of Supervisors to form a Regional Alliance under the REDA Act with terms and conditions in substantially similar form as the agreement attached as Exhibit “B” to this Resolution; and for related purposes. Introduced by Mayor A.M. Gilich, Jr.
{*-121520ELEG}
- _____E. Resolution granting Conditional Use Approval, to authorize the construction of a Bulk Fuel/Storage Tank upon two parcels situated within the WF Waterfront District zone for a property site identified as 1816 Beach Boulevard & 143 McDonnell Avenue. Case No. 20-044, RW Development, LLC (owner) and Terry Moran (applicant). Submitted by the Planning Commission.
{*-121520APC} Ward 3
- _____F. Resolution to grant Conditional Use Approval, to authorize an existing residence to be utilized as a Short-Term Rental, for property situated within an RM-20 Medium-Density Multi-Family Residential Zone and identified by municipal address 134 Lee Street. Case No. 20-045, Richard & Rebecca Johnson (owners) and Tanya Darrow (applicant). Submitted by the Planning Commission.
{*-121520BPC} Ward 1

4. POLICY AGENDA-Continued

- _____ G. Resolution to grant Conditional Use approval, to authorize an existing residence to be utilized as a Short- Term Rental, for property situated within an NB neighborhood business zone and identified by municipal address 306 Fourth Street. Case No. 20-046, Andre Huu. Submitted by the Planning Commission.
{*-121520CPC} Ward 1

5. CONSENT AGENDA

- _____ A. Resolution continuing the declaration of a State Of Emergency for Hurricane Zeta in the City of Biloxi, Mississippi, 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.M. Gilich, Jr.
{*-121520AEXC}
- _____ B. Resolution authorizing settlement of claim by Allen Douglas Hale. Introduced by Mayor A.M. Gilich, Jr.
{*-121520CLEG}
- _____ C. Resolution authorizing purchase of sidearm by retiring member of the Biloxi Police Department (Daniel Brown). Introduced by Mayor A.M. Gilich, Jr.
{*-121520APD}
- _____ D. Resolution accepting donation of a Crown Forklift from the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives by the City of Biloxi Police Department. Introduced by Mayor A.M. Gilich, Jr.
{*-121520BPD}
- _____ E. Resolution to approve and authorize the lowest and best quote received to replace the shade structure at Point Cadet from J.A. Dawson in the total amount of \$16,025.28. Funding: DE 171 Hurricane Nate. Introduced by Mayor A.M. Gilich, Jr.
{*-121520APUR}

5. CONSENT AGENDA-Continued

- _____F. Resolution to approve and authorize the lowest and best quote received to replace the shade structure at Miramar Park from Jefcoat Construction in the total amount of \$35,525.00. Funding: DE 171 Hurricane Nate. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520BPUR](#)}
- _____G. Resolution authorizing payment to Gulf Regional Planning Commission. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520ACON](#)}
- _____H. Resolution authorizing entry into First Amendment to Tri-Party Agreement for Downtown Housing Incentive Grant and Related Services, by and among the City of Biloxi, Edward R. Evans, Jr. and Gulf Coast Main Street Corporation d/b/a Biloxi Main Street District, a Mississippi non-profit corporation. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520BCON](#)}
- _____I. Resolution authorizing entry into Second Amendment to Tri-Party Agreement for Downtown Housing Incentive Grant and Related Services, by and among the City of Biloxi, JTG Properties, LLC and Gulf Coast Main Street Corporation d/b/a Biloxi Main Street District, a Mississippi non-profit corporation. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520CCON](#)}
- _____J. Resolution authorizing entry into First Amendment to Tri-Party Agreement for Downtown Housing Incentive Grant and Related Services, by and among the City of Biloxi, Michael Griffin, Angela Griffin and Gulf Coast Main Street Corporation d/b/a Biloxi Main Street District, a Mississippi non-profit corporation. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520DCON](#)}
- _____K. Resolution authorizing renewal of CMT Advantage Software Maintenance Plan Agreement with CrossMatch Technologies, Inc. for CrossMatch. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520ECON](#)}
- _____L. Resolution authorizing entry into Sparklight Business Fiber Services Agreement with Sparklight f/k/a CableOne for the provision of internet data services. Introduced by Mayor A.M. Gilich, Jr.
{*-[121520FCON](#)}

