



City of Gulfport, Mississippi

Minutes City Council

2309 15th Street
Gulfport, MS 39501

Tuesday, July 21, 2020

1:30 PM

*Gulfport City Hall
Council Chambers*

1:30 P.M. Invocation, Pledge of Allegiance, Call to Order

The Mayor and Members of Council met at City Hall at 1:30 P.M., on the above date, same being an adjourned meeting from a Regular Meeting on July 7, 2020 at 1:30 P.M.

Present: Mayor Billy Hewes, CAO Dr. John Kelly, General Counsel Hugh Keating, Clerk of Council Brittany Rodgers, **Councilmembers:** Kenneth Casey (out at 3:08 P.M.), Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers (out at 3:09 P.M.), and Cara Pucheu.

The President announced a quorum and called the meeting to order.

Agenda Order

Motion to Accept the Agenda, with the following adjustments: Add item 6 - A - Acceptance for Perpetual Maintenance - Oak Island Subdivision public improvements, and transfer of any remaining streetlight accounts to the City of Gulfport - Case # 0011PC243 - Ward 4., and Add item 17 - A - Resolution - authorizing the City Clerk to coordinate with Harrison County and the Circuit Clerk for use of voting machines and other supplies for the Municipal Special Election on the Mississippi Power Company Franchise, and for related purposes, Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Motion to Amend the Docket of Claims to remove Invoice 286742, a \$5,000 payment to Boys and Girls Club of the Gulf Coast, Moved By R.Lee Flowers, Seconded by Cara Pucheu

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Presentation Agenda

- Mayor's Report

Policy Issues

Appointments

- 1 Ratification - of appointment to the Construction Board of Adjustments and Appeals.

Motion to Ratify appointment to the Construction Board of Adjustments and Appeals, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Appointment Tommy Ladner - Construction Board of Adjustments and Appeals](#)

- 2 Ratification - of re-appointment to the Construction Board of Adjustments and Appeals.

Motion to Ratify re-appointment to the Construction Board of Adjustments and Appeals, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Re-Appointment Brian Dee Dove - Construction Board of Adjustments and Appeals.](#)

- 3 Ratification - of re-appointment to the Gulfport Redevelopment Commission.

Motion to Ratify re-appointment to the Gulfport Redevelopment Commission, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Re-Appointment Carole Lynn Meadows - GRC](#)

- 4 Ratification - of re-appointment to the Memorial Hospital Board of Trustees.

Motion to Ratify re-appointment to the Memorial Hospital Board of Trustees, Moved By Ron Roland, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Re-Appointment A.J.M. "Butch" Oustalet, III - Memorial Hospital Board of Trustees](#)

- 5 Ratification - of re-appointment to the Zoning Board of Adjustments and Appeals.

Motion to Ratify re-appointment to the Zoning Board of Adjustments and Appeals, Moved By Ron Roland, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Re-Appointment Nathan Boddie - Zoning Board of Adjustments and Appeals](#)

Code Enforcement / Planning

- 6 Code Enforcement Hearing - on resolution to declare that certain properties are in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and to authorize advertisements for bids and lot clean-ups and/or demolitions.

*** This item was taken 1st ***

Motion to Open the Code Enforcement Hearing, Moved By Kenneth Casey, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

There being no one present to object or address the Council, Motion to Close the Hearing and Approve the Resolution, Moved By Kenneth Casey, Seconded by R.Lee Flowers

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[CE Notice of Hearing Letters and Postings](#)

[Resolution - authorizing advertisement for bids - Signed](#)

- 6 – A** Acceptance for Perpetual Maintenance – Oak Island Subdivision public improvements, and transfer of any remaining streetlight accounts to the City of Gulfport – Case # 0011PC243 - Ward 4.

***This item was taken 2nd ***

Motion to Table, Moved By Kenneth Casey, **Seconded by** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, R.Lee Flowers, Cara Pucheu

Absent: Myles Sharp

Ordinances

- 7** Ordinance - amending Ordinance No. 2805 (Section 1-199.3(a) of the City of Gulfport's Code of Ordinances) to limit and clarify eligibility for the Tax Abatement Program set forth in Section 1-198, et seq. of the City's Code of Ordinances, and for related purposes.

*** This item was taken 3rd ***

Motion to Table, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By The Following Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Nay: R.Lee Flowers

*** The following actions were taken after Executive session. ***

Motion to Take off the Table, Moved By Ron Roland, **Seconded by** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Motion to Adopt Ordinance, Moved By Ron Roland, **Seconded by** Rusty Walker

Vote: Motion Carried By The Following Roll Call Vote

Aye: Ron Roland, Rusty Walker, Myles Sharp, Cara Pucheu

Nay: Ella Holmes-Hines

Absent: Kenneth Casey, R.Lee Flowers

Attachment(s):

[Ordinance 3038 - Signed](#)

Public Hearing / Resolutions

- 8 Public Hearing - on Private Deep Water Well Application.

