

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, JANUARY 21, 2014 - 7:00 P.M.
MUNICIPAL COURTROOM – 305 MONROE STREET**

WELCOME AND CALL TO ORDER Mayor Phil Fisher

SWEARING IN CEREMONY

Jim Martin the winner of the Special Runoff Election for the vacant Ward 2 Alderman position was sworn in by Hinds County Chancery Court Judge William Singletary.

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Brabham followed by the pledge of allegiance to the flag led by Alderman Ellis.

ROLL CALL City Clerk, Russell Wall

Present: Jehu Brabham – Alderman-at-Large
 David Ellis – Alderman Ward 1
 Jim Martin – Alderman Ward 2
 William O Barnett – Alderman Ward 3
 Greg Cronin – Alderman Ward 4
 Jan Cossitt – Alderwoman Ward 5
 Mike Cashion – Alderman Ward 6

APPROVAL OF CONSENT AGENDA ITEMS A - J

MOTION made by Alderman Ellis and **SECONDED** by Alderman Cashion to approve the Consent Agenda Items A-J. **MOTION CARRIED UNANIMOUSLY**

DEPARTMENT HEAD REPORTS

Mike Warren, Police Chief updated the board on the progress of the completion of the Police Department expansion project. He also, reported to the board the statistics for calls for service, traffic stops, number of tickets written and number of arrests made during the first two weeks of January 2014 compared to the same period in 2013.

Barry Burnside, Fire Chief updated the board on various activities and programs the Fire Department was involved in. These activities and programs included an update on several structure fires that occurred during the past several weeks, an update on the Red Cross Wilderness First Aid courses held January 17, 2014 through January 19, 2014, an update on the upcoming Fire Chief Conference, and an update on the partnership with Mississippi College on the fitness program his firefighters were involved in.

Mike Parker, Director of Public Works updated the board on the various activities and programs the Public Works Department was involved in. These activities and programs included an update on the collection of leaves throughout the City that began on January 15, 2014, an update on the problems encountered with the monthly cutoff of water service, and an update on the sewer line issue near the Big Lots store.

BOARD OF ALDERMEN DISCUSSION AND REPORTS

There were no items from the Board of Aldermen.

MAYOR'S DISCUSSION AND REPORTS

APPROVE A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES AND COUNTIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT "FAIRFIELD INN & SUITES, CLINTON, MISSISSIPPI 2014", IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE, THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN AND FOR RELATED PURPOSES

Upon presentation by Demery Grubbs, Financial Consultant, Government Consultants, Inc., **MOTION** made by Alderman Cronin and **SECONDED** by Alderman Brabham the board approved a resolution of the Board of Mayor and Aldermen of the City of Clinton, Mississippi, determining the necessity for and invoking the authority granted to municipalities and counties by the legislature with respect to tax increment financing as set forth in Chapter 45 of Title 21, Mississippi Code of 1972, as amended, determining that "Fairfield Inn & Suites Project, Clinton, Mississippi, 2014", is a project eligible for tax increment financing under the laws of the State, that a Public Hearing be conducted in connection with the Tax Increment Financing Plan and for related purposes. And, furthermore, the Public Hearing is set for February 4, 2014 at 7:00 pm in the Municipal Courtroom located at 305 Monroe Street in the City of Clinton, Mississippi. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF THE CPI ADJUSTMENT FOR THE WASTE MANAGEMENT CONTRACT

Upon presentation by Mike Parker, Director of Public Works, **MOTION** made by Alderman Barnett and **SECONDED** by Alderwoman Cossitt the board approved the CPI adjustment for the Waste Management Contract. **MOTION CARRIED UNANIMOUSLY**

OTHER BUSINESS

The Mayor announced that the Annual Clinton Chamber of Commerce Banquet would be held on January 23, 2014 from 6:30 to 9:00 pm in the BC Rogers Student Center Anderson Hall on the campus of Mississippi College. He also stated that the event would be streamed live on the City of Clinton web site.

The Mayor announced that the new Alderman of Ward 2 Jim Martin would be attending orientation meetings with the various department heads of the City to be brought up to date on their activities.

Alderman Cashion announced that there would be a fundraiser at the Tin Shed Bar-b-Que from February 24, 2014 through March 1, 2014 for Wyatt McClaskey that was paralyzed in a recent car accident. He also, announced that an account has been set up at BankPlus for anyone wishing to make a cash contribution.

ADJOURN 7:39 P.M.