5. CONSENT AGENDA-Continued

- _____M. Resolution authorizing renewal of software as a Service Agreement with PowerDetails, LLC. Introduced by Mayor A.M. Gilich, Jr.
{*-121520GCON}
- _____N. Resolution authorizing renewal of terms of use and service subscription with Callyo for Callyo. Introduced by Mayor A.M. Gilich, Jr. {*-121520HCON}
- _____O. Resolution authorizing Change Order No. Two (2) to Standard Form of Agreement with SCI, Inc. for Capital Project No. 994: Woolmarket Road East Drain. Introduced by Mayor A.M. Gilich, Jr.
{*-121520ICON}
- _____P. Resolution authorizing entry into Tidelands Award Grant Agreement with the Mississippi Department of Marine Resources ("MDMR"), accepting said Grant and amending the municipal budget for fiscal year ending September 30, 2021, to recognize grant funds into the budget for Capital Project No. 1069 Kuhn Street Boat Ramp. Introduced by Mayor A.M. Gilich, Jr.
{*-121520JCON}
- _____Q. Resolution authorizing entry into Tidelands Award Grant Agreement with the Mississippi Department of Marine Resources ("MDMR"), accepting said Grant and amending the municipal budget for fiscal year ending September 30, 2021, to recognize grant funds into the budget for Capital Project No. 1077: Hiller Park Boat Launch. Introduced by Mayor A.M. Gilich, Jr.
{*-121520KCON}
- _____R. Resolution authorizing entry into Tidelands Award Grant Agreement with the Mississippi Department of Marine Resources ("MDMR"), accepting said Grant and amending the municipal budget for fiscal year ending September 30, 2021, to recognize grant funds into the budget for Capital Project No. 1076: Eagle Point Clean-Up. Introduced by Mayor A.M. Gilich, Jr. {*-121520LCON}
- _____S. Resolution authorizing entry into Tidelands Award Grant Agreement with the Mississippi Department of Marine Resources ("MDMR"), accepting said Grant and amending the municipal budget for fiscal year ending September 30, 2021, to recognize grant funds into the budget for Capital Project No. 1054: Eagle Point Park Development. Introduced by Mayor A.M. Gilich, Jr.
{*-121520MCON}

5. CONSENT AGENDA-Continued

- _____T. Resolution amending Resolution No. 541-20 authorizing entry into Volume Licensing Agreement with Dell, Inc. and/or Microsoft Corporation for the licensing of Microsoft products City-wide. Introduced by Mayor A.M. Gilich, Jr.
{*-121520NCON}
- _____U. Resolution authorizing Fourth Amendment to Fire Extinguisher Maintenance Agreement with Southern Fire Sprinkler, Inc. Introduced by Mayor A.M. Gilich, Jr.
{*-121520OCON}
- _____V. Resolution authorizing renewal of Agreement for Equipment Maintenance and Addendum with C&A Associates, Inc. for Padtrax and associated thermal printers utilized by the Biloxi Police Department. Introduced by Mayor A.M. Gilich, Jr.
{*-121520PCON}
- _____W. Resolution authorizing renewal of Maintenance Agreement with ConvergeOne for Syn-Apps. Introduced by Mayor A.M. Gilich, Jr.
{*-121520QCON}
- _____X. Resolution authorizing renewal of VMWare License with ConvergeOne. Introduced by Mayor A.M. Gilich, Jr.
{*-121520RCON}
- _____Y. Resolution authorizing renewal of maintenance services with ConvergeOne for the City of Biloxi's firewall. Introduced by Mayor A.M. Gilich, Jr.
{*-121520SCON}
- _____Z. Resolution authorizing continuation of Cisco Support Services for Smartnet, provided by ConvergeOne f/k/a Venture technologies in connection with City-wide maintenance of network switches. Introduced by Mayor A.M. Gilich, Jr.
{*-121520TCON}
- _____AA. Resolution authorizing contract between the City of Biloxi, Mississippi and Back Bay Mission for low income housing rehabilitation program. Introduced by Mayor A.M. Gilich, Jr.
{*-121520UCON}

5. CONSENT AGENDA-Continued

- _____BB. Resolution authorizing renewal and execution of Memorabilia Loan Agreement with Hard Rock Cafe International (STP), Inc. Introduced by Mayor A.M. Gilich, Jr.
{*-121520XCON}
- _____CC. Resolution authorizing entry into agreements with OptumHealth Care Solutions, LLC and Health Contributions, LLC for participation in reimbursement plan with UnitedHealthcare for memberships at the Donal Snyder Community Center. Introduced by Mayor A.M. Gilich, Jr.
{*-121520YCON}
- _____DD. Resolution accepting the proposal of David O'Neal and authorizing entry into Concession Services Agreement for concession services for the Biloxi Sports Complex and Donal Snyder Community Center. Introduced by Mayor A.M. Gilich, Jr.
{*-121520ZCON}
- _____EE. Resolution amending the municipal budget for fiscal year ending September 30, 2021, to close Capital Project No. 1004: Fire Station No. 7, 8, & 10 Design. Introduced by Mayor A.M. Gilich, Jr.
{*-121520AACON}
- _____FF. Resolution amending the municipal budget for fiscal year ending September 30, 2021, to close Capital Project No. 1019: Municipal Building Roof Repairs. Introduced by Mayor A.M. Gilich, Jr.
{*-121520BBCON}
- _____GG. Resolution amending the municipal budget for fiscal year ending September 30, 2021, to close Capital Project No. 1027: Fire Station No. 10. Introduced by Mayor A.M. Gilich, Jr.
{*-121520CCCON}
- _____HH. Resolution amending the municipal budget for fiscal year ending September 30, 2021, to close Capital Project No. 1042: Ellzey Place Extension. Introduced by Mayor A.M. Gilich, Jr.
{*-121520DDCON}
- _____II. Resolution amending the municipal budget for fiscal year ending September 30, 2021, to close Capital Project No. 1060: Churchill Drive Ditch and transfer the remaining balance to Capital Project No. 1025: Citywide Street Repairs. Introduced by Mayor A.M. Gilich, Jr.
{*-121520EECON}

{*}-Denotes document name for internet access <http://biloxi.ms.us>
Also available in alternative format.