There being no one present to object or address the Council, Motion to Close the Public Hearing, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Request for Permit for Deep Well, Roy Anderson III](#)

- 9 Resolution - approving Contracts with Danny Meadors and Mary Collins for Election Consultation Services, authorizing the Mayor to execute the same, and for related purposes.

*** This item was taken 4th ***

Motion to Approve, Moved By R.Lee Flowers, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Danny Meadors - Election Consultation Services Agreement - Signed](#)

- 10 Resolution - approving Cooperative Agreement between the Gulfport Job Corps and the Law Enforcement Agency of the City of Gulfport, authorizing the Mayor and Police Chief to execute the same, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Job Corps - Cooperative Agreement GPD](#)

- 11** Resolution - approving Form of Vendor Space Agreement in connection with the Harbor Lights Winter Festival, authorizing the Director of Leisure Services or Sportsplex Manager to execute the same as Mayor's Designee, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - Form of Vendor Space - Harbor Lights Winter Festival - Signed](#)

- 12** Resolution - approving Right of Entry in favor of the Mississippi Department of Marine Resources (and others), authorizing the Mayor to execute the same, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - ROE MDMR GOMESA - Signed](#)

- 13** Resolution - approving Change Order #4 to Contract with Phoenix Fabricators and Erectors, LLC, for the Bayou View Water Tank Replacement Project, authorizing the Mayor to execute said Change Order, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - Change Order #4 Bayou View Water Tank Replacement - Phoenix Fabricators and Erectors, LLC - Signed](#)

- 14** Resolution - approving Supplemental Agreement No. 2 to Contract with Covington Civil and Engineering, LLC, for Construction Engineering and Inspection Services in connection with the Bayou View Water Tank Replacement Project, authorizing the Mayor to execute said Agreement, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - Supp Agreement #2 Bayou View Water Tank Replacement - Covington Civil and Engineering, LLC - Signed](#)

- 15** Resolution - approving Sub-Recipient Agreement with Open Doors Homeless Coalition as approved in the Program Year 2019 for the Community Development Block Grant Action Plan Substantial Amendment #1 (CDBG-CV) and the 2017-2021 CDBG Consolidated Plan budgeting use of a Cares Act Allocation, authorizing the Mayor to execute said Agreement, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - Sub-Recipient Agreement - Open Doors Homeless Coalition - Signed](#)

- 16** Resolution – approving Certificate of Partial Substantial Completion of Downtown Streetscape Improvements Project Phase III, authorizing the Mayor to execute the same, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - Partial Substantial Completion \(Landscaping and Irrigation\) Downtown Streetscape Phase 3 - Signed](#)

- 17** Resolution - authorizing the Gulfport Police Department to apply for a FY 2020 Mississippi Department of Public Safety Office of Homeland Security Grant, authorizing all required parties to execute any and all documents as may be required to make said Application, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - FY20 MDPS OHS Grant App - Signed](#)

- 17 – A** Resolution - authorizing the City Clerk to coordinate with Harrison County and the Circuit Clerk for use of voting machines and other supplies for the Municipal Special Election on the Mississippi Power Company Franchise, and for related purposes.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - Voting Machines for MPC Franchise Election - Signed](#)

Budget Amendments / Docket of Claims

- 18** Budget Amendment #78 - increasing line item 277 Capital from restitution.

Motion to Approve Budget Amendment #78, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[July 9th \(signed\)](#)

[Budget Amendments - FYE 2020 - 78](#)

- 19** Budget Amendment #79 - increasing line item 286 Capital from restitution.

Motion to Approve Budget Amendment #79, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[July 9th \(signed\)](#)
[Budget Amendments - FYE 2020 - 79](#)

- 20** Budget Amendment #80 - Harbor Lights Winter Festival Budget.

Motion to Approve Budget Amendment #80, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Budget Amendment Request to fund Harbor Lights 071720](#)
[Budget Amendments - FYE 2020 - 80](#)

- 21** Docket of Claims - to be approved through July 22, 2020.

Motion to Approve Docket of Claims, in the amount of \$1,915,007.71, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - Docket of Claims - Signed](#)
[Docket](#)
[Docket by Vendor](#)
[Docket by Org-Obj-Proj](#)

Routine Agenda

- 22 Resolution - awarding bids for lot clean-ups and/or demolitions.