MOTION made by Alderman Brabham and **SECONDED** by Alderman Cashion to adjourn until the next regular meeting of the Mayor and Board of Aldermen to be held February 4, 2014 at 7:00 p.m. **MOTION CARRIED UNANIMOUSLY**

APPROVED: _____

Philip R. Fisher, Mayor

Date

1/23/14

ATTEST: _____

Russell L. Wall, City Clerk

Date

1-23-14



RESOLUTION OF THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES AND COUNTIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT "FAIRFIELD INN & SUITES PROJECT, CLINTON, MISSISSIPPI, 2014," IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE, THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN AND FOR RELATED PURPOSES.

WHEREAS, the City Council (the "**Governing Body**") of the City of Clinton, Mississippi (the "**City**"), acting for and on behalf of the City hereby finds, determines and adjudicates as follows:

1. The Mississippi "Tax Increment Financing Act," Title 21, Chapter 45, Mississippi Code of 1972, as amended (the "**Act**"), authorizes municipalities and counties in the State of Mississippi to undertake and carry out redevelopment projects as defined therein with the use of Tax Increment Financing as set forth in detail in the Act and also to carry out such projects jointly with other local governmental units, including foreign governmental units from other states, pursuant to the Regional Economic Development Act, Title 57, Chapter 64, Mississippi Code, as amended (the "**REDA Act**").

2. The Governing Body has previously conducted a hearing on and approved and adopted the Tax Increment Financing Redevelopment Plan, Clinton, Mississippi, (the "**Redevelopment Plan**") for the City. The Redevelopment Plan constitutes a qualified plan under the Act.

3. Clinton Lodging, LLC, (the "**Developer**"), is proposing to develop a project to be known as "FAIRFIELD INN & SUITES PROJECT, CLINTON, MISSISSIPPI, 2014" (the "**Project**"), in the City of Clinton and in the proposed TIF District as such term is defined herein. The City will enter into an inter-local agreement with Hinds County (the "**County**") to support the Project and to allow proceeds from bonds issued pursuant to the TIF Plan (defined below) to be used to acquire real property and construct or install various public infrastructure and other improvements to serve the Project as described in detail in the TIF Plan and related cost such as, engineering, TIF Plan preparation fees, other incidental costs and related professional fees. These costs will not exceed the sum of Six-Hundred Thousand Dollars (\$600,000). The Developer is requesting the assistance of the City and the County in providing the funding for the infrastructure by the utilization of Tax Increment Financing.

4. The Redevelopment Plan previously adopted by the Governing Body includes all land and real property located within the boundaries of the City. The Project appears to be a project of economic significance within the City and County and to qualify as a project eligible for Tax Increment Financing under the Redevelopment Plan and the participation on the part of the City and County is necessary and would be in the public interest and would benefit

the economic and financial well-being and the public health, safety and welfare of the City and County.

5. It is anticipated that there will be substantial increases in ad valorem tax revenues and retail sales tax revenues within the TIF District within the next several months and years as a result of the construction of the Project and that bonds may be sold and issued at a time or times in the reasonably near future as a result of such development. The Governing Body has been presented with a tax increment financing plan entitled ***Tax Increment Financing Plan, "Fairfield Inn & Suites Project, Clinton, Mississippi, 2014"*** (the "**TIF Plan**"), which has attached as exhibits the map and legal description of the land included in the proposed TIF District. It appears to the Governing Body that the TIF District should be established by the Governing Body as described in the TIF Plan.

The City, acting on behalf of itself and the County, proposes to issue one or more series of Tax Increment Financing Revenue Bonds or Notes in an amount not to exceed SIX-HUNDRED THOUSAND DOLLARS (\$600,000), which will be secured solely by a pledge by the City of up to one-hundred percent (100%) of the increased ad valorem taxes on real and personal property generated by the Project within the TIF District, with and a pledge by the County of up to fifty percent (50%) of the increased ad valorem taxes on real and personal property limited to the *General Fund* millage and generated by the Project construction and development in the TIF District. The TIF funds will be used to pay the cost of constructing and installing various infrastructure improvements and site improvements of the Project including, but not limited to, installation of utilities such as water, sanitary sewer and natural gas lines, relocation of utilities, installation and relocation of electrical services, installation of storm drainage, construction of roadways with curb and gutter, parking, sidewalks, installation of traffic signalization and signage, grading, lighting and landscaping of rights-of-way, purchase of rights-of-way and other property necessary for the installation of the infrastructure and other improvements described hereinabove, capitalized interest and other related expenses such as engineering, all expenses in connection with the authorization, sale and issuance of bonds, or indebtedness, TIF plan preparation fees and other incidental related costs and related professional fees. If deemed necessary and appropriate, the City and County may require additional security from the developers of the Project. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health and welfare. A more detailed scope of work, along with budgets, will be identified in a security and reimbursement agreement with Clinton Lodging, LLC.

6. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare. A more detailed scope of work, along with budgets, will be identified in a development and/or security and reimbursement agreement with the Developer. It is the intent of the TIF Plan that the City will pledge up to one-hundred percent (100%) of the increased ad valorem taxes on real and personal property and a pledge by the County of up to fifty percent (50%) of the increased ad valorem taxes on real and personal property limited to the *General Fund* millage and generated by the construction and development in the TIF District. If deemed necessary and appropriate, the City may require additional security from the Developer of the project.

7. The City may exercise its authority as authorized by Section 21-45-3 of the Act.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City, as follows:

SECTION ONE: That the Governing Body of the City does hereby declare its intention to approve and adopt the TIF Plan and establish the TIF District as described in the TIF Plan and, jointly with the County, to issue Tax Increment Financing Revenue Bonds or Notes, in one or more series in an amount not to exceed Six-Hundred Thousand Dollars (\$600,000) (the "**Bonds**") for the purpose of providing funds necessary to pay for the construction of various public infrastructure improvements in connection with the Project, including but not limited to, the acquisition of real property and construction or installation of various public infrastructure and other improvements to serve the Project as described in detail in the TIF Plan such as engineering, TIF Plan preparation fees, other incidental costs and related professional fees. If deemed necessary and appropriate, the City and County may require additional security from the developers of the project.

SECTION TWO: When and if issued, the Bonds shall be secured solely by a pledge by the City of up to one-hundred percent (100%) of the increased ad valorem taxes on real and personal property generated by construction and development in the TIF District, for a term up to fifteen (15) years. The County shall pledge up to fifty percent (50%) of the real and personal property ad valorem tax increase limited to the *General Fund* millage and generated by the development in the TIF District for a term of up to fifteen (15) years. The Bonds shall not be secured by the full faith, credit and the taxing power of the City or County nor create any other pecuniary liability on the part of the City or the County other than the pledge of the incremental increase in ad valorem taxes heretofore set forth. If deemed necessary and appropriate, the City and County may require additional security from the developers of the project.

SECTION THREE: A public hearing shall be held with respect to the TIF Plan in the regular meeting place of the Governing Body in the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, at 7:00 P.M. on Tuesday the 4th day of February 2014.

SECTION FOUR: The City Clerk is hereby directed to publish a notice of the public hearing in the *Clarion Ledger*, a newspaper in which the City is authorized to publish legal notices, one (1) time not less than ten (10) days nor more than twenty (20) days prior to the date set forth in Section Three hereof, pursuant to and in compliance with the requirements of Section 21-45-11 of the Act.

The foregoing Resolution, having first been reduced to writing, was read by the Clerk and motion was made by Alderman CROWIN, seconded by Alderman BRABHAM to approve and upon a call for a vote, the following was recorded:

YEAS:

BRABHAM - YEA

ELLIS - YEA

MARTIN - YEA

BARNES - YEA

NAYS:

CROWIN - ~~YEA~~

LOSSIE - YEA

CASHION - YEA

The motion having received the affirmative vote of a majority of the members present, the Council President declared the motion carried and the resolution adopted this, the 21st day of January, 2014.

ATTEST

Russell L. Wall
Russell L. Wall, City Clerk / CFO

{SEAL



Phil Eisher
Phil Eisher, Mayor
City of Clinton

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Tuesday, February 4th, 2014, at 7:00 P.M. in the Municipal Courtroom before the Board of Mayor and Aldermen located at 305 Monroe Street, Clinton, Mississippi, on the matter of the *Tax Increment Financing Plan, The Fairfield Inn & Suites Project, Clinton, Mississippi 2014* (the "**TIF Plan**"), for consideration by the Mayor and Board of Aldermen (the "**City**") who proposes to use the TIF Plan in compliance with the Tax Increment Financing Redevelopment Plan, Clinton, Mississippi, and further, to designate the project described in the TIF Plan as appropriate for redevelopment and tax increment financing.

