

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

Be it remembered that three (3) public hearings before the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held, at 5:00 o'clock p.m., Tuesday, the 6th day of November, 2012, in the Long Beach City Hall, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearings.

There were present and in attendance on said board and at the public hearings the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Mark E. Lishen, City Clerk Rebecca E. Schruff and City Attorney James C. Simpson, Jr.

Aldermen Ronnie Hammons, Jr. and Carolyn J. Anderson were absent the public hearings.

There being a quorum present sufficient to transact the business of these public hearings, the following proceedings were had and done.

Alderman Ponthieux arrived late and was preliminarily absent the hearings.

The first public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach located at #1 Mossy Oaks, assessed to Thomas E., Jr., and Debra Hebert Clifford is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the City Clerk for her report, whereupon Alderman Couvillon made motion seconded by Alderman Carrubba and unanimously carried to make said report a part of the record of this public hearing, as follows:

- The Clerk reported that she did cause to be sent via certified mail, electronic receipt requested, legal notice, public hearing, to the property owners, Thomas E. Jr. and Debra Hebert Clifford, at #1 Mossy Oaks, Long Beach, Mississippi, 39560, as the same appears of record on the 2012 Harrison County Real Property Tax Rolls; notice was also sent via certified mail, electronic receipt requested, to Adams & Peden, P. A., Foreclosure Department, 2001 Creek Cove, Suite A, Brandon, Mississippi, 39042.
- The legal notice sent to Thomas E., Jr., and Debra Hebert Clifford, at #1 Mossy Oaks, Long Beach, Mississippi, 39560, was returned by the USPS, "Undeliverable as Addressed, Unable to Forward"; the legal notice sent to Adams & Peden, P. A., Foreclosure Department, 2001 Creek Cove, Suite A, Brandon, Mississippi,

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Mayor and Board of Aldermen

39042, Certified Label Number 91 7108 2133 3939 0116 0632, was delivered by the USPS on October 9, 2012.

- The Clerk reported that the Legal Notice of Public Hearing was posted on the subject property, #1 Mossy Oaks, Long Beach, Mississippi, and on the bulletin boards at City Hall, the Building Permit Office, the Water Department, 201 Jeff Davis Avenue; the Long Beach Public Library, 207 Jeff Davis Avenue; and posted on the city's official website, www.cityoflongbeachms.com. Said Notice is as follows:

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

October 2, 2012

CITY CLERK
TAX COLLECTOR
Rebecca E. Schuff

CITY ATTORNEY
James C. Simpson, Jr.

91 7108 2133 3939 0116 0571

Thomas E. Clifford, Jr.
Debra Hebert Clifford
1 Mossy Oaks Drive
Long Beach, Mississippi 39560

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting October 2, 2012, hold a public hearing at 5:00 p.m., Tuesday, November 6, 2012, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Clifford E. Thomas Clifford, Jr., and Debra Hebert Clifford, and situated in the City of Long Beach, Mississippi, at 1 Mossy Oaks Drive, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 1 Mossy Oaks Drive, Long Beach, Mississippi
Parcel Number: 05111-02-032.001
Legal Description: LOT 1 MOSSY OAK SUBD SEC 10-8-12

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars (\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

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expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated.*

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 2nd day of October, 2012.


Rebecca E. Schuff
City Clerk

Minutes of November 6, 2012
Mayor and Board of Aldermen

City of Long Beach
P.O. Box 929
Long Beach, MS 39560



NAME _____
1st Notice 10-15
2nd Notice _____
Return _____



Debra Hebert Clifford
1 Mossy Oaks Drive
Long, MS



38580 CITY CLERK
Signature Required

392 D2 L SENDER CO 10/11/12
RETURN TO SENDER
NOT DELIVERABLE FOR ADDRESSEE
NAME IS FOR MAILING
REF: 39560097979 #1758-00744-04-10



Minutes of November 6, 2012
Mayor and Board of Aldermen

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Track & Confirm

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393901160832	First-Class Mail®	Delivered	October 09, 2012, 4:21 pm	BRANDON, MS 39042	Return Receipt Electronic
		Processed through USPS Sort Facility	October 08, 2012, 8:57 pm	JACKSON, MS 39201	
		Depart USPS Sort Facility	October 07, 2012	JACKSON, MS 39201	
		Processed through USPS Sort Facility	October 06, 2012, 7:51 pm	JACKSON, MS 39201	
		Depart USPS Sort Facility	October 04, 2012	GULFPORT, MS 39503	
		Processed at USPS Origin Sort Facility	October 04, 2012, 8:12 pm	GULFPORT, MS 39503	
		Electronic Shipping Info Received	October 04, 2012		
		Accepted at USPS Origin Sort Facility	October 04, 2012, 6:57 pm	LONG BEACH, MS 39560	

Check on Another Item
What's your label (or receipt) number?

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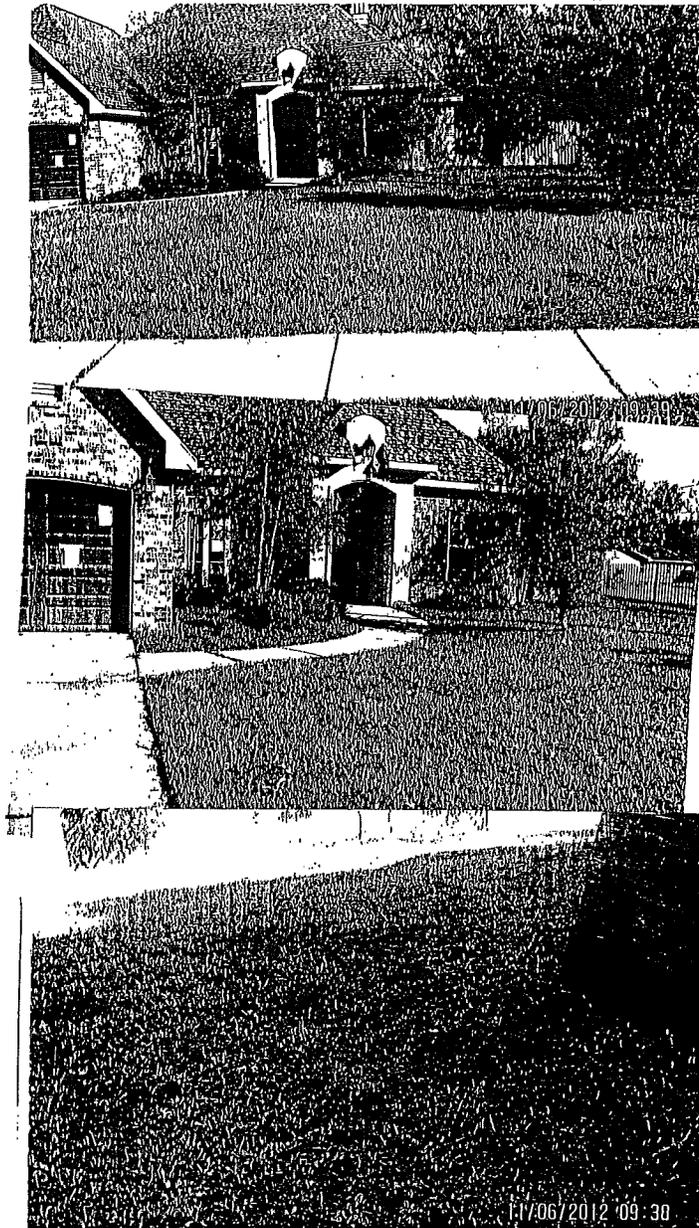
OTHER USPS SITES: Business Customer Gateway, Postal Inspectors, Inspector General, Postal Explorer

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https://tools.usps.com/go/TrackConfirmAction.action

11/5/2012

➤ The Clerk submitted photographs depicting the subject property, #1 Mossy Oaks, Long Beach, Mississippi, taken November 6, 2012, as follows:



- The Clerk submitted a sworn affidavit from Building Official Earl Levens and Zoning Enforcement Officer Claire Leatherwood affirming the posting of legal notice on the subject property, #1 Mossy Oaks, Long Beach, Mississippi, and photographs of the subject property taken on November 6, 2012; said affidavit is as follows:

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Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

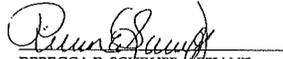
BEFORE ME, the undersigned legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared BARL LEVENS, known to me to be the Building Official and CLAIRE LEATHERWOOD known to me to be the Zoning Enforcement Officer both of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That Barl Levens is the duly appointed and acting Building Official and Claire Leatherwood is the duly appointed and acting Zoning Enforcement Officer of the City of Long Beach, Mississippi;

2. That in such capacity, they are responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute a menace to the public health and safety of the community; they are responsible for the taking of photographs of those certain properties to determine the state of the property in its then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;

3. That on or before October 22, 2012, Barl Levens did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Thomas E., Jr., and Debra Hebert Clifford, 1 Mossy Oaks Drive, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on November 6, 2012, Claire Leatherwood did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for November 6, 2012.

This the 6th day of November, 2012.


REBECCA E. SCHIRUPP, ATTORNEY

SWORN TO AND SUBSCRIBED before me on this the 6th day of November, 2012.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT-PHOTOS, POST NOTICE

* * * * *

The Mayor opened the floor for public comments from the property owner or their representative and no one came forward to be heard.

* * * * *

There being no further comments or discussion Alderman Couvillon made motion seconded by Alderman Carrubba and unanimously carried to close the public hearing and take official action, as follows:

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

Alderman Couvillon made motion seconded by Alderman Lishen and unanimously carried that, based upon information provided and discussion held during the course of this public hearing, the subject property, #1 Mossy Oaks, Long Beach, Mississippi, assessed to Thomas E., Jr., and Debra Hebert Clifford, is in compliance with city codes and ordinances at this time.

Alderman Ponthieux arrived at the public hearings.

The second public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, located at 125 Mount Bass, assessed to Joey N. and Kiasha M. Brou, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the City Clerk for her report, whereupon Alderman Couvillon made motion seconded by Alderman Carrubba and unanimously carried to make said report a part of the record of this public hearing, as follows:

- The Clerk reported that she did cause to be sent via certified mail, electronic receipt requested, legal notice, public hearing, to the property owners, Joey N. and Kiasha M. Brou, at 125 Mount Bass, Long Beach, Mississippi, 39560, as the same appears of record on the 2012 Harrison County Real Property Tax Rolls.
- The legal notice sent to Joey N. and Kiasha M. Brou, at 125 Mount Bass, Long Beach, Mississippi, 39560, was returned by the USPS, "Undeliverable as Addressed, Unable to Forward".
- The Clerk reported that the Legal Notice of Public Hearing was posted on the subject property, 125 Mount Bass, Long Beach, Mississippi, and on the bulletin boards at City Hall, the Building Permit Office, the Water Department, 201 Jeff Davis Avenue; the Long Beach Public Library, 207 Jeff Davis Avenue; and posted on the city's official website, www.cityoflongbeachms.com. Said notice is as follows:

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Mayor and Board of Aldermen

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City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

October 2, 2012

91 7108 2133 3939 0116 0625
Joey N. Brou
Klasha M. Brou
125 Mt. Bass Street
Long Beach, Mississippi 39560

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting October 2, 2012, hold a public hearing at 5:00 p.m., Tuesday, November 6, 2012, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Joey N. and Klasha M. Brou, and situated in the City of Long Beach, Mississippi, at 125 Mt. Bass Street, is in such a state of uncleanliness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 125 Mt. Bass Street, Long Beach, Mississippi
Parcel Number: 0611N-03-056.000
Legal Description: LOT 17 LBNORA HEIGHTS SUBD.

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars(\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

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www.cityoflongbeachms.com

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expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated.*

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 2nd day of October, 2012.