Motion to Approve, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Resolution - awarding-rejecting bids - Signed](#)

- 23 Associated Adjusters Check Registers - for workers' comp and general liability claims paid during June, 2020 - to be made a part of the minutes.

Motion to Approve Associated Adjusters Check Registers for workers' comp and general liability claims paid during June, 2020, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Memorandum - Associated Adjusters](#)

[Associated Adjusters Check Register 06 2020 Redacted](#)

- 24 Bi-Weekly Payroll Report - for the month of June, 2020 - to be made a part of the minutes.

Motion to Approve Bi-Weekly Payroll Report for the month of June, 2020, Moved By Ron Roland, **Seconded by** Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Memorandum -Payroll Journals](#)

[June 2020 GL Distribution Combined](#)

- 25 Privilege License Report – for the month of June, 2020 – to be made a part of the minutes.

Motion to Approve Privilege License Report for the month of June, 2020, Moved By Ron Roland, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Privilege License Report - June 2020](#)

- 26 Ratification - of Facility Use Agreements - to be made a part of the minutes.

Motion to Ratify Facility Use Agreements, Moved By Ron Roland, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[USSSA Facility Use Agreement](#)

[USSSA Facility Use Agreement - II](#)

[USSSA Facility Use Agreement - III](#)

- 27 Ratification - of Oath of Office - to be made a part of the minutes.

Motion to Ratify Oath of Office, Moved By Ron Roland, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

Attachment(s):

[Oath of Office - Lyman Seymour](#)

Public Agenda

Council Comments

Memorial Adjournment

[Mrs. Sarah Smith Hewes](#)

[Mrs. Rosemary Warrick Redmond](#)

[Mr. Quincy Dyenell Smothers, Jr.](#)

[Mrs. Rachel Virginia Dupree](#)

Executive Session

Upon the advice of General Counsel, Motion to Enter Closed Session to make a preliminary determination of the necessity for Executive Session at 2:03 P.M., Moved By Cara Pucheu, **Seconded by** Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

The Council entered Closed Session at 2:04 P.M. In attendance: Councilmembers: Kenneth Casey, Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp, R.Lee Flowers, and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John R. Kelly, General Counsel Hugh Keating, Director of Public Works Wayne Miller, Director of Urban Development Greg Pietrangelo, City Attorney Jeff Bruni, and Clerk of Council Brittany Rodgers.

Motion to Exit Closed Session at 2:05 P.M., Moved By Cara Pucheu, **Seconded by** Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

No official action was taken during Closed Session.

Upon hearing from General Counsel regarding the nature of the request for Executive Session, Motion to Enter Executive Session at 2:06 P.M. for (1) strategy discussion involving active litigation against the City by Rodney Bolton and Michael Jason Soza, (2) strategy discussion involving active and prospective litigation associated with the Oak Island Subdivision, (3) strategy discussion involving prospective litigation associated with the Streetscape Project, (4) strategy discussion involving prospective litigation pertaining to delinquent harbor accounts, (5) strategy discussion involving prospective litigation associated with the Orange Grove Community Center, and (6) discussions related to the Economic Development issue of Tax Abatements (item 7), Moved By Cara Pucheu, **Seconded by** Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Kenneth Casey, Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, R.Lee Flowers, Cara Pucheu

The Council entered Executive Session at 2:06 P.M. In attendance: Councilmembers: Kenneth Casey (out at 3:08 P.M.), Ron Roland, Ella Holmes-Hines (teleconference), Rusty Walker, Myles Sharp (out at 3:10 P.M.), R.Lee Flowers (out at 3:09 P.M.), and Cara Pucheu, Mayor Billy Hewes, CAO Dr. John R. Kelly, General Counsel Hugh Keating, Director of Public Works Wayne Miller, Director of Engineering Kris Riemann, Director of Urban Development Greg Pietrangelo, City Attorney Jeff Bruni, and Clerk of Council Brittany Rodgers.

Motion to Exit Executive Session at 3:30 P.M., Moved By Ron Roland, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Cara Pucheu

Absent: Kenneth Casey, Myles Sharp, R.Lee Flowers

No official action was taken during Executive Session.