5. CONSENT AGENDA-Continued

- _____JJ. Resolution authorizing request for reallocation of remaining balances of Tidelands Grant Awards to Capital Project No. 1077: Hiller Park Boat Launch. Introduced by Mayor A.M. Gilich, Jr.
{*-121520FFCON}
- _____KK. Resolution amending the municipal budget for fiscal year ending September 30, 2021, to close Capital Project No. 1037: Old Brick House Sidewalk. Introduced by Mayor A.M. Gilich, Jr.
{*-121520GGCON}
- _____LL. Resolution amending the municipal budget for fiscal year ending September 30, 2021, to close Capital Project No. 1072: Wave Outfalls. Introduced by Mayor A.M. Gilich, Jr.
{*-121520HHCON}
- _____MM. Resolution authorizing entry into Merchant Agreement with Bandwango, Inc. to participate in Bandwango's attractions pass program for the City of Biloxi Lighthouse. Introduced by Mayor A.M. Gilich, Jr.
{*-121520IICON}
- _____NN. Resolution requesting the assistance of Harrison County and the City of Gulfport in the repair of Debuys Road. Introduced by Mayor A.M. Gilich, Jr.
{*-121520JJCON}
- _____OO. Resolution declaring Thursday, December 31, 2020, as a One Time Discretionary Holiday for the City of Biloxi Employees, except for emergency personnel. Introduced by Council President Nathan Barrett.
{*-121520COU}
- _____PP. Resolution to establish the City Council monthly meeting schedule for the 2021 calendar year. Introduced by Council President Nathan Barrett.
{*-121520ACOU}
- _____QQ. Resolution authorizing the Biloxi Fire Department to apply for grant monies from the Walmart Grant Foundation for Annual Kids Fire Safety Camp in the amount of \$2,500.00 with no cost match. Introduced by Mayor A.M. Gilich, Jr.
{*-121520AFD}

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5. CONSENT AGENDA-Continued

- _____RR. Resolution authorizing addendum to extend time to Preliminary Engineering Services Contract with Neel-Schaffer, Inc. for Capital Project No. 1071: Atkinson Road Traffic Study. Introduced by Mayor A.M. Gilich, Jr.
{*-121520KKCON}
- _____SS. Resolution authorizing purchase of sidearm by retiring member of the Biloxi Police Department (James D. Owens). Introduced by Mayor A.M. Gilich, Jr.
{*-121520CPD}
- _____TT. Resolution partially rescinding Resolution No. 460-20 regarding legal proceedings for eminent domain of property needed for the Poppo Ferry Extension Project. Introduced by Mayor A.M. Gilich, Jr.
{*-121520BLEG}
- _____UU. Resolution declaring two fire trucks surplus for purposes of sale. Introduced by Mayor A.M. Gilich, Jr.
{*-121520FLEG}

6. CODE ENFORCEMENT HEARINGS

- _____A. Allegiant Equities, LLC, 1110M-01-002.000/2660 Beach Boulevard
- _____B. Catherine S. Souris, 1210I-01-020.000/0 Rodenberg Avenue
- _____C. R.W. Development, LLC, 1210J-02-017.000/105 McDonnell Avenue

_____7. ROUTINE AGENDA {*-121520RTN}

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 No. 1) | Police Department- Boots/Shoes |
| | VENDOR – | Midsouth Solutions |
| | AMOUNT – | See Bid |

7. ROUTINE AGENDA- Continued

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

A. CITY PARCEL NO.: 1410I-06-107.000
OWNED BY: John & Edith Garcia
ADDRESS: 5141 Sandy Forge Drive
Indianapolis, IN 46221
CONTRACTOR: Mike Supple
RESOLUTION NO.: 622-20
ASSESSMENT AMOUNT: \$389.00

Section 3: To authorize approval of the claims listed on the docket of claims No. 2021C-02, in the amount of \$1,391,797.40, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

Section 4: To authorize approval of claims listed on the docket of claims No. 11-2021, in the amount of \$3,635,450.84 to Payroll, Fringes, and PERS, attached as Exhibit "B" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

Section 5: To authorize approval of claims listed on the docket of claim No. 01-2021, in the amount of \$1,037,238.29 for distributed funds collected from Gaming and Property Taxes attached as Exhibit "C" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

Section 6: 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.