Rebecca B. Schruiff
City Clerk

Minutes of November 6, 2012
Mayor and Board of Aldermen

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

DEFERRED



41 7108 2133 3739 0116 0625



NAME
1st Notice
2nd Notice
Return

Joey N. Brou
125 Mt. Bass Street
Lon NIXIE

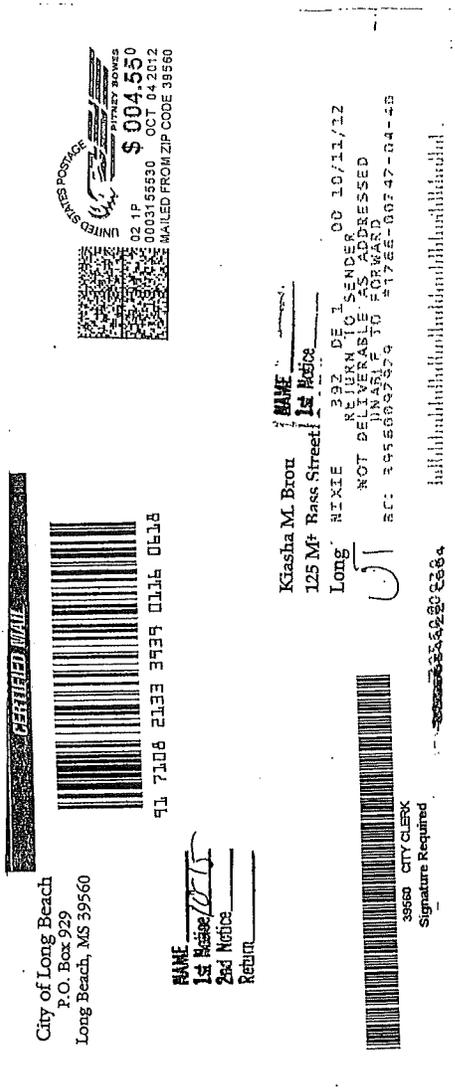
397 UNPAID SENDER 00 10/11/12
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
RC: 3956092979



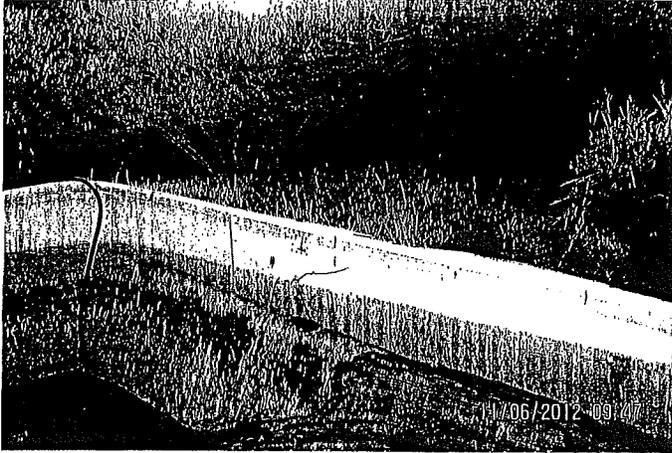
39560 CITY CLERK
Signature Required

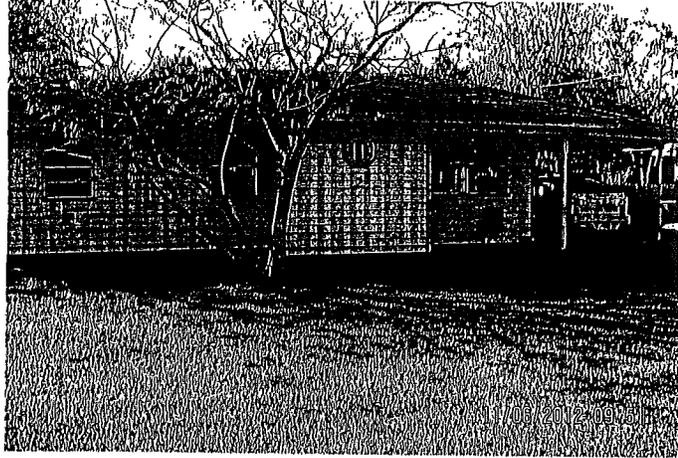


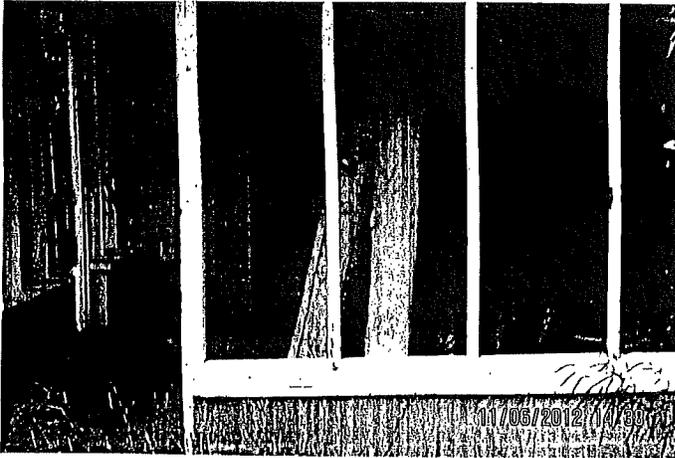
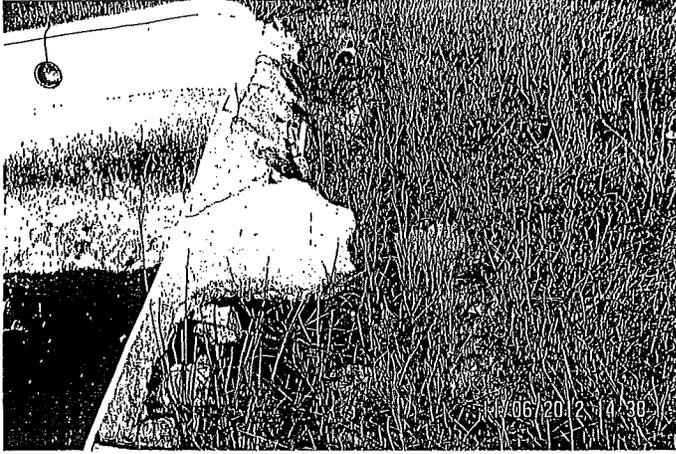
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Mayor and Board of Aldermen

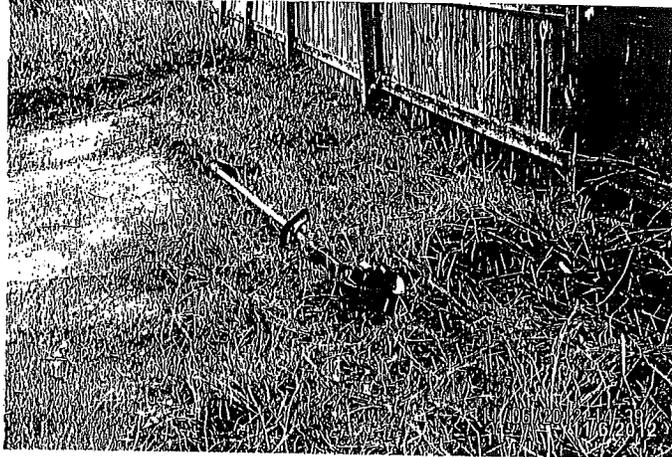


- The Clerk submitted photographs depicting the subject property, 125 Mount Bass, Long Beach, Mississippi, taken November 6, 2012, as follows:









- The Clerk submitted a sworn affidavit from Building Official Earl Levens and Zoning Enforcement Officer Claire Leatherwood affirming the posting of legal notice on the subject property, 125 Mount Bass, Long Beach, Mississippi, and photographs of the subject property taken on November 6, 2012. Said affidavit is as follows:

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Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official and CLAIRE LEATHERWOOD known to me to be the Zoning Enforcement Officer both of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That Earl Levens is the duly appointed and acting Building Official and Claire Leatherwood is the duly appointed and acting Zoning Enforcement Officer of the City of Long Beach, Mississippi;

2. That in such capacity, they are responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; they are responsible for the taking of photographs of those certain properties to determine the state of the property in its then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;

3. That on or before October 22, 2012, Earl Levens did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Joey N. and Kiasha M. Brou, 125 Mt. Bass, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on November 6, 2012, Claire Leatherwood did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for November 6, 2012.

This the 6th day of November, 2012.


REBECCA E. SCHRUEL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 6th day of November, 2012.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT-PHOTOS,POST NOTICE

* *

The Mayor opened the floor for public comments from the property owner or their representative and no one came forward to be heard.

The Clerk reported that she spoke with Mr. Brou via telephone and she e-mailed the notices to him today, November 6, 2012; he apprised her that he hired a contractor to clean the property and secure the swimming pool.

* *

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Mayor and Board of Aldermen**

There being no further comments or discussion Alderman Couvillon made motion seconded by Alderman Lishen and unanimously carried to close the public hearing and take official action, as follows:

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 125 Mount Bass to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Couvillon offered and moved the adoption of the following Resolution and Order:

**RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF LONG BEACH, MISSISSIPPI ADJUDICATING THE PROPERTY
LOCATED AT 125 MOUNT BASS LONG BEACH, MISSISSIPPI, TO BE A
MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND
REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.**

WHEREAS, the Mayor and Board of Aldermen having made due investigation therefore do now find, determine, declare and order as follows:

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 125 Mount Bass Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of October 2, 2012 on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be held November 6, 2012 and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

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Mayor and Board of Aldermen

2. That, having served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or my posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing, hereby made a part of the record of these proceedings;

3. That the Mayor and Board of Aldermen having considered testimony evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanness as to be a menace to the public health and safety of the community and constitutes an attractive nuisance. It is therefore,

RESOLVED AND ORDERED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 125 Mount Bass, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611N-03-056.000 and according to said tax records is owned by Joey N. and Kiasha Brou is at present in such a state of uncleanness as to be a menace to the public health and safety of the community and an attractive nuisance.

2. That the aforesaid owner is hereby order to clean said parcel of land by November 20, 2012, and that such cleaning shall include:

Removal of all discarded materials, dangerous items, and such other rubbish

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Mayor and Board of Aldermen**

and/or debris as described in any notice or as appearing on said property contributing to the property constituting a nuisance and menace overall to the public health and safety, and abate or cause to be abated the conditions otherwise existing and constituting a menace to public safety and health as testified and/or described in general at the hearing, and as contained in the report letter from Zoning Enforcement Officer Claire Leatherwood attached hereto.

3. That in the event that said owner shall fail to complete cleaning of the subject property by November 20, 2012, then the governing authority shall proceed to clean the subject property as required by paragraph 2, above, by the use of municipal employees or by contract, with the cost of same, together with a penalty of \$1,500.00 or 50% of such actual cost, whichever is greater, to be, at the next regular meeting after completion of such clean-up, assessed against the said parcel of land.

Alderman Lishen seconded the motion to adopt the foregoing resolution and order, and the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn J. Anderson	voted	Absent, Not Voting
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Absent, Not Voting

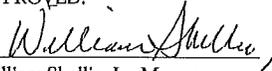
The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order

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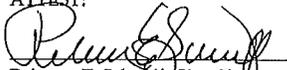
adopted and approved this the 6th day of November, 2012.

APPROVED:



William Skellie, Jr., Mayor

ATTEST:



Rebecca E. Schuff, City Clerk

Minutes of November 6, 2012
Mayor and Board of Aldermen

City of Long Beach



April 3, 2012

91 7108 2133 3938 0607 1989

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

Joey & Kiasha Brou
125 Mount Bass
Long Beach, Ms. 39560

Reference:125 Mount Bass Street
Long Beach, Ms. 39560
Parcel # 0611N-03-056.000

Dear Mr. & or Mrs. Brou,

You are hereby notified that you are in violation of the following:
INTERNATIONAL PROPERTY MAINTENCE CODE:CHAPTER 3 : SECTION
303.1,303.2& 304.13 (SEE ATTACHED)

After inspecting the above referenced property, it has been determined that you are in violation of an in-operable pool, holding stagnant water and a broken window at the home. You have 7(seven) days to bring this matter into compliance. You may call 228-863-1554, my cell 228-669-2318, or take this notice with you to the Permit Office, located at 201 Jeff Davis Avenue for directions and/or corrective measures..