Upon reconvening in an open meeting, the following actions were taken:

Motion to approve Amendment #13 with Utility Partners, as discussed in Executive Session, Moved By Ron Roland, Seconded by Myles Sharp

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Motion to authorize the City Attorney's Office to negotiate a full and final resolution of any and all lawsuits and claims filed or pursued against the City and its employee, Anthony Moreno by Michael Jason Soza and GEICO Insurance Company, including that filed in the Circuit Court of Harrison County, to include the payment of \$20,069 from the City's claims contingency fund, which is less than the City's self-insured retention, with such resolution to also include the full and final settlement and dismissal of all lawsuits and claims with prejudice arising out of the February 19, 2019, incident sued upon, and the execution of any necessary settlement documents and indemnity agreements to fully conclude this matter, and subject to the understanding that Michael Jason Soza will be solely responsible for the full and final payment of all bills and liens in any way arising out of this incident and involving or relating to him or his property, Moved By Myles Sharp, Seconded by Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Motion to authorize the City Attorney's Office to negotiate a full and final resolution of the lawsuit filed against the City and its employee, Anthony Moreno by Rodney Bolton in the Circuit Court of Harrison County, to include the payment of \$14,000 from the City's claims contingency fund, which is less than the City's self-insured retention, with such resolution to also include the full and final settlement and dismissal of all lawsuits and claims with prejudice arising out of the February 19, 2019, incident sued upon, and the execution of any necessary settlement documents and indemnity agreements to fully conclude this matter, and subject to the understanding that this party will be solely responsible for the full and final payment of all bills and liens in any way arising out of this incident and involving or relating to him or his property, Moved By Myles Sharp, Seconded by Ron Roland

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Motion for legal counsel to take any and all actions necessary, including the filing of any lawsuits, and authorize the expenditure of monies to go towards the payment of any necessary court costs and fees, as well any other expenses, to recover damages in the following matters: (1) City of Gulfport v. Lynn Phillips - monies owed to the City pursuant to a Lease or a Vessel Dockage Agreement in the amount of \$1,328.98, (2) City of Gulfport v. Steven Bunch - monies owed to the City pursuant to a Lease or Vessel Dockage Agreement in the amount of \$3,273.04, Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Motion to authorize the City to amend the Contract with Bob Luke and LPK Architects that was previously entered into by the City on June 20, 2018 to allow for additional services and additional facilities, including the Orange Grove Community Center and the Lyman Community Center, with the understanding that an amendment to the Contract that is acceptable to the City Attorney's Office shall be executed in effectuation of this project, with a not-to-exceed of \$20,000, Moved By Myles Sharp, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

Motion to accept \$6,700.00 in monies from Audubon Pointe Venture, LLC, who is tendering these monies to the City without admission of any liability or wrongdoing associated with the acceptance of perpetual maintenance of all improvements in its Oak Island Subdivision, and with the understanding that this entity tenders these monies to the City while reserving all claims and defenses it may have with respect to any litigation ongoing or to be forthcoming in any way involving this Subdivision, except for the City of Gulfport, and with the City releasing claims it may have against Audubon Pointe Venture, LLC, with respect to acceptance of perpetual maintenance of improvements; to accept the recommendation and notice of acceptance of the City Engineer dated July 21, 2020, regarding perpetual maintenance of improvements in this subdivision; to acknowledge prior release of the warranty bond on this subdivision; to accept perpetual maintenance of all improvements in the Oak Island Subdivision upon receipt by the City Clerk of these \$6,700.00 monies from Audubon Pointe Venture, LLC; and to authorize the Mayor to execute any and all agreements, releases, or documents necessary to effectuate this resolution and matter, Moved By Rusty Walker, Seconded by Kenneth Casey

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Cara Pucheu

Absent: Kenneth Casey, Myles Sharp, R.Lee Flowers

Setting of Next Meeting and Adjournment

There being no further business to come before the Council at this time, Motion to Adjourn in memory of Mrs. Sarah Smith Hewes, Mrs. Rosemary Warrick Redmond, Mr. Quincy Dyenell Smothers, Jr., and Mrs. Rachel Virginia Dupree, until August 4, 2020 at 1:30 P.M. for a Regular Council Meeting, Moved By Ron Roland, Seconded by Rusty Walker

Vote: Motion Carried By Unanimous Roll Call Vote

Aye: Ron Roland, Ella Holmes-Hines, Rusty Walker, Myles Sharp, Cara Pucheu

Absent: Kenneth Casey, R.Lee Flowers

City Clerk

Mayor

Agenda Adjustments

- 6 – A** Acceptance for Perpetual Maintenance – Oak Island Subdivision public improvements, and transfer of any remaining streetlight accounts to the City of Gulfport – Case # 0011PC243 - Ward 4.

- 17 – A** Resolution - authorizing the City Clerk to coordinate with Harrison County and the Circuit Clerk for use of voting machines and other supplies for the Municipal Special Election on the Mississippi Power Company Franchise, and for related purposes.