The general scope of the TIF Plan is a proposal that the City of Clinton (the "**City**"), acting on behalf of itself and Hinds County (the "**County**"), will issue Tax Increment Financing Revenue Bonds, Notes or similar debt instruments (the "**Bonds**") in one or more series in an amount not to exceed Six-Hundred Thousand Dollars (\$600,000) in order to provide funds necessary to pay the cost of constructing and installing various infrastructure improvements, and site improvements of the Project including the cost of constructing and installing various infrastructure improvements and site improvements of the Project including, but not limited to, installation of utilities such as water, sanitary sewer and natural gas lines, relocation of utilities, installation and relocation of electrical services, installation of storm drainage, construction of roadways with curb and gutter, parking, sidewalks, installation of traffic signalization and signage, grading, lighting and landscaping of rights-of-way, purchase of rights-of-way and other property necessary for the installation of the infrastructure and other improvements described hereinabove, capitalized interest, and other related expenses such as engineering, all expenses in connection with the authorization, sale and issuance of bonds, or indebtedness, TIF plan preparation fees and other incidental related costs, and related professional fees. If deemed necessary and appropriate, the City and County may require additional security from the developers of the Project. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare. A more detailed scope of work, along with budgets, will be identified in a security and reimbursement agreement with the Clinton Lodging, LLC (the "**Developer**".)

Proceeds of the Bonds, Notes, or other similar debt instruments may also be used to fund capitalized interest and/or a debt service reserve fund as may be permitted under Section 21-45-1, *et seq.*, Mississippi Code of 1972, as amended.

The Bonds or Notes shall be secured solely by a pledge by the City of up to one-hundred percent (100%) of the incremental increase in ad valorem tax revenues on real and personal property generated by construction and development in the TIF District, as described in the TIF Plan, and will never be a general obligation of the City secured by the full faith, credit, and taxing power of the City or create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes set forth above. The City intends to enter into an inter-local Agreement with Hinds County, Mississippi (the "**County**") pursuant to the Regional Economic Development Act as required to support the Project and allow for efficient use of proceeds of the Bonds. The County is expected to pledge up to fifty-percent (50%) of the incremental increase in ad valorem real and personal property taxes limited to the the *General Fund* millage and generated by development in the TIF District to support the Project. The Bonds will likewise never be a general obligation of the County secured by the full faith, credit and taxing power of the County. If deemed necessary and appropriate, the City and the County may require additional security from the Developers of the project.

Construction of the Project and payment of the Bonds issued to construct the Project will be paid as hereinabove set forth and will not require an increase in any kind or type of taxes by the City or the County.

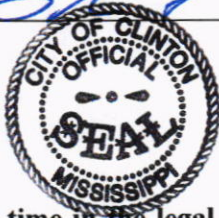
The City and the County may exercise their authority under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the "Act"), individually or jointly, pursuant to an Interlocal Cooperation Agreement as authorized by Section 21-45-3 *et seq.*, Mississippi code of 1972, as amended.

Witness my signature and seal, this the 21st day of January 2014.



Phil Fisher, Mayor of the City of Clinton

{SEAL}



Publish One (1) time in the legal section of the *Clarion Ledger* on or before Friday, January 24th, 2014.

Send Proof of Publication and Invoice to:

Russell L. Wall
City Clerk / CFO
300 Jefferson Street
Clinton, MS 39060

Send copy of Proof of Publication to:

Urban Development Toolbox, LLC
Attn: Laurence Leyens
316 Long Cove Dr.
Madison, MS 39110

**PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
HINDS COUNTY**

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

PASTE PROOF HERE

C19341
CITY OF CLINTON-LEGALS,
0200456711
Fairfield Inn TIF

BEVERLY BENNETT

an authorized clerk of THE CLARION-LEDGER, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

1/24/2014

Size: 806 words / 1.00 col. x 202.00 lines

Published: 1 time(s)

Total: \$105.22

Signed Beverly Bennett
Authorized Clerk of
The Clarion-Ledger

SWORN to and subscribed before me on 1/24/2014.

Notary Public

RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru
Notary Public Underwriters

(SEAL)



NOTICE OF PUBLIC HEARING

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The general scope of the TIF Plan is a proposal that the City of Clinton (the "City"), acting on behalf of itself and Hinds County (the "County"), will issue Tax Incremental Financing Revenue Bonds, Notes or similar debt instruments (the "Bonds") in one or more series in an amount not to exceed Six-Hundred Thousand Dollars (\$600,000) in order to provide funds necessary to pay the cost of constructing and installing various infrastructure improvements and site improvements of the Project including the cost of constructing and installing various infrastructure improvements and site improvements of the Project including, but not limited to, installation of utilities such as water, sanitary sewer and natural gas lines, relocation of utilities, installation and relocation of electrical services, installation of storm drainage, construction of roadways with curb and gutter, parking, sidewalks, installation of traffic signalization and signage, grading, lighting and landscaping of rights-of-way, purchase of rights-of-way and other property necessary for the installation of the infrastructure and other improvements described hereinabove, capitalized interest, and other related expenses such as engineering, all expenses in connection with the authoring, sale and issuance of bonds, or indebtedness, TIF plan preparation fees and other incidental related costs, and related professional fees. If deemed necessary and appropriate, the City and County may require

additional security from the developers of the Project. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare. A more detailed scope of work, along with budgets, will be identified in a security and reimbursement agreement with the Clinton Lodging, LLC (the "Developer").