Failure to comply with this notice constitutes a violation and is chargeable as a misdemeanor

By order of
City of Long Beach
Claire Leatherwood
Claire Leatherwood
Zoning Department

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822

CHAPTER 3
GENERAL REQUIREMENTS

SECTION 301
GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302
EXTERIOR PROPERTY AREAS

302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the

property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 303
SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure

Minutes of November 6, 2012
Mayor and Board of Aldermen

GENERAL REQUIREMENTS

shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

SECTION 304
EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces re-painted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

[F] 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be

maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

The third and final public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach located at 235 South Lang Avenue, assessed to Patricia Erwin Terrell, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the City Clerk for her report, whereupon Alderman Carrubba made motion seconded by Alderman Couvillon and unanimously carried to make said report a part of the record of this public hearing, as follows:

Minutes of November 6, 2012
Mayor and Board of Aldermen

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- The Clerk reported that she did cause to be sent via certified mail, electronic receipt requested, legal notice, public hearing, to the property Patricia Erwin Terrell, 405 East 2nd Street, Long Beach, Mississippi, 39560, as the same appears of record on the 2012 Harrison County Real Property Tax Rolls.
- The legal notice sent to Patricia Erwin Terrell, 405 East 2nd Street, Long Beach, Mississippi, 39560, was delivered by the USPS on October 10, 2012.
- The Clerk reported that the Legal Notice of Public Hearing was posted on the subject property, 235 South Lang Avenue, Long Beach, Mississippi, and on the bulletin boards at City Hall, the Building Permit Office, the Water Department, 201 Jeff Davis Avenue; the Long Beach Public Library, 207 Jeff Davis Avenue; and posted on the city's official website, www.cityoflongbeachms.com. Said notice is as follows:

Minutes of November 6, 2012
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schuff

CITY ATTORNEY
James C. Simpson, Jr.

October 2, 2012

Patricia Erwin Terrell
405 East 2nd Street
Long Beach, Mississippi 39560

71 7108 2133 3739 0116 0601

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting October 2, 2012, hold a public hearing at 5:00 p.m., Tuesday, November 6, 2012, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Patricia Erwin Terrell, and situated in the City of Long Beach, Mississippi, at 235 South Lang Avenue, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 235 S Lang Avenue, Long Beach, Mississippi
Parcel Number: 0512H-02-017,000
Legal Description: LOTS 17 & 18 LESS S 10 FT OF 18 BLK 6 HARBOR VIEW

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars(\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

Minutes of November 6, 2012
Mayor and Board of Aldermen

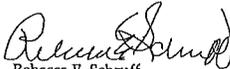
387

Page 2 of 2

expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated.*

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 2nd day of October, 2012.


Rebecca E. Schruoff
City Clerk

Minutes of November 6, 2012
Mayor and Board of Aldermen

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Page 1 of 1

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GET EMAIL UPDATES PRINT DETAILS

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES	
9171082133393901160001	First-Class Mail®	Delivered	October 10, 2012, 10:44 am	LONG BEACH, MS 39560	Return Receipt Electronic	
		Notice Left	October 05, 2012, 3:20 pm	LONG BEACH, MS 39560		
		Arrival at Unit	October 05, 2012, 8:15 am	LONG BEACH, MS 39560		
		Processed through USPS Sort Facility	October 05, 2012, 4:30 am	GULFPORT, MS 39503		
		Depart USPS Sort Facility	October 04, 2012	GULFPORT, MS 39503		
		Processed at USPS Origin Sort Facility	October 04, 2012, 8:12 pm	GULFPORT, MS 39503		
		Electronic Shipping Info Received	October 04, 2012			
		Accepted at USPS Origin Sort Facility	October 04, 2012, 6:57 pm	LONG BEACH, MS 39560		

Check on Another Item

What's your label (or receipt) number?

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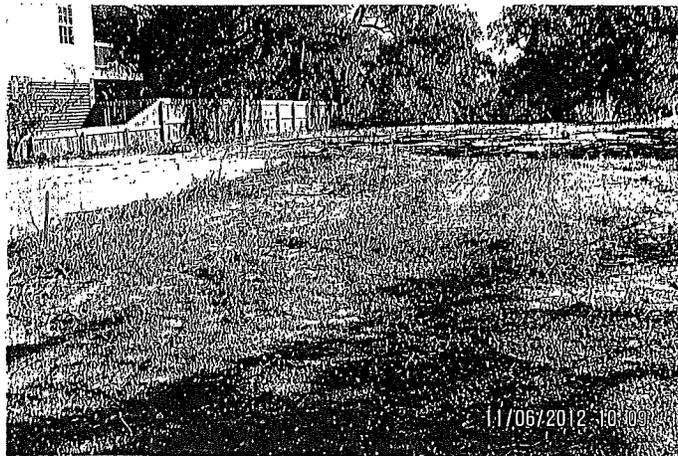
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Inspector General »
Postal Explorer »

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<https://tools.usps.com/go/TrackConfirmAction.action>

11/5/2012

- The Clerk submitted photographs depicting the subject property, 235 South Lang Avenue, Long Beach, Mississippi, taken November 6, 2012, as follows:



- The Clerk submitted a sworn affidavit from Building Official Earl Levens and Zoning Enforcement Officer Claire Leatherwood affirming the posting of legal notice on the subject property, 235 South Lang Avenue, Long Beach, Mississippi, and photographs of the subject property taken on November 6, 2012. Said affidavit is as follows:

Minutes of November 6, 2012
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official and CLAIRE LEATHERWOOD known to me to be the Zoning Enforcement Officer both of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That Earl Levens is the duly appointed and acting Building Official and Claire Leatherwood is the duly appointed and acting Zoning Enforcement Officer of the City of Long Beach, Mississippi;

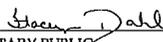
2. That in such capacity, they are responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute a menace to the public health and safety of the community; they are responsible for the taking of photographs of those certain properties to determine the state of the property in its then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;

3. That on or before October 22, 2012, Earl Levens did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Patricia Erwin Terrell, 235 South Lang Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on November 6, 2012, Claire Leatherwood did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for November 6, 2012.

This the 6th day of November, 2012.


REBECCA E. SCHRUPF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 6th day of November, 2012.

-My Commission Expires- 
NOTARY PUBLIC



AFFIDAVIT-PHOTOS,POST NOTICE

* *

The Mayor opened the floor for public comments from the property owner or their representative and no one came forward to be heard.

* *

There being no further comments or discussion Alderman Couvillon made motion seconded by Alderman Carrubba and unanimously carried to close the public hearing and take official action, as follows:

Minutes of November 6, 2012
Mayor and Board of Aldermen

Alderman Couvillon made motion seconded by Alderman Carrubba and unanimously carried that, based upon information provided and discussion held during the course of this public hearing, the subject property, 235 South Lang Avenue, Long Beach, Mississippi, assessed to Patricia Erwin Terrell, is in compliance with city codes and ordinances at this time.

Be it remembered that a regular meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 5:00 o'clock p.m., Long Beach City Hall, 201 Jeff Davis Avenue, in said City, it being the first Tuesday in November, 2012, and the same being the time, date and place fixed by Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said meeting.

There were present and in attendance on said board and at the meeting the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Mark E. Lishen, City Clerk Rebecca E. Schruoff, and City Attorney James C. Simpson, Jr.

Aldermen Ronnie Hammons, Jr., and Carolyn J. Anderson were absent the meeting.

There being a quorum present sufficient to transact the business of the City, the following proceedings were had and done.

The meeting was called to order and the Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on September 25, 2012, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County; The Press-Register, Jackson County, Mississippi; and The Times-Picayune, Orleans Parish, Louisiana; Legal Notice, Request for Qualifications, Project Management Services, as evidenced by the Publisher's Proof of Publication.

Alderman Couvillon made motion seconded by Alderman Carrubba and unanimously carried to spread said Proofs of Publication upon the minutes of this meeting in words and figures, as follows:

Minutes of November 6, 2012
Mayor and Board of Aldermen

PROOF OF PUBLICATION

ADVERTISEMENTS FOR
 QUALIFICATIONS FOR
 The Long Beach Post Office
 and City of Long
 Beach, Arkansas, will be
 published in the PRO-
 CEEDING MANAGEMENT
 BEHIND for the various
 FEMA, FODDS and MDHA
 Construction Projects related
 to Hurricane Irene. Copies of
 the Request for Qualifications
 may be obtained by a written
 request to the Long Beach
 City Clerk or by picking up a
 copy at Long Beach City Hall,
 201 Jill Davis Avenue,
 Long Beach, MS 38601.
 Responses should be hand-
 delivered, or submitted via
 mail to be received by 10:00
 a.m. on October 29,
 2012, to: City Clerk, City of
 Long Beach, 201 Jill Davis
 Avenue, Long Beach, MS
 38601. All questions will
 be answered publicly on Octo-
 ber 29, 2012, at the Long
 Beach City Hall meeting
 rooms. The City will not
 accept proposals except to be
 by the participants. The
 recommended firm shall be
 presented to the Long Beach
 Post Commission and City of
 Long Beach Board of Alder-
 men for approval. Proposals
 will be reviewed by the Long
 Beach Post Commission
 using the selection criteria
 outlined in the RFQ. Written
 contracts will be awarded to
 the lowest responsible and
 qualified bidder. The City of Long
 Beach to be the most adven-
 tageous to the City of Long
 Beach, with all factors pro-
 perly considered. The CITY
 shall have the right to reject
 any or all qualifications/fo-
 cusing but limited to those
 that are in any way incom-
 plete, inconsistent or irregular
 with respect to the Request for
 Qualifications. The CITY shall
 have the right to make any
 informally or irregularly in
 any proposal involved and to
 accept the proposal which, in
 the opinion, is the most adven-
 tageous. The CITY reserves
 the right to award a contract
 to the lowest responsible and
 qualified bidder and to make
 any changes in the award
 process and schedule at its
 discretion. By: Re-
 becca Schultz, City Clerk
 ADVISORY 10000310

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

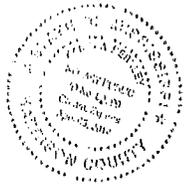
- Vol. 128 No. 365 dated 2 day of Oct, 2012
- Vol. 128 No., 6 dated 9 day of Oct, 2012
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Crista Laux
Clerk

Sworn to and subscribed before me this 9 day of Oct, A.D., 20 12

[Signature]
Notary Public



Minutes of November 6, 2012
 Mayor and Board of Aldermen

PRESS-REGISTER
 LEGAL AFFIDAVIT

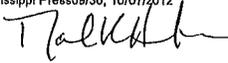
CITY OF LONG BEACH MISSISSIPPI
 ATTN: ACCOUNTS/PAYABLE:
 P.O. BOX 929
 LONG BEACH, MS 39560

Name: CITY OF LONG BEACH
 Account Number: 1057428
 Ad Number: 0001899468

Sales Rep: Christine Bavins
 251-219-5000
 Billing Inquiries Please Call: (251) 219-5424

Date	Position	Description	P.O. Number	Ad Size	Total Cost
10/07/2012	Legals-Mississippi	ADVERTISEMENT FOR REQUEST FOR QUALIFICATIONS The Long Beach Port		308 WDS	67.32

Dan Hunter being sworn, says that he is bookkeeper of Press-Register which publishes a daily newspaper in the City of Pascagoula and County of Jackson, State of Mississippi, and attached notice appeared in the issue of Mississippi Press 09/30, 10/07/2012



ADVERTISEMENT FOR REQUEST FOR QUALIFICATIONS

The Long Beach Port Commission and City of Long Beach, Mississippi, will receive qualifications for PROJECT MANAGEMENT SERVICES for the various PAWS, CPOB and MIRA Construction Projects related to Hurricane Isaac. Copies of the Request for Qualifications may be obtained by a written request to the Long Beach City Clerk or by picking up a copy at Long Beach City Hall, 201 Jett Road Avenue, Long Beach, MS 39560. Responses should be hand delivered or submitted via mail to be received no later than 11:59 am October 20, 2012, to City Clerk, City of Long Beach, 201 Jett Road Avenue, Long Beach, MS 39560. All qualifications will be opened publicly on October 29, 2012 at the Long Beach City Hall meeting room. The City will not issue proposals except to satisfy the participants. The recommended firm shall be presented to the Long Beach Port Commission and City of Long Beach Board of Aldermen for approval. Proposals will be reviewed by the Long Beach Port Commission using the selection criteria outlined in the RFP. Written contracts will be awarded to firms whose proposals are determined by the City of Long Beach to be the most advantageous to the City of Long Beach with all terms properly considered. The City shall have the right to reject any or all qualifications, including but not limited to those that are in any way incomplete, inconsistent or irregular with respect to the Request for Qualifications. The City shall have the right to solicit and informally or separately in any proposal received and through the proposal which, in its judgment, is in the number's interest. The City reserves the right to revise the selection process and schedule as circumstances require. By: Rebecca Schell, City Clerk

