

**CITY OF BILOXI  
AGENDA ITEM  
FACT SHEET**

Item No.: 5L

Council Meeting Date: **March 17, 2026**

**ITEM TITLE:** RESOLUTION  
**INTRODUCED BY:** Mayor Andrew "FoFo" Gilich  
**CONTACT PERSON:** Richard Weaver, Chief Administrative Officer  
 Christy LeBatard, Director of Engineering

**SUMMARY EXPLANATION:**

Resolution establishing just compensation for acquisition of real property in connection with Capital Project No. 1122: Howard Creek Bridge Replacement and amending the municipal budget for fiscal year ending September 30, 2026 to provide sufficient funding

Resolution  Ordinance  Public Hearing  Routine Agenda

Exhibits for Review

Contract  Minutes  Plans/Maps  Deed  Lease

Other (Specify): Exhibit A: Property List

Submittal Authorization: Council President  Mayor

**STAFF RECOMMENDATION:** Staff recommends approval

**COUNCIL ACTION:** Motion By: \_\_\_\_\_ Second By: \_\_\_\_\_

Vote:	Councilmember	Yes	No	AFR	ABST	Councilmember	Yes	No	AFR	ABST
	Gray	___	___	___	___	Tisdale	___	___	___	___
	Marshall	___	___	___	___	Glavan	___	___	___	___
	Nail	___	___	___	___	Shoemaker	___	___	___	___
	Creel	___	___	___	___					

**ACTION TAKEN:**

Resolution No.

RESOLUTION ESTABLISHING JUST COMPENSATION FOR ACQUISITION OF REAL PROPERTY IN CONNECTION WITH CAPITAL PROJECT NO. 1122: HOWARD CREEK BRIDGE REPLACEMENT AND AMENDING THE MUNICIPAL BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2026 TO PROVIDE SUFFICIENT FUNDING

WHEREAS, the City of Biloxi (the "City") proposes to acquire certain real property (the "Property") located at the site of Capital Project No. 1122: Howard Creek Bridge Replacement ("Project 1122"), for public purposes;

WHEREAS, in accordance with §43-37-3(b) of the Mississippi Code of 1972, as amended ("Mississippi Code"), the Property described in Exhibit "A" has been appraised prior to being negotiation with the property owner(s) by Global Valuation Services, Inc., and said appraisal has been reviewed by Myers & Company, Inc., to determine the fair market value;

WHEREAS, pursuant to Federal Regulation at 49 CFR 24.12(d), before the initiation of negotiations, the City shall establish an amount which it believes is just compensation for the real property. The amount shall not be less than the approved appraisal of the market value of the property, taking into account the value of allowable damages or benefits to any remaining property. A City official must establish the amount believed to be just compensation;

WHEREAS, establishment of just compensation for the Property as the fair market values of Property, as stated in Exhibit "A" attached hereto, will allow the City's acquisition agent, Neel-Schaffer, Inc., to begin negotiations with the property owner(s) and/or tenant(s);

WHEREAS, in accordance with §43-37-3(c)(i) of the Mississippi Code of 1972, Annotated, the price that shall be paid for the Property shall be the lesser of the best negotiated price or the approved appraisal of the fair market value or the price at which the property is offered for sale;

WHEREAS, the actual purchase price paid to the property owner(s) and/or tenant(s) shall not exceed the amounts stated in Exhibit "A," without approval of the City's governing authorities;

WHEREAS, pursuant to the Mississippi Code of 1972, Annotated, appraisal information regarding the purchase of real property by a public body is exempt from the Mississippi Public Records Act prior to the public announcement of the purchase where the information would have a detrimental effect on any such sales or purchase;

WHEREAS, said value determination information will be maintained in an Exhibit file for review by the City Council Members and Administrative Personnel but will not be released as a part of this resolution, or as a public record, until the potential detrimental effect upon the sales and purchases for this project has expired;

WHEREAS, the property owner's currently occupying the real property necessary to Project 1122 are not eligible to receive relocation assistance, in accordance with §43-39-7 of the Mississippi Code;

WHEREAS, Pringle & Roemer, PLLC, provides legal services to the City's acquisition agent, Neel-Schaffer, Inc., in conjunction with the acquisition of real property necessary to Project 1122, and shall hold all funds approved by this Resolution in escrow until such time as the closing on the real property;

WHEREAS, it is necessary that the municipal budget for fiscal year ending September 30, 2026 be amended to provide funding for Project 1122 by transferring the sum of Thirty-Five Thousand and 00/100 Dollars (\$35,000.00) from Capital Project No. 9999: Funding, line item GO243C-6658-C9999, to Project 1122, line item GO243C-6658-C1122;

WHEREAS, Section 21-35-25 of the Mississippi Code of 1972, Annotated, provides authorization for the governing authorities of a municipality to amend the budget of such

municipality, provided there be funds in the treasury of the municipality not appropriated by the budget and there is a deficit in any one (1) or more items provided for in the budget;

WHEREAS, the purposes of Project 1122 are permissible uses of said funds; and

WHEREAS, Christy LeBatard, PE, Director of Engineering, recommends that just compensation for the real property be set according the values on file with the City and that the municipal budget be amended as described above.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING AUTHORITIES OF THE CITY OF BILOXI, MISSISSIPPI, AS FOLLOWS:

SECTION ONE: The Mayor is hereby authorized to establish just compensation for the real property listed in Exhibit "A."

SECTION TWO: The Mayor is hereby authorized to sign a certification evidencing the establishment of additional just compensation for real property listed in Exhibit "A."

SECTION THREE: The Mayor, on behalf of the City of Biloxi, is authorized to execute any and all documents necessary to effectuate and perfect the intent of this Resolution.

SECTION FOUR: Payment to Pringle & Roemer, PLLC, in the amount of the negotiated purchase price for the Property, but in no case to exceed that indicated in Exhibit "A," is hereby authorized and approved and will be held in escrow by Pringle & Roemer, PLLC until such time as the closing on the real property may be accomplished;

SECTION FIVE: SECTION THREE: The Municipal Budget of the City of Biloxi for fiscal year ending September 30, 2026, is hereby amended to reflect the transfer of Thirty-Five Thousand and 00/100 Dollars (\$35,000.00) from the account established Capital Project No. 9999: Funding, line item GO243C-6658-C9999, to an account established for Capital Project 1122: Howard Creek Bridge Replacement, line item GO243C-6658-C1122.

SECTION SIX: This Resolution will be in effect from and after its adoption.

**JUST COMPENSATION REPORT LIST**

**March 17, 2026**

**PROJECT: Howard Creek Bridge Improvements**

Parcel No.	Property Owner
Ward 7	
1208A-03-005.001	Billy Ray & Audie J. Broudus
1208A-04-006.001	FLK Properties, LLC

**EXHIBIT**  
**A**



# City of Biloxi

Budget Amendment

Resolution Number: \_\_\_\_\_

Date: **March 17, 2026**

*FROM: (or credit)*

Revenue or Expense	Category	Org Code	Object	Project	\$ Amount
Expense	Capital Outlay	GO243C	6658	C9999	\$35,000.00

*Total From:* \$35,000.00

*TO: (or debit)*

Revenue or Expense	Category	Org Code	Object	Project	\$ Amount
Expense	Capital Outlay	GO243C	6658	C1122	\$35,000.00

*Total To:* \$35,000.00

*Explanation:*

To amend FY 2026's budget to acquire real property in connection with Project 1122: Howard Creek Bridge Replacement.

\_\_\_\_\_  
Department Head

*DGT 3/10/26*  
\_\_\_\_\_  
Accounting Department