Proceeds of the Bonds, Notes, or other similar debt instruments may also be used to fund capitalized interest and/or a debt service reserve fund as may be permitted under Section 21-45-1, et seq., Mississippi Code of 1972, as amended.

The Bonds or Notes shall be secured solely by a pledge by the City of up to one-hundred percent (100%) of the incremental increase in ad valorem tax revenues on real and personal property generated by construction and development in the TIF District, as described in the TIF Plan, and will never be a general obligation of the City secured by the full faith, credit, and taxing power of the City or create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes set forth above. The City intends to enter into an inter-local Agreement with Hinds

County, Mississippi (the "County") pursuant to the Regional Economic Development Act as required to support the Project and allow for efficient use of proceeds of the Bonds. The County is expected to pledge up to fifty-percent (50%) of the incremental increase in ad valorem real and personal property taxes limited to the the General Fund millage and generated by development in the TIF District to support the Project. The Bonds will likewise never be a general obligation of the County secured by the full faith, credit and taxing power of the County. If deemed necessary and appropriate, the City and the County may require additional security from the Developers of the project.

Construction of the Project and payment of the Bonds issued to construct the Project will be paid as hereinabove set forth and will not require an increase in any kind or type of taxes by the City or the County.

The City and the County may exercise their authority under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the "Act"), individually or jointly, pursuant to an inter-local

1322
Jim Poor @ 601-405-
Females 350.00 Call
AKC German Shep-
herd Pups, Males and
Females 350.00 Call
0766
Brandon 601-428-



WASTE MANAGEMENT

P.O. Box 1788
Jackson, MS 39215
(601) 922-9647
(601) 923-5134 Fax

December 31, 2013

The Mayor and Board of Alderman
City of Clinton
300 Jefferson Street
Clinton, MS 39060

Dear Mayor Fisher:

Pursuant to the terms of our contract for residential waste hauling, Price Adjustments, we are submitting for your review the annual CPI calculation for the October 1, 2013 rate adjustment. I have included with this letter a copy of the U.S. Department of Labor, Bureau of Labor Statistics, and Consumer Price Index for Urban Wage Earners and Clerical Workers (All items.) The calculation of the CPI increase is as follows:

	All items
October 2012	227.974
October 2013	<u>229.735</u>
Change	0.77%
Calculated CPI	0.77%

The rate calculation effective January 1, 2014 is as follows:

	Old Rate
Current Rate	\$13.07
CPI Increase	<u>.10</u>
New Rate	\$13.17

Your next invoice will reflect the change. We are very proud to list the City of Clinton as one of our valued customers and look forward to a successful future.

Best regards,

Terry Smith
Public Sector Solutions Manager

City of Clinton

MAS Acct 780-17652
City of Clinton
Clinton City Clerk
300 Jefferson Street
Clinton, MS 39060

1-1-2012 - 12-31-2015

Section 11. Rates

January 1st Rate Modification Date

Bureau of Labor Statistics, US City Average, Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) - All Items
Index Value - October

As soon as possible after Rate Modification Date:

- i. Index value on October
- ii. index value on rate modification date preceding the date of statement
- iii. net percentage change
- v. increase or decrease in fees

Current Rates

Households \$ 13.07

of Units

Households 9,150

Current Charges

Households \$ 119,590.50

CPI - W Urban Wage Earners and Clerical Workers

- i. CPI - W All Items 227.974 Index Value 1st full month prior to commencement - October 2012
- ii. CPI - W 229.735 Index Value on rate modification date preceding date of statement - October 2013
- iii. % Change 0.77%

iv. Increase in Fees - Effective January 1, 2014

	Old Rate	CPI % Increase	Increase Amount	New Rate
Households	\$ 13.07	0.77%	\$ 0.10	\$ 13.17
Households	\$ 13.17		9,150	\$ 120,505.50
			\$ 915.00	Increase/Month
			10,980.00	Annual Increase