Sworn to and subscribed before me this 8th day of October 2012

NOTARY PUBLIC

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL Karen Blackwood AT (251) 219-5413. YOU CAN PLACE A LEGAL NOTICE BY EMAIL OR FAX: MSLEGAL@PRESS-REGISTER.COM OR FAX# (251) 219-5037

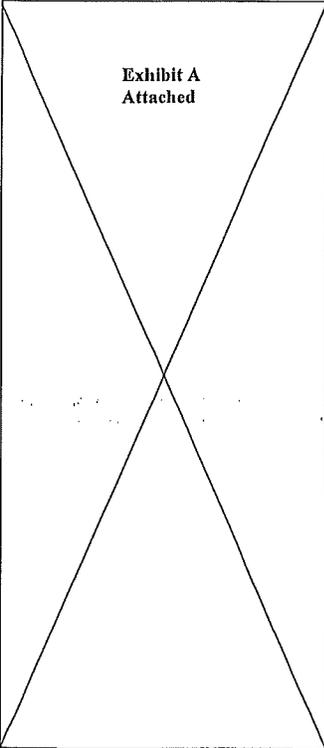


THE MISSISSIPPI PRESS
 207E-30, OCT. 7, 2012

Minutes of November 6, 2012
Mayor and Board of Aldermen

nola | **The Times-Picayune**
NOLA MEDIA GROUP

3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70125-1429 TELEPHONE (504) 826-3201



I attest that the copy attached hereto as "Exhibit A" is a true and correct copy of the advertisement published in The Times-Picayune on these dates.

State of Louisiana

Parish of Orleans

City of New Orleans

Personally appeared before me, a Notary in and for the parish of Orleans, Randy A. Trahan who deposes and says that he is Administrative Operations Manager of NOLA Media Group, a division of The Times-Picayune, L.L.C., a Louisiana limited liability company, and Publishers of The Times-Picayune, Daily and Sunday, of general circulation; doing business in the City of New Orleans and the State of Louisiana, and that the attached

BIDS-PROPOSALS

Re: Project Management Services for the Various FEMA, CBDG and MDHA Construction Projects related to

Advertisement of City of Long Beach MS

PO Box 929
Long Beach, MS 39560

Was published in The Times Picayune

3800 Howard Ave
New Orleans, LA 70125

On the following dates October 5, 12, 2012

Sworn to and subscribed before me this
18th Day of October, 2012

[Handwritten Signature]

Notary Public

My commission expires at my death.
Charles A. Ferguson, Jr.
Notary Identification number 23492

ADVERTISEMENT FOR
REQUEST FOR QUALIFICATIONS

The Long Beach Port Commission and City of Long Beach, Mississippi, will receive qualifications for PROJECT MANAGEMENT SERVICES for the Various FEMA, CBDG and MDHA Construction Projects related to Hurricane Isaac. Copies of the Request for Qualifications may be obtained by a written request to the Long Beach City Clerk or by picking up a copy at Long Beach City Hall at 201 Jeff Davis Avenue, Long Beach, MS, 39560. Responses should be hand delivered or submitted via mail to be received no later than 10:00 am October 29, 2012, to: City Clerk, City of Long Beach, 201 Jeff Davis Avenue, Long Beach, MS, 39560. All qualifications will be opened publicly on October 29, 2012 at the Long Beach City Hall meeting room. The CITY will not issue proposal results except to notify the participants. The recommended firm shall be presented to the Long Beach Port Commission and City of Long Beach Board of Alderman for approval. Proposals will be reviewed by the Long Beach Port Commission using the selection criteria outlined in the RFO. Written contracts will be awarded to firms whose proposals are determined by the City of Long Beach to be the most advantageous to the City of Long Beach, with all factors properly considered. The CITY shall have the right to reject any or all qualifications, including but not limited to those that are in any way incomplete, inconsistent or irregular with respect to the Request for Qualifications. The CITY shall have the right to waive any informality or irregularity in any proposal received and to accept the proposal which, in its judgment, is in its own best interest. The CITY reserves the right to revise the selection process and schedule as circumstances require. By: Rebecca Schruiff, City Clerk

*

*

The Clerk reported that an "Information to Offerors" packet was sent via certified mail, electronic receipt requested, to six (6) minority vendors requesting submission of a proposal, as follows:

AJA Management & Technical Services, Inc.
Attn: Andrew Jenkins
912 North West Street
Jackson, MS 39202
Certified Receipt Label: 91 7108 2133 3939 0116 0519
Delivered: 10.01.12

Minutes of November 6, 2012
Mayor and Board of Aldermen

GFH, Inc.

Attn: Dawn Parker-Lockhart

26219 Cunningham Road

Pass Christian, MS 39571

Certified Receipt Label: 91 7108 2133 3939 0116 0526

Delivered: 10.09.12

CivilTech, Inc.

Attn: Elmore Moody

P.O. Box 12852

Jackson, MS 39236-2852

Certified Receipt Label: 91 7108 2133 3939 0116 0533

Delivered: 10.01.12

N. A. Howard Consulting, Inc.

Attn: Milady A. Howard

505 Brumbaugh Road

Ocean Springs, MS 39564

Certified Receipt Label: 91 7108 2133 3939 0116 0540

Delivered: 09.29.12

Colom Construction Co., Inc.

Attn: Rod Colum

P. O. Box 414

Ripley, MS 38663

Certified Receipt Label: 91 7108 2133 3939 0116 0557

Delivered: 10.01.12

Advanced Environmental Consultants, Inc.

Attn: DeJonnette Grantham-King

P.O. Box 31875

Jackson, MS 39286-1875

Certified Receipt Label: 91 7108 2133 3939 0116 0564

Delivered: 10.01.12

*

*

The Clerk further reported that thirteen (13) proposals were properly submitted and reviewed by the selection committee; the results are as follows:

Minutes of November 6, 2012
 Mayor and Board of Aldermen

MINUTES

Project Management Services -- Various FEMA (MEMA)/CDBG/MDHA Construction Projects Related to Hurricane Isaac, Selection Committee

RE: City of Long Beach/Long Beach Port Commission

Members Present: William Skellie, Jr. Phil Kies
 George Bass Barbara Reed
 Mark Lishen

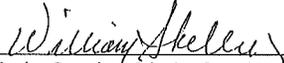
The Committee reviewed thirteen (13) proposals submitted for the services referenced above using the following rating criteria for evaluation:

Criteria	Maximum Points
Qualifications	30
Experience	30
Capacity	20
Applicable Hourly Rates	20
Total Points	100

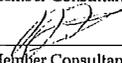
The Committee members assigned points to each firm or individual based on a careful review of the content of each proposal.

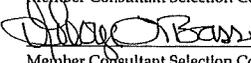
Committee Member	Firm	Total Points
William Skellie, Jr.	BRADDUS & ASSOCIATES	100
George Bass	BRADDUS & ASSOCIATES	100
Mark Lishen	BRADDUS & ASSOCIATES	100
Phil Kies	BRADDUS & ASSOCIATES	100
Barbara Reed	BRADDUS & ASSOCIATES	100 ⁹⁵ _{pm}

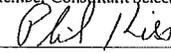
Based upon the tabulation of points, the proposal submitted by BRADDUS & ASSOCIATES received the highest number of points, therefore, the Committee recommends the selection for the firm of BRADDUS & ASSOCIATES to perform Project Management Services -- Various FEMA (MEMA)/CDBG/MDAH Construction Projects.


 Member Consultant Selection Committee


 Member Consultant Selection Committee


 Member Consultant Selection Committee


 Member Consultant Selection Committee


 Member Consultant Selection Committee

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

RECOMMENDATION OF PROJECT MANAGEMENT SERVICES – FEMA(MEMA)/CDBG/MDHA
COMMITTEE

RE: Project Management Services – Various FEMA (MEMA)/CDBG/MDHA Construction Projects Related to Hurricane Isaac

Long Beach, Mississippi, requested proposals for Project Management Services – Various FEMA (MEMA)/CDBG/MDHA Construction Projects Related to Hurricane Isaac, by order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on the 25th day of September, 2012.

The following proposals were received in the City Clerk's Office no later than 10:00 a.m., Monday, October 29, 2012. The Selection Committee met on October 30, 2012 at 11:00 a.m. to review the proposals received from the following firms and/or individuals.

AMEC Environmental
13109 Highway 67
Biloxi, MS 39532

Beaufort Engineering Services, Inc.
4307 15th Street
Gulfport, MS 39501

Braoddus & Asc.
701 Blenville Blvd.
Ocean Springs, MS 39564

Cely Consulting, Inc.
P.O. Box 620594
Orlando, FL 32862-0594

Compton Engineering, Inc.
3036 Longfellow Drive
Bay St Louis, MS 39520

H. Davis Cole & Asc.
2321 N Hullen St., Ste. B
Metairie, LA 70001

Digital Engineering
314 Coleman Avenue
Waveland, MS 39576

Hunt, Guillotte & Asc. LLC
1340 Poydras St., Ste. 1810
New Orleans, LA 70112

MAHC
505 Brumbaugh Road
Ocean Springs, MS 39564

RCL Architecture, LLC
900 W. Causeway Approach
Mandeville, LA 70471

Royal Engineering
601 Elysian Fields
New Orleans, LA 70117

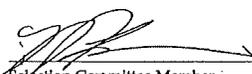
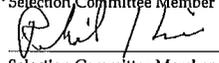
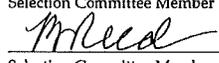
Smith, Seckman, Reid, Inc.
232 Market St., Bldg. K
Flowood, MS 39232

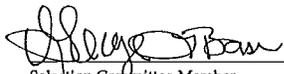
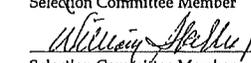
The Sulzer Group
650 Poydras Street
New Orleans, LA 70130

Each Committee member assigned points to each proposal based on the content of the proposal. The firm receiving the highest number of points is deemed by the Committee to be the most advantageous to the City. We, therefore, recommend award of a contract to BROADDUS & ASSOCIATES. The Firms that were evaluated are listed in order of the points assigned.

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Firm	Total Points
BROADDUS & ASSOCIATES	495
AMEC ENVIRONMENTAL	422
DIGITAL ENGINEERING	411
COMPTON ENGINEERING	385
BEAUFORT ENGINEERING SERVICES INC.	367
CELY CONSULTING INC	356
ROYAL ENGINEERING	334
MAHC	327
SMITH, SECKMAN, REID, INC.	326
HUNT GUILLOTE & ASC LLC	306
RCL ARCHITECTURE LLC	306
THE SULZER GROUP	270
H. DAVIS COLE & ASC	250


 Selection Committee Member

 Selection Committee Member

 Selection Committee Member


 Selection Committee Member

 Selection Committee Member

Based upon the minutes and recommendation of the selection committee, Alderman Ponthieux made motion seconded by Alderman Couvillon and unanimously carried to award the contract, Project Management Services, to Broaddus and Associates, as set forth above.

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on September 25, 2012, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the

Minutes of November 6, 2012
Mayor and Board of Aldermen

City of Long Beach and published in Harrison County; The Press-Register, Jackson County, Mississippi; and The Times-Picayune, Orleans Parish, Louisiana; Legal Notice, Request for Proposals, Engineering Services for Harbor Repairs, Hurricane Isaac, as evidenced by the Publisher's Proof of Publication.

