

Resolution No. 361-18

RESOLUTION APPROVING ENTRY INTO BUILDING LEASE, NON-EXCLUSIVE PARKING AREA USE AND CONCESSION SERVICES AGREEMENT WITH BILOXI WATERSHED, LLC FOR POPP'S FERRY CAUSEWAY PARK

WHEREAS, as a part of Capital Project No. 990: Popp's Ferry Causeway Park (the "Recreational Park"), the City of Biloxi (the "City") has constructed within the Recreational Park a building with the intent of leasing said building to an independent entity for the purposes of operating a bait shop/concession stand/kayak rental facility (the "Bait Shop"), pursuant to the authority of Miss. Code Ann Section 21-37-13, Section 27-37-15, Section 59-15-1; and Section 59-7-405; and

WHEREAS, the City advertised a Request for Proposals for the lease of the Bait Shop and concessions within the Popp's Ferry Causeway Park; and

WHEREAS, the proposal received from Biloxi Watershed, LLC ("Biloxi Watershed") will promote and foster the development and improvement of the community and the civic, social, educational, cultural, moral, economic or industrial welfare thereof and is in the best interest of the economic growth and development of the City, and advance the intent of the statutes set forth above; and

WHEREAS, Biloxi Watershed's proposal is consistent with City plans applicable to the Recreational Park; and

WHEREAS, Biloxi Watershed's proposed use of the Bait Shop will comply with laws and ordinances pertaining to the site; and

WHEREAS, acceptance of Biloxi Watershed's proposal will result direct and indirect economic benefits to the City; and

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WHEREAS, upon receipt and review of the proposals received, the City, in its sole and absolute discretion, has determined that based on the criteria stated in its Request for Proposals, Biloxi Watershed's proposal best fulfills the requirements; and

WHEREAS, in addition to leasing the Bait Shop, the proposal submitted by Biloxi Watershed includes provisions for providing concessions throughout the Recreational Park, which will serve to entice visitors to the Recreational Park and enrich their experience of the Recreational Park, while serving a higher public purpose of promoting the public access to and public use of tidelands, submerged lands and waters of the State of Mississippi; and

WHEREAS, it is appropriate that the City enter into the Building Lease, Non-Exclusive Parking Area Use, and Concessions Services Agreement (the "Agreement"), the form of which is attached hereto as Exhibit "A," with Biloxi Watershed for the safety and convenience of the general public in the use and enjoyment of, and the overall enhancement of recreational and educational experience within the Recreational Park.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BILOXI, MISSISSIPPI, THAT:

Section 1: The findings, conclusions, and statements of fact contained in the foregoing preamble are hereby adopted, ratified, and incorporated herein.

Section 2: The Mayor is, on behalf of the City of Biloxi, authorized to accept, execute, and enter into the Building Lease, Non-Exclusive Parking Area Use, and Concessions Services Agreement, with Biloxi Watershed, LLC, in substantially the form as attached hereto as Exhibit "A."

Section 3: This resolution shall take effect and be in force from and after adoption.

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The foregoing Resolution having first been reduced to writing, was read by the Clerk and moved by Councilmember Newman, seconded by Councilmember Tisdale, and was adopted by the following vote:

YEAS:	Lawrence	Tisdale	NAYS:	None
	Gines	Glavan		
	Newman	Barrett		
	Deming			

The President then declared the Resolution adopted this the 3rd day of July, 2018.



ATTEST:

APPROVED:

Karen L. Breashere
CLERK OF THE COUNCIL

[Signature]
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 10th day of July, 2018.

APPROVED:

[Signature]
MAYOR