

By: Senator(s) Wiggins

To: Local and Private

SENATE BILL NO. 3263

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, TO INCLUDE ADDITIONAL PARCEL NUMBERS
6 IN THE DEFINITION OF "SINGING RIVER MALL SITE"; AND FOR RELATED
7 PURPOSES.

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

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

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

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

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



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

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

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

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

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



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

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



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

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



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

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