Alderman Couvillon made motion seconded by Alderman Carrubba and unanimously carried to spread said Proofs of Publication upon the minutes of this meeting in words and figures, as follows:

PROOF OF PUBLICATION

REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES FOR HARBOR REPAIRS HURRICANE ISAAK RECOVERY, CITY OF LONG BEACH, MISSISSIPPI. The City of Long Beach will accept and process from qualified firms for professional engineering services required for the following:

1. Design and bidding services for the repairs to the placement of portions of the City's infrastructure within the municipal harbor damaged as a result of Hurricane Isaac.
2. Overall Construction Administration and Construction Inspection services during the construction of the project or projects.

Services to be provided by selected firms include, all phases of the design and construction administration of the project, including related inspection. The form of each agreement will be the STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES. All work shall be performed in accordance with the standard Agreement and conditions promulgated by FEDA and other agencies as applicable. Services will be furnished in accordance with each individual contract awarded and negotiated under this RFP. Contract will be awarded upon response to this solicitation in the manner deemed to be most beneficial to the City.

The following factors will be considered in making the selection:

1. EXPERIENCE with similar type of project.
2. QUALIFICATIONS and technical expertise in similar projects.
3. KNOWLEDGE of the City and familiarity with City standards and preferences.
4. CAPACITY to perform the work in a timely manner.

Proposers should include detailed data on recent similar projects completed by the firm including references and biographical information about the specific individuals who will be assigned to this project. The proposal should include a proposed method of payment, but no detailed pricing is requested at this time. All proposals will be read on by the following criteria for each project or group of similar projects: EXPERIENCE (25%), QUALIFICATIONS (25%), KNOWLEDGE (25%), CAPACITY (25%).

Contract will be awarded to the qualified proposer in the manner determined to be most advantageous to the City, cost and other factors considered. The Mayor and Board of Aldermen reserve the right to reject all proposals and to waive any irregularities or formalities in the proposal process. Proposals may be held by the City for a period not to exceed thirty (30) days from the date of submission for the purpose of review, prior to awarding the contract. The City of Long Beach in an equal opportunity employer.

Proposals will be opened, reviewed and ranked after a meeting by the Selection Committee, with members to be made by the City Board of Aldermen. No formal presentation or detailed, but informal interviews may be scheduled at the City's discretion. Negotiations will be conducted initially with the firm receiving the highest overall ranking. If a satisfactory contract cannot be successfully negotiated with the selected firm, negotiations with that firm for that proposed contract will be terminated in writing, and negotiations will be initiated with the next highest ranking firm. The process will continue until a satisfactory contract has been negotiated.

Proposals should be sealed and properly marked as "PROPOSAL FOR ENGINEERING SERVICES FOR HARBOR REPAIRS HURRICANE ISAAK RECOVERY" and may be delivered by mail to: City Clerk, 201 1/2 Davis Ave., P.O. Box 209, Long Beach, MS 38650. Fax: 662-885-1558. phone: 662-885-1558. Proposals must be received not later than 10:00 AM, Monday, October 22, 2012. Five copies of each proposal should be submitted.

ADV2012UE

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAOY who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

- Vol. 128 No., 305 dated 2 day of Oct, 20 12
- Vol. 129 No., 6 dated 9 day of Oct, 20 12
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Crista Lao
Clerk

Sworn to and subscribed before me this 9 day of Oct, A.D., 20 12

Karl Berg
Notary Public



Minutes of November 6, 2012
Mayor and Board of Aldermen

PRESS-REGISTER
LEGAL AFFIDAVIT

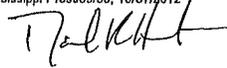
CITY OF LONG BEACH MISSISSIPPI
ATTN: ACCOUNTS PAYABLE
P.O. BOX 029
LONG BEACH, MS 39560

Name: CITY OF LONG BEACH
Account Number: 1057428
Ad Number: 0001899454

Sales Rep: Christine Bevins
251-219-6000
Billing Inquiries Please Call: (251) 219-6424

Date	Position	Description	P.O. Number	Ad Size	Total Cost
10/07/2012	Legals-Mississippi	REQUEST FOR PROPOSALS ENGINEERING SERVICES FOR HARBOR REPAIRS		673 WDS	126.08

Dan Hunter being sworn, says that he is bookkeeper of Press-Register which publishes a daily newspaper in the City of Pascagoula and County of Jackson, State of Mississippi; and attached notice appeared in the issue of Mississippi Press 09/30, 10/07/2012



REQUEST FOR PROPOSALS ENGINEERING SERVICES FOR HARBOR REPAIRS HURSCAHE ISAAC RECOVERY LONG BEACH, MISSISSIPPI

The City of Long Beach will accept sealed proposals from qualified firms for professional engineering services required by the following: Design and bidding services for the repair or replacement of portions of the City's infrastructure, within the municipal limits, damaged as a result of Hurricane Isaac.

Services to be provided by selected firm include all phases of the design and contract administration of the projects, including resident inspection. The firm of each agreement will be the ESTABLISHED FIRM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES. All work shall be performed in accordance with the executed agreement and guidelines promulgated by FEEM and other agencies as applicable. Services will be further defined within each engineering contract awarded and negotiated under this RFP.

1. EXPERIENCE with similar type of projects.
2. QUALIFICATIONS and technical expertise in similar projects.
3. KNOWLEDGE of the City and familiarity with its standards and preferences.
4. CAPACITY to perform the work in a timely manner.

Proposers should include detailed data on recent similar projects completed by the firm including references, and background information about the specific individuals who will be assigned to the project. This proposal should include a proposed method or methods of payment, but no detailed payment is requested at this time. All proposals will be rated on the following system to determine the best offer for each project or group of similar projects: EXPERIENCE - 25% QUALIFICATIONS - 25% KNOWLEDGE - 25% CAPACITY - 25%
Contracts will be awarded to the qualified offeror in a manner determined to be most advantageous to the City, cost and other factors considered. The Mayor and Board of Aldermen reserve the right to reject proposals and/or to accept any proposals or information in the proposal process. Proposals may be held by the City for a period not to exceed thirty (30) days from the date of submission in the presence of review, prior to awarding the contract. The City of Long Beach is an equal opportunity employer.

Proposals will be opened, reviewed, and posted after submitted by an approved Selection Committee, with final decisions to be made by the City Board of Aldermen. No formal pre-selection is needed or desired, but informal interviews may be conducted, at City's discretion. Regulations will be conducted initially with the firm receiving the highest overall ranking. To substantiate contract award, be successfully negotiated with the selected firm, the negotiation with that firm for that proposed contract will be conducted in writing, and negotiations will be initiated with the next highest ranking firm. This process will continue until a mutually satisfactory proposal has been negotiated. Proposals should be sealed and properly marked as "PROPOSAL FOR ENGINEERING SERVICES FOR HARBOR REPAIRS - HURSCAHE ISAAC RECOVERY" and may be delivered to: City Hall, 201 1/2 Davis Ave., P.O. Box 979, Long Beach, MS 39560. Telephone contact number: 251-219-1350. Proposals must be received not later than 10:00 AM, Monday, October 29, 2012. Two copies of each proposal should be submitted.

THE MISSISSIPPI PRESS
SEPT. 30, OCT. 7, 2012

Sworn to and subscribed before me this 8th day of October 2012



NOTARY PUBLIC

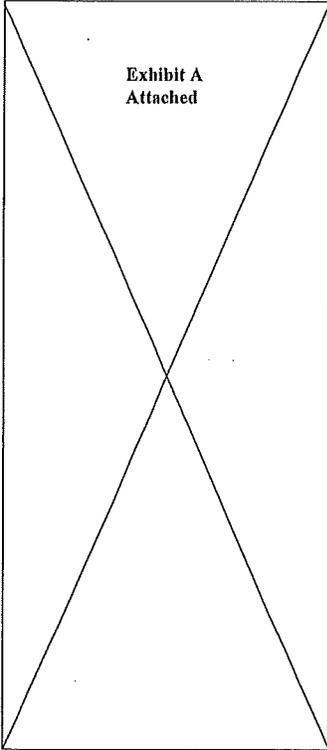
FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL Karen Blackard AT (251) 219-6413. YOU CAN PLACE A LEGAL NOTICE BY EMAIL OR FAX: MSLEGAL@PRESS-REGISTER.COM OR FAX# (251) 219-5037



Minutes of November 6, 2012
Mayor and Board of Aldermen



3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70125-1429 TELEPHONE (504) 826-3201



I attest that the copy attached hereto as "Exhibit A" is a true and correct copy of the advertisement published in The Times-Picayune on these dates.

State of Louisiana
Parish of Orleans
City of New Orleans

Personally appeared before me, a Notary in and for the parish of Orleans, Randy A. Trahan who deposes and says that he is Administrative Operations Manager of NOLA Media Group, a division of The Times-Picayune, L.L.C., a Louisiana limited liability company, and Publishers of The Times-Picayune, Daily and Sunday, of general circulation; doing business in the City of New Orleans and the State of Louisiana, and that the attached

BIDS-PROPOSALS

Re: Engineering Services For Harbor Repair
Hurricane Isaac Recovery Long Beach, Mississippi

Advertisement of City of Long Beach MS

PO Box 929
Long Beach, MS 39560

Was published in The Times Picayune

3800 Howard Ave
New Orleans, LA 70125

On the following dates October 5, 12, 2012

Sworn to and subscribed before me this
18th Day of October, 2012

Charles A. Ferguson, Jr.
Notary Public

My commission expires at my death.
Charles A. Ferguson, Jr.
Notary Identification number 23492

**REQUEST FOR PROPOSALS
ENGINEERING SERVICES FOR
HURONCAVE HALL RECOVERY
LONG BEACH, MISSISSIPPI**

The City of Long Beach will accept sealed proposals from qualified firms for professional engineering services required for the following:

1. Design and bidding services for the repair or replacement of portions of the City's infrastructure, which the municipal engineer, directed as a result of Hurricane Isaac.

2. Overall Construction Administration and Construction Inspection Services during the construction of the project or projects.

Services to be provided by selected firms include all phases of the design and contract administration of the projects, including resident inspection. The form of each agreement will be the STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES. All work shall be performed in accordance with the exacted specifications and guidelines promulgated by FEMA and other agencies as applicable. Services will be further defined within each engineering contract awarded and negotiated under that RFP.

Contracts will be awarded to the firm based upon responses to the evaluation by the manner deemed to be most beneficial to the City. The following factors will be considered in making these selections:

1. EXPERIENCE with similar type of project.
2. QUALIFICATIONS and technical expertise in similar projects.
3. KNOWLEDGE of the City and familiarity with city standards and ordinances.
4. CAPACITY to perform the work in a timely manner.

Proposers should include detailed data on recent similar projects completed by the firm (including references) and technical information about the specific individuals who will be assigned to this project. The proposal should include a proposed method or methods of payment and proposed schedule is requested at this time. All proposals will be filed on the Long Beach system to determine the best offers for each project or group of similar projects. **NOTE: THE QUALIFICATION, KNOWLEDGE - ISM, CAPACITY - ISM.**

Contracts will be awarded to the qualified offers in a manner determined to be most beneficial to the City, post and other factors considered. The Mayor and Board of Aldermen reserve the right to reject any proposal and/or to waive any requirements or formalities in the proposal process. Proposals may be held by the City for a period not to exceed thirty (30) days from the date of opening for the purpose of review, prior to awarding the contract. The City of Long Beach is an equal opportunity employer.

Proposals will be opened, reviewed and ranked after submitted by an appointed Selection Committee, with final rankings to be made by the City Board of Aldermen. No formal presentation is needed or desired, but informal interviews may be scheduled. All City's disclosure regulations will be conducted in accordance with the City's disclosure regulations.

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Mayor and Board of Aldermen

by with the firm receiving the highest overall ranking. If a satisfactory contract cannot be successfully negotiated with the selected firm, then negotiations with that firm for that proposed contract will be terminated by filing, and negotiations will be limited with the next highest ranking firm. This process will continue until a mutually satisfactory contract has been negotiated.

Proposals should be sealed and properly marked as "PROPOSAL FOR ENGINEERING SERVICES FOR HAZARDOUS WASTE RECOVERY AND REMEDIATION" and may be delivered or mailed to: City Clerk, 201 Hill Davis Ave., P.O. Box 819, Long Beach, MS 39060. Telephone contact number: 228-661-1551. Proposals must be received not later than 10:00 AM, Monday, October 28, 2012. The copies of each proposal should be submitted.

