

By: Senator(s) Wiggins

To: Local and Private

COMMITTEE SUBSTITUTE
FOR
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 CORRECT THE PARCEL NUMBERS IN THE
6 DEFINITION OF "SINGING RIVER MALL 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 * * * 87116101.000,
18 87116105.000, 82435270.040 and 82426590.020.

19 (c) "Developer" means an individual, partnership,
20 limited liability company or corporation with demonstrable



21 experience with similar projects, including structuring and
22 securing a variety of public and private financings, turnkey
23 developments or redevelopment projects, including, but not limited
24 to, retail stores, full-service hotels, offices, medical
25 facilities, commercial space, residential properties and other
26 related properties, as well as ownership, management and operation
27 of such properties.

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

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

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

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

43 Section 3. The city, acting through its governing
44 authorities, is authorized and empowered to negotiate and to enter
45 into an agreement or agreements with any developer whereby the



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

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



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

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

92 Section 6. This act shall be deemed to be full and complete
93 authority for the exercise of powers granted under this act and
94 shall not be in derogation of any existing law of this state,



95 but shall be considered additional, supplemental and alternative
96 to any other authority granted by law.

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

