

STATE OF MISSISSIPPI

COUNTY OF JACKSON

**INTERLOCAL GOVERNMENTAL AGREEMENT
BETWEEN JACKSON COUNTY, MISSISSIPPI
AND THE CITY OF GAUTIER, MISSISSIPPI FOR THE
ALLEN ROAD IMPROVEMENT PROJECT WITHIN THE MUNICIPALITY**

WHEREAS, the City of Gautier, Mississippi and the Board of Supervisors of Jackson County, Mississippi desire to work together to operate local government in an efficient and cost-effective manner; and

WHEREAS, the City of Gautier and Jackson County wish to enter into this agreement to their mutual advantage for the Allen Road Improvement Project, in a manner that will best serve the citizens as allowed by the Interlocal Cooperation Act of 1974, being Sections 17-13-1, et seq., Mississippi Code of 1972, Annotated; and

WHEREAS, the proposed Project is within Jackson County and the City of Gautier, Allen Road is a public road, and Jackson County has authority to perform work on municipal streets:

NOW, THEREFORE, in consideration of the above and foregoing premises and under the authority of Sections 17-13-1 through 17-13-17, Mississippi Code of 1972, Annotated, and the further consideration of the mutual advantages and promises hereinafter contained, this contract and agreement is made and entered into on the date hereinafter stated by and between the City of Gautier, Mississippi, (hereinafter referred to as City), and Jackson County, Mississippi, (hereinafter referred to as County); and the parties do contract and agree to the terms and conditions hereinafter set forth:

- [a] DURATION. The term of this Agreement is for the period extending from the date of approval of this Agreement by the Attorney General through until completion of project.
- [b] PURPOSE. The purpose of this Agreement is to provide partial funding of the Project.
- [c] ORGANIZATION. There will be no separate legal or administrative entity created by this Agreement.
- [d] MANNER OF FINANCING, STAFFING, ETC.
 - (i) The County agrees to provide to City \$61,000.00 payable January 30, 2013 and \$61,000.00 payable January 30, 2014 for partial funding of the Project. Upon expenditure of the funding provided by County, the County shall not be liable for any additional amounts for the Road Project.

These provisions are effective upon approval of this Interlocal Agreement by the Attorney General.

- (ii) The City shall maintain sufficient documentation to substantiate that the funds are being expended exclusively for the Project contemplated under this agreement, and in accordance with the statutes of the State of Mississippi. The City shall furnish to the County a detailed account of all expenditures and funds received under this agreement, and may request other information, if needed and for cause shown, regarding the use and expenditures of such funds.
- (iii) The City shall be solely responsible for the Project and County's sole participation will be that stated herein.

- [e] AMENDMENT. This Agreement may be amended by either entity upon joint, written agreement of both entities, and the amendment shall be spread upon the minutes of both entities and forwarded to the Attorney General of the State of Mississippi for approval prior to enactment of these amendments.
- [f] APPROVAL OF AGREEMENT. This Agreement must be ratified and approved by the respective governing authorities prior to initiation, and this Agreement is expressly subject to the approval by the Attorney General of the State of Mississippi as required by Section 17-13-11, Mississippi Code of 1972, Annotated.
- [g] RATIFICATION BY GOVERNING AUTHORITIES. This agreement is subject to ratification by the new governing authorities of the City of Gautier or Jackson County, Mississippi in the event the term of said contract extends beyond any term of office of the Mayor and City Council of the City of Gautier or the Board of Supervisors of Jackson County, Mississippi.

IN WITNESS WHEREOF, the parties hereto have caused the execution and delivery of this Agreement on this the 15th day of October, 2012.

JACKSON COUNTY, MISSISSIPPI
BOARD OF SUPERVISORS

By: *John McKay*
President

ATTEST:

By: *Joy Huie*
Clerk of the Board

CITY OF GAUTIER, MISSISSIPPI

By: _____
Mayor

ATTEST:

By: _____
City Clerk



RESOLUTION OF THE BOARD OF SUPERVISORS
OF JACKSON COUNTY, MISSISSIPPI APPROVING
INTERLOCAL GOVERNMENTAL AGREEMENT WITH
THE CITY OF GAUTIER, MISSISSIPPI FOR THE
ALLEN ROAD IMPROVEMENT PROJECT WITHIN THE MUNICIPALITY

WHEREAS, the Board of Supervisors and the City of Gautier are desirous of entering into an interlocal governmental agreement for the Allen Road Improvement Project within the municipality;

BE IT, THEREFORE, RESOLVED that the Board of Supervisors of Jackson County hereby approves the *Interlocal Governmental Agreement with the City of Gautier, Mississippi for the Allen Road Improvement Project Within the Municipality*, a copy of which is attached and made a part hereof, subject to final approval by the Attorney General of the State of Mississippi.

The motion to approve the foregoing resolution was made by Supervisor Harris, seconded by Supervisor Cumbest, and the following vote was recorded:

Supervisor Cumbest	<u>Yes</u>
Supervisor Harris	<u>Yes</u>
Supervisor Mangum	<u>Yes</u>
Supervisor Ross	<u>Yes</u>
Supervisor McKay	<u>Yes</u>

RESOLVED, this the 15th day of October, 2012.

ATTEST:

[Signature]
Clerk of the Board

BOARD OF SUPERVISORS

By: [Signature]
President