*

*

The Clerk reported that an "Information to Offerors" packet was sent via certified mail, electronic receipt requested, to six (6) minority vendors requesting submission of a proposal, as follows:

AJA Management & Technical Services, Inc.
Attn: Andrew Jenkins
912 North West Street
Jackson, MS 39202
Certified Receipt Label: 91 7108 2133 3939 0116 0519
Delivered: 10.01.12

M.B. 74
PUBHEAR/REG:11.06.12

Minutes of November 6, 2012
Mayor and Board of Aldermen

405

GFH, Inc.

Attn: Dawn Parker-Lockhart

26219 Cunningham Road

Pass Christian, MS 39571

Certified Receipt Label: 91 7108 2133 3939 0116 0526

Delivered: 10.09.12

CivilTech, Inc.

Attn: Elmore Moody

P.O. Box 12852

Jackson, MS 39236-2852

Certified Receipt Label: 91 7108 2133 3939 0116 0533

Delivered: 10.01.12

N. A. Howard Consulting, Inc.

Attn: Milady A. Howard

505 Brumbaugh Road

Ocean Springs, MS 39564

Certified Receipt Label: 91 7108 2133 3939 0116 0540

Delivered: 09.29.12

Colom Construction Co., Inc.

Attn: Rod Colum

P. O. Box 414

Ripley, MS 38663

Certified Receipt Label: 91 7108 2133 3939 0116 0557

Delivered: 10.01.12

Advanced Environmental Consultants, Inc.

Attn: DeJonnelle Grantham-King

P.O. Box 31875

Jackson, MS 39286-1875

Certified Receipt Label: 91 7108 2133 3939 0116 0564

Delivered: 10.01.12

*

*

The Clerk further reported that seven (7) proposals were properly submitted and reviewed by the selection committee; the results are as follows:

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

MINUTES

Engineering Services for Harbor Repairs, Hurricane Isaac Recovery, Selection Committee

RE: City of Long Beach

Members Present: William Skellie, Jr. Phil Kies
George Bass Barbara Reed
Mark Lishen

The Committee reviewed seven (7) proposals submitted for the services referenced above using the following rating criteria for evaluation:

<u>Criteria</u>	<u>Maximum Points</u>
Experience	25
Qualifications	25
Knowledge	25
Capacity	25
Total Points	100

The Committee members assigned points to each firm or individual based on a careful review of the content of each proposal.

<u>Committee Member</u>	<u>Firm</u>	<u>Total Points</u>
William Skellie, Jr. _____	A. Garner Russell & Assoc	100
George Bass _____	A. Garner Russell & Assoc.	100
Mark Lishen _____	A. Garner Russell & Assoc	100
Phil Kies _____	A. Garner Russell & Assoc	100
Barbara Reed _____	A. Garner Russell & Assoc	96

Based upon the tabulation of points, the proposal submitted by A. Garner Russell received the highest number of points, therefore, the Committee recommends the selection for the firm of A. Garner Russell & Assoc. to perform Engineering Services for Harbor Repairs, Hurricane Isaac Recovery.

William Skellie, Jr.
Member Consultant Selection Committee

George Bass
Member Consultant Selection Committee

Mark Lishen
Member Consultant Selection Committee

Phil Kies
Member Consultant Selection Committee

Barbara Reed
Member Consultant Selection Committee

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

**RECOMMENDATION OF ENGINEERING SERVICES FOR HARBOR REPAIRS, HURRICANE
ISAAC RECOVERY, SELECTION COMMITTEE**

RE: Engineering Services for Harbor Repairs, Hurricane Isaac Recovery

Long Beach, Mississippi, requested proposals for Engineering Services for Harbor Repairs, Hurricane Isaac Recovery, by order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on the 25th day of September, 2012.

The following proposals were received in the City Clerk's Office no later than 10:00 a.m., Monday, October 29, 2012. The Selection Committee met on October 30, 2012 at 11:00 a .m. to review the proposals received from the following firms and/or individuals.

A. Garner Russell & Asc., Inc.
520 33rd Street
Gulfport, MS 39507

Compton Engineering, Inc.
3036 Longfellow Drive
Bay St Louis, MS 39529

Digital Engineering
314 Coleman Avenue
Waveland, MS 39576

GEC
9414 Three Rivers Rd. #3C
Gulfport, MS 39503

Neel-Schaffer, Inc.
772 Howard Avenue
Biloxi, MS 39530

Stuart Consulting Group
3813 Division St., Ste. 200
Metairie, LA 70002

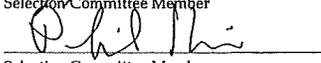
Thompson Engineering
711 Dr. Martin Luther King, Jr., Blvd.
Biloxi, MS 39530

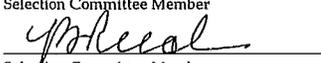
Each Committee member assigned points to each proposal based on the content of the proposal. The firm receiving the highest number of points is deemed by the Committee to be the most advantageous to the City. We, therefore, recommend award of a contract to A. GARNER RUSSELL & ASSOCIATES. The Firms that were evaluated are listed in order of the points assigned.

<u>Firm</u>	<u>Total Points</u>
<u>A GARNER RUSSELL & ASC</u>	<u>496</u>
<u>COMPTON ENGINEERING INC</u>	<u>428</u>
<u>THOMPSON ENGINEERING</u>	<u>426</u>
<u>NEEL-SCHAFER</u>	<u>420</u>
<u>DIGITAL ENGINEERING</u>	<u>384</u>
<u>GEC</u>	<u>338</u>
<u>STUART CONSULTING GROUP</u>	<u>323</u>

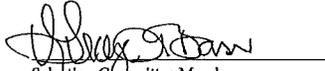
Minutes of November 6, 2012
Mayor and Board of Aldermen

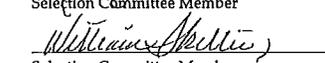


Selection Committee Member


Selection Committee Member


Selection Committee Member



Selection Committee Member


Selection Committee Member

Based upon the minutes and recommendation of the selection committee, Alderman Carrubba made motion seconded by Alderman Couvillon and unanimously carried to award the contract, Engineering Services for Harbor Repairs, Hurricane Isaac, to A. Garner Russell and Associates, as set forth above.

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on September 25, 2012, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County; The Press-Register, Jackson

Minutes of November 6, 2012
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County, Mississippi; and The Times-Picayune, Orleans Parish, Louisiana; Legal Notice, Request for Proposals, Engineering Services for Infrastructure Repairs, Hurricane Isaac, as evidenced by the Publisher's Proof of Publication.

Alderman Couvillon made motion seconded by Alderman Parker and unanimously carried to spread said Proofs of Publication upon the minutes of this meeting in words and figures, as follows:

PROOF OF PUBLICATION

REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES FOR INFRASTRUCTURE REPAIRS HURRICANE ISAAC RECOVERY LONG BEACH, MISSISSIPPI
The City of Long Beach will accept sealed proposals from qualified firms for professional engineering services required for the following:
1. DESIGN AND CONSTRUCTION OF PORTIONS OF THE CITY'S INFRASTRUCTURE, POSSIBLY INCLUDING THE WATER DISTRIBUTION SYSTEM, SEWER COLLECTION SYSTEM, FLOOD CONTROL SYSTEM, AND OTHER FACILITIES DAMAGED AS A RESULT OF HURRICANE ISAAC.
2. Overall Construction Administration and Construction Inspection associated with the construction of the project or projects.
Bidders to be provided by selected firms include all phases of design and construction administration of the project including preparation of the contract. The form of each agreement will be the STATE STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES AND work shall be performed in accordance with the contract. Payment and conditions promulgated by FIDIC and other agencies as applicable.
Bidders will be invited to meet with each engineering firm in the manner deemed to be most beneficial to the City. The following factors will be considered in making these selections:
1. EXPERIENCE with similar projects.
2. QUALIFICATIONS and technical resources of the project.
3. KNOWLEDGE of the City and territory in which the work is to be performed.
4. CAPACITY to perform the work in a timely manner.
Proposals should include detailed information about the specific individuals who will be assigned to this project. The proposal should include a proposed schedule of methods of payment, but no sealed envelopes be required at this time. All proposals will be sealed on the following system to determine the best value for each project or group of similar projects. EXPERTISE
25%
QUALIFICATION 25%
KNOWLEDGE 25%
CAPACITY 25%
The qualified firms remaining to determine the best value for each project or group of similar projects. The Mayor and Board of Aldermen reserve the right to reject all proposals and to have any proposals or to include in the proposal process. Proposal may be held by the City for a period not to exceed thirty (30) days from the date of expiration for the purpose of review, prior to awarding the contract. The City of Long Beach is an equal opportunity employer.
Proposals will be opened, reviewed, and ranked after sealed by an appointed Selection Committee, with instructions to be made by the City Board of Aldermen. No formal presentation is required or desired, but informal interviews may be scheduled, at the City's discretion. Negotiations will be conducted privately with the firm selected. The award covers the entire project. If a satisfactory contract cannot be negotiated with the selected firm, then negotiations will be conducted with the next ranked firm. The process will continue until a mutually satisfactory contract has been negotiated.
Proposals should be sealed and properly marked as "PROPOSAL FOR ENGINEERING SERVICES FOR INFRASTRUCTURE REPAIRS HURRICANE ISAAC RECOVERY" and must be delivered or mailed to: City Clerk, 201 Judd Davis Ave., P.O. Box 128, Long Beach, MS 39550. Telephone contact number: 662-858-1854. Proposals must be received not later than 10:00 A.M. Monday, October 22, 2012. Five copies of each proposal should be submitted.
ADVERTISE

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

- Vol. 128 No., 365 dated 2 day of Oct, 20 12
- Vol. 129 No., 16 dated 9 day of Oct, 20 12
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Crista Laux
Clerk

Sworn to and subscribed before me this 9 day of Oct, A.D., 20 12

Handberg
Notary Public



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PRESS-REGISTER
LEGAL AFFIDAVIT

CITY OF LONG BEACH MISSISSIPPI
ATTN: ACCOUNTS PAYABLE
P.O. BOX 929
LONG BEACH, MS 39660

Name: CITY OF LONG BEACH
Account Number: 1057428
Ad Number: 0001899460

Sales Rep: Christine Bevinis
251-219-6000
Billing Inquiries Please Call: (251) 219-5424

Date	Position	Description	P.O. Number	Ad Size	Total Cost
10/07/2012	Legals-Mississippi	REQUEST FOR PROPOSALS ENGINEERING SERVICES FOR INFRASTRUCTURE REPAIRS		684 WDS	128.48

Dan Hunter being sworn, says that he is bookkeeper of Press-Register which publishes a daily newspaper in the City of Pascagoula and County of Jackson, State of Mississippi, and attached notice appeared in the issue of Mississippi Press 09/30, 10/07/2012

Sworn to and subscribed before me this 8th day of October 2012

NOTARY PUBLIC

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL Karen Blackard AT (251) 219-6413. YOU CAN PLACE A LEGAL NOTICE BY EMAIL OR FAX: MSLEGAL@PRESS-REGISTER.COM OR FAX# (251) 219-6037



REQUEST FOR PROPOSALS ENGINEERING SERVICES FOR INFRASTRUCTURE REPAIRS MISSISSIPPI

The City of Long Beach will accept sealed proposals from qualified firms for professional engineering services required for the following:

Design and bidding service for the repair or replacement of portions of the city's infrastructure, possibly including the water distribution system, sewage collection system, storm system, streets and other facilities damaged or at risk of Hurricane Isaac.

Overall Construction Administration and Construction Inspection services during the construction of the project or projects.

Services to be provided by selected firms include all phases of the design and contract administration of the projects, including regular inspection. The form of each proposal will be the STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES. All work shall be performed in accordance with the accepted Agreement and guidelines promulgated by FEALC and other agencies as applicable. Services will be further defined within each requesting contract accordingly to be performed under the RFP.

