

By: Representative Read

To: Local and Private
Legislation

HOUSE BILL NO. 1934

1 AN ACT TO AMEND CHAPTER 935, LOCAL AND PRIVATE LAWS OF 2019,
2 WHICH AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF GAUTIER,
3 MISSISSIPPI, TO ENTER INTO LONG-TERM AGREEMENTS RELATED TO THE
4 FINANCING AND DEVELOPMENT OF THE SINGING RIVER MALL SITE AND
5 RELATED ANCILLARY FACILITIES, BY REVISING THE PARCELS THAT ARE
6 INCLUDED IN SUCH SITE; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Chapter 935, Local and Private Laws of 2019, is
9 amended as follows:

10 Section 1. As used in this act, the following terms shall
11 have the following meanings unless a different meaning is clearly
12 indicated by the context in which they are used:

13 (a) "City" means the City of Gautier, Mississippi.

14 (b) "Singing River Mall site" means real property
15 within the City of Gautier comprising approximately eighty-eight
16 (88) acres more accurately identified by Jackson County,
17 Mississippi, Parcel Identification Numbers 82435270.100,
18 82435270.109, 82435270.101, 82435270.107, 82435270.040 * * *,
19 82426590.020, 87116101.000, 87116105.000, 82435270.040 and
20 82426590.020.



21 (c) "Developer" means an individual, partnership,
22 limited liability company or corporation with demonstrable
23 experience with similar projects, including structuring and
24 securing a variety of public and private financings, turnkey
25 developments or redevelopment projects, including, but not limited
26 to, retail stores, full-service hotels, offices, medical
27 facilities, commercial space, residential properties and other
28 related properties, as well as ownership, management and operation
29 of such properties.

30 (d) "Governing authorities" means the mayor and council
31 members of the city.

32 (e) "Site" means the Singing River Mall site.

33 (f) "Project" means development or redevelopment
34 projects to be undertaken at the Singing River Mall site,
35 including, but not limited to, construction, management,
36 operation, ownership, leasing and maintenance of retail stores,
37 full-service hotels, offices, medical facilities, commercial
38 space, residential properties and other related properties, and
39 which may be part of an urban renewal project under Title 43,
40 Chapter 35, Mississippi Code of 1972, as amended from time to
41 time.

42 Section 2. The city, acting through its governing
43 authorities, is authorized and empowered to acquire by purchase,
44 lease or other means the site.



45 Section 3. The city, acting through its governing
46 authorities, is authorized and empowered to negotiate and to enter
47 into an agreement or agreements with any developer whereby the
48 developer will agree to acquire, construct, develop, manage,
49 operate and/or own the project or any portion thereof.
50 Thereafter, the city, acting through its governing authorities,
51 may execute such contract and deliver deeds, leases and other
52 instruments and take all steps necessary to effectuate such
53 contract or contracts. Prior to entering into such an agreement
54 or agreements, the city shall find that the entry of such contract
55 or contracts is in the best interest of the public and shall place
56 such finding in its minutes.

57 Section 4. The city, acting through its governing
58 authorities, is authorized and empowered to sell, lease, trade,
59 exchange or otherwise dispose of the site and/or the improvements
60 thereon owned by the city in connection with the project, upon
61 such terms and conditions as the city deems necessary and proper,
62 including the authority and power to enter into a binding lease
63 agreement, management contract or other such agreement related to
64 the project, for a term not to exceed seventy-five (75) years
65 concerning all or any portion of the project. The city is further
66 authorized to enter into such agreements to sell, lease, trade,
67 exchange or otherwise dispose of the site and/or the improvements
68 thereon owned by the city in connection with the project, for
69 consideration less than fair market value, the sufficiency of such



70 consideration being within the sole discretion of the city. Prior
71 to entering into any agreement involving consideration which is
72 less than fair market value, the city must first determine and
73 find that the proposed development and/or redevelopment will
74 create economic growth in and surrounding the site, and that the
75 city will realize economic, social and community benefits from the
76 development and/or redevelopment, and the city shall place these
77 findings in its minutes. The city is further authorized to
78 acquire by gift, purchase or otherwise any real property and/or
79 improvements thereon and to own, hold, maintain, control and
80 develop such real property, including the site and/or the
81 improvements thereon, for any purpose in connection with the
82 project, including the authority and power to enter into a binding
83 lease agreement, management contract or other such agreement
84 related to the project for a term not to exceed seventy-five (75)
85 years concerning all or any portion of the project.

86 Section 5. In the event the city elects to issue bonds to
87 finance the acquisition, development, construction, ownership or
88 operation of the project, including the site, then bonds issued
89 shall never constitute an indebtedness of the city within the
90 meaning of any state constitutional provision or statutory
91 limitation, including, but not limited to, the limitation on
92 indebtedness imposed by Section 21-33-303, Mississippi Code of
93 1972.



94 Section 6. This act shall be deemed to be full and complete
95 authority for the exercise of powers granted under this act and
96 shall not be in derogation of any existing law of this state,
97 but shall be considered additional, supplemental and alternative
98 to any other authority granted by law.

99 **SECTION 2.** This act shall take effect and be in force from
100 and after its passage.