Contracts will be awarded to the firm based upon responses to the solicitation, in the manner deemed to be most beneficial to the City. The following factors will be considered in making these selections:

1. EXPERIENCE with similar type of projects.
2. QUALIFICATIONS and technical expertise in similar projects.
3. REPUTATION of the City and its affinity with city policies and preferences.
4. CAPACITY to perform the work in a timely manner.

Proposers should include detailed data on recent similar projects completed by the firm including dates, costs, and descriptions of the work. The specific firm, date, and who will be prepared to this project. The proposal should include a proposed method or methods of payment, but no detailed pricing is requested at this time. All proposals will be entered into the computer system to determine the best offer for each project or group of similar projects.

EXPERIENCE - 25% QUALIFICATIONS - 25% REPUTATION - 25% CAPACITY - 25%

Contracts will be awarded to the qualified offeror in a manner determined to be most advantageous to the City, and all other factors considered. The Mayor and Board of Aldermen reserve the right to reject all proposals or to enter into negotiations or to award the contract to any other firm. Proposals may be held by the City for a period not to exceed thirty (30) days from the date of award for the purpose of review, prior to awarding the contract. The City of Long Beach is an equal opportunity employer.

Proposals will be opened, reviewed, and sealed bids submitted by an appointed Selection Committee, with final rankings to be made by the City Board of Aldermen. The formal presentation is needed as desired, but informal interviews may be scheduled at City's discretion. Participation will be considered initially with the firm receiving the highest overall ranking. If a satisfactory contract cannot be successfully negotiated with the selected firm, then negotiations with the next highest ranking firm will be initiated with the next highest ranking firm. This process will continue until a mutually satisfactory contract has been negotiated.

Proposers should be aware and properly marked as "PROPOSAL FOR STRUCTURE REPAIRS - HURRICANE ISAC RECOVERY" and may be delivered or mailed to City Hall, 200 Jefferson Ave., P.O. Box 929, Long Beach, MS 39660. Telephone contact number: 251-663-1350.

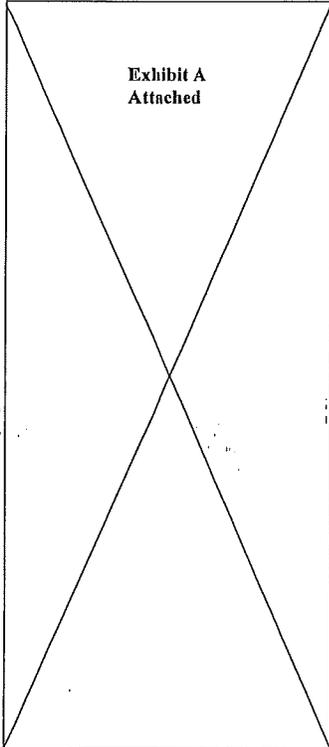
Proposals must be received not later than 10:00 AM Monday, October 29, 2012. Five copies of each proposal should be submitted.

THE MISSISSIPPI PRESS
SEPT. 30, OCT. 7, 2012

Minutes of November 6, 2012
Mayor and Board of Aldermen



3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70125-1429 TELEPHONE (504) 826-3201



I attest that the copy attached hereto as "Exhibit A" is a true and correct copy of the advertisement published in The Times-Picayune on these dates.

State of Louisiana
Parish of Orleans
City of New Orleans

Personally appeared before me, a Notary in and for the parish of Orleans, Randy A. Trahan who deposes and says that he is Administrative Operations Manager of NOLA Media Group, a division of The Times-Picayune, L.L.C., a Louisiana limited liability company, and Publishers of The Times-Picayune, Daily and Sunday, of general circulation; doing business in the City of New Orleans and the State of Louisiana, and that the attached

BIDS-PROPOSALS

Re: Request For Proposals Engineering Services For Infrastructure Repairs Hurricane Isaac Recovery

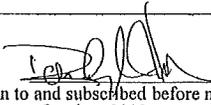
Advertisement of City of Long Beach MS

PO Box 929
Long Beach, MS 39560

Was published in The Times Picayune

3800 Howard Ave
New Orleans, LA 70125

On the following dates October 5, 12, 2012


Sworn to and subscribed before me this
18th Day of October, 2012


Notary Public

My commission expires at my death.
Charles A. Ferguson, Jr.

Notary Identification number 23492

Minutes of November 6, 2012 Mayor and Board of Aldermen

REQUEST FOR PROPOSALS ENGINEERING SERVICES FOR INFRASTRUCTURE REPAIRS INDUSTRIAL BEACH RECREATION LONG BEACH, MISSISSIPPI

The City of Long Beach will accept sealed proposals from qualified firms for professional engineering services required for the following:

1. Design and bidding services for the repair or replacement of portions of the City's infrastructure, including the water distribution system, sewage collection system, drainage system, streets and other facilities damaged as a result of Hurricane Isaac.

2. Overall Construction Administration and Construction Inspection services during the construction of the project or projects.

Services to be provided by selected firms include all phases of the design and contract administration of the projects, including resident inspections. The form of such agreement will be the STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES. All work shall be performed in accordance with the executed Agreement and guidelines promulgated by FEMA and other agencies as applicable. Services will be further defined within each professional contract issued and negotiated under this RFP.

Contracts will be awarded to the firm based upon responses to this solicitation, in the manner deemed to be most beneficial to the City. The following factors will be considered in making these selections:

1. EXPERIENCE with similar type of projects.
2. QUALIFICATIONS and technical expertise in similar projects.
3. KNOWLEDGE of the City and familiarity with city standards and ordinances.
4. CAPACITY to perform the work in a timely manner.

Proposers should include detailed data on recent similar projects completed by the firm throughout references and biographical information about the specific individuals who will be assigned to this project. The proposal should include a proposed method or methods of payment but no detailed pricing is requested at this time. All proposals will be read on the following system to determine the best offer for each project or group of similar projects: EXPERIENCE - 25%; QUALIFICATIONS - 15%; KNOWLEDGE - 25%; CAPACITY - 35%.

Contracts will be awarded to the qualified offeror in a manner determined to be most advantageous to the City, and other factors considered. The Mayor and Board of Aldermen reserve the right to reject all proposals and/or to waive any irregularities or inconsistencies in the proposal process. Proposals may be held by the City for a period not to exceed thirty (30) days from the date of opening for the purpose of review prior to awarding the contract. The City of Long Beach is an equal opportunity employer.

Proposals will be opened, reviewed and ranked after submission by an appointed Selection Committee, with final rankings to be made by the City Board of Aldermen. No formal presentation is needed or desired, but in-

formal interviews may be scheduled, at City's discretion. Negotiations will be conducted initially with the firm receiving the highest overall ranking. If a satisfactory contract cannot be successfully negotiated with the selected firm, then negotiations with that firm for that proposed contract will be terminated in writing, and negotiations will be initiated with the next highest ranking firm. This process will continue until a mutually satisfactory contract has been negotiated.

Proposals should be sealed and properly marked as "PROPOSAL FOR ENGINEERING SERVICES FOR HURRICANE ISAC RECOVERY" and may be delivered or mailed to: City Clerk, 201 Jeff Davis Ave, P.O. Box 375, Long Beach, MS 39560. Telephone contact during 8:00 AM - 4:30 PM. Proposals must be received not later than 10:00 AM Monday, October 29, 2012. Five copies of each proposal should be submitted.

*

*

The Clerk reported that an "Information to Offerors" packet was sent via certified mail, electronic receipt requested, to six (6) minority vendors requesting submission of a proposal, as follows:

AJA Management & Technical Services, Inc.
Attn: Andrew Jenkins
912 North West Street
Jackson, MS 39202
Certified Receipt Label: 91 7108 2133 3939 0116 0519
Delivered: 10.01.12

M.B. 74
PUBHEAR/REG:11.06.12

Minutes of November 6, 2012
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GFH, Inc.
Attn: Dawn Parker-Lockhart
26219 Cunningham Road
Pass Christian, MS 39571
Certified Receipt Label: 91 7108 2133 3939 0116 0526
Delivered: 10.09.12

CivilTech, Inc.
Attn: Elmore Moody
P.O. Box 12852
Jackson, MS 39236-2852
Certified Receipt Label: 91 7108 2133 3939 0116 0533
Delivered: 10.01.12

N. A. Howard Consulting, Inc.
Attn: Milady A. Howard
505 Brumbaugh Road
Ocean Springs, MS 39564
Certified Receipt Label: 91 7108 2133 3939 0116 0540
Delivered: 09.29.12

Colom Construction Co., Inc.
Attn: Rod Colum
P. O. Box 414
Ripley, MS 38663
Certified Receipt Label: 91 7108 2133 3939 0116 0557
Delivered: 10.01.12

Advanced Environmental Consultants, Inc.
Attn: DeJonnette Grantham-King
P.O. Box 31875
Jackson, MS 39286-1875
Certified Receipt Label: 91 7108 2133 3939 0116 0564
Delivered: 10.01.12

*

*

The Clerk further reported that eleven (11) proposals were properly submitted and reviewed by the selection committee; the results are as follows:

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

**MINUTES
Engineering Services for Infrastructure Repairs, Hurricane Isaac Recovery, Selection Committee**

RE: City of Long Beach

Members Present:

William Skellie, Jr.
George Bass
Mark Lishen

Phil Kies
Barbara Reed

The Committee reviewed eleven (11) proposals submitted for the services referenced above using the following rating criteria for evaluation:

<u>Criteria</u>	<u>Maximum Points</u>
Experience	25
Qualifications	25
Knowledge	25
Capacity	25
Total Points	100

The Committee members assigned points to each firm or individual based on a careful review of the content of each proposal.

<u>Committee Member</u>	<u>Firm</u>	<u>Total Points</u>
<u>William Skellie, Jr.</u>	<u>A. Garner Russell & Assoc</u>	<u>100</u>
<u>George Bass</u>	<u>A. Garner Russell & Assoc</u>	<u>100</u>
<u>Mark Lishen</u>	<u>A. Garner Russell & Assoc</u>	<u>100</u>
<u>Phil Kies</u>	<u>A. Garner Russell & Assoc</u>	<u>100</u>
<u>Barbara Reed</u>	<u>A. Garner Russell & Assoc</u>	<u>98</u>

Based upon the tabulation of points, the proposal submitted by A. Garner Russell & Assoc. received the highest number of points, therefore, the Committee recommends the selection for the firm of A. Garner Russell & Assoc. to perform Engineering Services for Infrastructure Repairs, Hurricane Isaac Recovery.

William Skellie, Jr.
Member Consultant Selection Committee

George Bass
Member Consultant Selection Committee

[Signature]
Member Consultant Selection Committee

Phil Kies
Member Consultant Selection Committee

[Signature]
Member Consultant Selection Committee

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

RECOMMENDATION OF ENGINEERING SERVICES FOR INFRASTRUCTURE REPAIRS,
HURRICANE ISAAC RECOVERY, SELECTION COMMITTEE

RE: Engineering Services for Infrastructure Repairs, Hurricane Isaac Recovery

Long Beach, Mississippi, requested proposals for Engineering Services for Infrastructure Repairs, Hurricane Isaac Recovery, by order of the Mayor and Board of Aldermen at a recess meeting duly held and convened on the 25th day of September, 2012.

The following proposals were received in the City Clerk's Office no later than 10:00 a.m., Monday, October 29, 2012. The Selection Committee met on October 30, 2012, at 11:00 a.m. to review the proposals received from the following firms and/or individuals.

<p>A. Garner Russell & Asc., Inc. 520 33rd Street Gulfport, MS 39507</p>	<p>Compton Engineering, Inc. 3036 Longfellow Drive Bay St Louis, MS 39520</p>
<p>Digital Engineering 314 Coleman Avenue Waveland, MS 39576</p>	<p>GEC 9414 Three Rivers Road #3C Gulfport, MS 39503</p>
<p>H. Davis Cole & Asc., LLC 2321 N. Hullen Street, Ste B Metairie, LA 70001</p>	<p>JV Burkes & Asc., Inc. 1805 Shortcut Highway Slidell, LA 70458</p>
<p>Smith, Seckman, Reid, Inc. 232 Market Street, Building K Nashville, TN 37204</p>	<p>Neel-Schaffer 772 Howard Avenue Biloxi, MS 39530</p>
<p>O'Neal-Bond Engineering, Inc. 312 Mill Avenue Wiggins, MS 39577</p>	<p>Stuart Consulting Group 3813 Division Street Metairie, LA 70002</p>
<p>Thompson Engineering 711 Dr. Martin Luther King, Jr., Blvd. Mobile, AL 36606</p>	

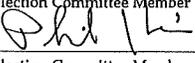
Each Committee member assigned points to each proposal based on the content of the proposal. The firm receiving the highest number of points is deemed by the Committee to be the most advantageous to the City. We, therefore, recommend award of a contract to A. GARNER RUSSELL & ASSOCIATES. The Firms that were evaluated are listed in order of the points assigned.

<u>Firm</u>	<u>Total Points</u>
A. GARNER RUSSELL & ASC.	498
THOMPSON ENGINEERING	427
NEEL-SCHAFER	426
COMPTON ENGINEERING INC	423
DIGITAL ENGINEERING	390

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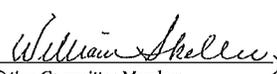
SMITH, SECKMAN, REID, INC	370
H DAVIS COLE & ASC, LLC	350
GEC	337
J V BURKES & ASC INC	336
STUART CONSULTING GROUP	333
ONEAL-BOND ENGINEERING INC	300

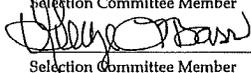


Selection Committee Member


Selection Committee Member


Selection Committee Member



Selection Committee Member


Selection Committee Member

Based upon the minutes and recommendation of the selection committee, Alderman Ponthieux made motion seconded by Alderman Couvillon and unanimously carried to award the contract, Engineering Services for Infrastructure Repairs, Hurricane Isaac, to A. Garner Russell and Associates, as set forth above.

Minutes of November 6, 2012
Mayor and Board of Aldermen

There were several announcements, none of which required official action; there were no presentations, proclamations or public comments pertaining to agenda items only.

Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to remove the following items from the agenda:

Item XI.2. Hurricane & Disaster Debris Management Ordinance; Alderman Lishen (taken under advisement for further consideration and review at the next regular meeting November 20, 2012).

Item XI.6. Retention Pond-Pineville Road; Alderman Lishen (tabled).

Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to approve the regular meeting minutes of the Mayor and Board of Aldermen dated October 16, 2012, as submitted.

Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to approve the regular meeting of the Planning Commission dated October 25, 2012, as submitted.

Upon discussion and clarification of the Bulkhead Project, Alderman Parker made motion seconded by Alderman Couvillon and unanimously carried to approve the regular meeting minutes of the Port Commission dated October 18, 2012, as submitted.

Alderman Ponthieux made motion seconded by Alderman Lishen and unanimously carried to approve payment of invoices as listed in Docket of Claims number 110612.

Alderman Ponthieux made motion seconded by Alderman Couvillon and unanimously carried authorizing a letter of request to the Harrison County Board of Supervisors for paving of off-street parking between West 3rd Street and West 4th Street and paving of railroad crossing slopes at Beach Park and Girard Avenue.

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Mayor and Board of Aldermen

The Mayor announced a meeting at the Harrison County Courthouse, Wednesday, November 7, 2012, at 1:30 p.m. to discuss relief effort plans for the northeast in the aftermath of Hurricane Sandy.

There came on for consideration a letter with attachment from Assistant Fire Chief Mike Brown, as follows:

LONG BEACH FIRE DEPARTMENT

Assistant Chief Mike Brown

*645 Klondyke Road
Long Beach MS 39560*

*Phone(228) 863-7292
Fax (228) 868-0070*

To: Mayor Skellie
Fr: Assistant Chief Mike Brown
Re: Fire/Police Dispatch Phone System
Dt: 10/22/2012

Mayor,

Recently the Fire/Police Dispatch phone system was having problems receiving and transferring calls. After about a month, repair service was completed, at which time we were advised by the technicians that parts are hard to locate due to the age of this system. Attached is a quote in the amount of \$11,786.10 to update this system from AT&T to match all other city buildings and also to match the CAD system that was installed last year by AT&T and Interact. The funds will be reimbursed through the Department of Public Safety fund. If you have any questions concerning this matter please see me.

Thank You


Mike Brown

CC: File
Chief Bass
Chief McDowell
Commander Seal

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

**AT&T GLOBAL SERVICES
HARDWARE AND SOFTWARE
EQUIPMENT AGREEMENT**

Long Beach Fire Department

Company Name:
Long Beach Fire Department

Ship to Customer Name:
Long Beach Fire Department

Ship to Contact: William Seal

Ship to Tel: (225)863-7292

Account Executive: Robert Kulp (878) 893-5868

Quote Number: LNGBCHFR

Quote Date: 10/15/2012

Expiration Date: 12/14/2012

Ship to Address:
645 Klondyke Rd
Long Beach, MS 39560

Delivery Date: _____

Qty	Part #	Product	Unit Price	Extended Price
3	700434897	IP PHONE AND EU24 PWR (1151D1)	\$30.00	\$90.00
25	219242-5	TYCO Elec CAT5 Patch Cord RJ45-RJ45	\$0.00	\$0.00
1	11791-718	Chatsworth Swing Gate 19W X 38.5H X 18D	\$0.00	\$0.00
1	555482-1	TYCO Elec Patch Panel 1 pair 8 pos 48 port	\$0.00	\$0.00
3	700356447	Avaya IP Office Definity Set Power	\$30.00	\$90.00
		AT&T Voice CPE Maintenance Services - 8x5NBD 12 month		\$1,144.80

Finance your new system with a <i>AT&T Capital Services</i> lease		
	\$1 Purchase	FMV
12 Monthly payments of	\$1,023.27	\$919.49
24 Monthly payments of	\$529.90	\$476.66
36 Monthly payments of	\$366.90	\$339.35
48 Monthly payments of	\$266.40	\$271.21
60 Monthly payments of	\$239.73	\$229.11

Lease rates are for commercial leases only and do not include applicable taxes or maintenance costs
Lease proposal subject to credit approval and acceptance by
AT&T Capital Services. Questions? Call 800-733-1461

Equipment Subtotal:	8,831.96
Discount:	2,911.01
Equipment Total:	\$5,920.95
Support Services:	\$256.20
Shipping:	\$34.50
Installation:	4,429.65
Training:	\$0.00
Subtotal:	10,641.30
Maintenance:	1,144.80
Grand Total:	11,786.10

Note:
- All returns subject to a 20% restocking fee. - All shipping and taxes are estimates. - Quote does not include applicable taxes.
- The above prices do NOT include any required house and/or net-Pop cables or monthly line charges.
- A Site Survey is required if this is a school, place of worship, warehouse, factory, residence, municipality, car dealership, trailer, multi floor installation or there is existing 1A2 key equipment, there are any separate buildings that need to be cabled, new cables installed and the building is over 30 years old, special paging requests or a data install with Category 5 wiring. If a Site Survey is not performed, customer may be subject to additional charges

Date Printed: 10/18/2012 V2012.7.2 IP Office

Release Date: 10/08/12.

Customer Initials _____

**Minutes of November 6, 2012
Mayor and Board of Aldermen**

**AT&T GLOBAL SERVICES
HARDWARE AND SOFTWARE
EQUIPMENT AGREEMENT**

Long Beach Fire Department

Company Name:
Long Beach Fire Department

Ship to Customer Name:
Long Beach Fire Department

Ship to Contact: William Seal

Ship to Tel: (225)863-7292

Account Executive: Robert Kulp (878) 893-5668

Quote Number: LNGBCHFR

Quote Date: 10/15/2012

Expiration Date: 12/14/2012

Ship to Address:
645 Klondyke Rd
Long Beach, MS 39560

Delivery Date: _____

Qty	Part #	Product	Unit Price	Extended Price
1	700476005	IP Office 500 V2 System Unit	\$650.00	\$650.00
1	700503230	IPO R8.1 USER/ADMIN SET DVD	\$19.00	\$19.00
1	267786	IP Office with Essential Edition	\$495.00	\$495.00
3	700417330	IP Office 500 Digital Station Card	\$550.00	\$1,650.00
3	700417405	IP Office 500 Analog Trunk 4 Card	\$400.00	\$1,200.00
1	700429202	IPO 500 RACK MOUNTING KIT	\$60.00	\$60.00
9	700469851	1408 Digital Telephone 8 Button	\$199.00	\$1,791.00
3	700469869	1416 Digital Telephone 16 Button	\$249.00	\$747.00
3	700469968	BUTTON MOD FOR 1400 SERIES	\$149.00	\$447.00
12	6-AP	ONEAC T/R ANALOG STATION/LINE CO	\$17.00	\$204.00
1	350-032	ONEAC GROUND BAR 1 PER 66M150 FOR	\$9.00	\$9.00
1	S0K7XAU	ONEAC S0K7XAU	\$779.00	\$779.00
12	W1	Test Central Office and/or Centrex Lines	\$0.00	\$0.00
24	W4	Create Cable Records for Customer's Cable	\$0.00	\$0.00
24	700213440	IP400 ISDN RJ45/RJ45 3M RED	\$4.80	\$115.20
1	700289770	POWER LEAD (EARTHED) US	\$18.00	\$18.00
1	700479710	IPO SYSTEM SD CARD MU-LAW	\$50.00	\$50.00
1	700501237	Universal Paging and Access Module	\$417.76	\$417.76

Finance your new system with a AT&T Capital Services lease		
	\$1 Purchase	FMV
12 Monthly payments of	\$1,023.27	\$919.49
24 Monthly payments of	\$529.90	\$476.66
36 Monthly payments of	\$366.90	\$339.35
48 Monthly payments of	\$266.40	\$271.21
60 Monthly payments of	\$239.73	\$229.11

Lease rates are for commercial leases only and do not include applicable taxes or maintenance costs.
Lease proposal subject to credit approval and acceptance by AT&T Capital Services. Questions? Call 800-733-1481

Equipment Subtotal:	8,831.96
Discount:	2,911.01
Equipment Total:	\$5,920.95
Support Services:	\$256.20
Shipping:	\$34.50
Installation:	4,429.65
Training:	\$0.00
Subtotal:	10,641.30
Maintenance:	1,144.80
Grand Total:	11,786.10

Note:
- All returns subject to a 20% restocking fee. - All shipping and taxes are estimates. - Quote does not include applicable taxes.
- The above prices do NOT include any required house and/or net-pop cables or monthly line charges.
- A Site Survey is required if this is a school, place of worship, warehouse, factory, residence, municipality, car dealership, trailer, multi floor installation or there is existing 1A2 key equipment, there are any separate buildings that need to be cabled, new cables installed and the building is over 30 years old, special paging requests or a data install with Category 5 wiring. If a Site Survey is not performed, customer may be subject to additional charges

Date Printed: 10/19/2012 V2012.7.2 IP Office

Release Date: 10/08/12.

Customer Initials _____

Upon discussion, it was determined that the system from AT&T is the only available system compatible with the county wide CAD system installed last year and would be considered a sole source.

Based upon the recommendation of Chief Brown, Alderman Couvillon made motion seconded by Alderman Parker and unanimously carried to approve the installation and equipment from AT&T as set forth above.

Minutes of November 6, 2012
Mayor and Board of Aldermen

Based upon the recommendation of Assistant Fire Chief Mike Brown and certification by the Civil Service Commission, Alderman Parker made motion seconded by Alderman Couvillon and unanimously carried to approve a Fire Department personnel matter, as follows:

- Step Increase, Firefighter 1st Class Brad McGill, FS-9-VII, effective November 16, 2012.

There was no action required or taken regarding CDBG Requests for Cash and payment of invoices.

Based upon the recommendation of Police Chief Wayne McDowell and certification by the Civil Service Commission, Alderman Ponthieux made motion seconded by Alderman Couvillon and unanimously carried to approve Police Department personnel matters, as follows:

- Reassignment Admin Detective Edward Hilliard, PSA-10-I, effective November 1, 2012.
- Step Increase, Patrolman 1st Class Scott Grady, PS-9-I, effective November 1, 2012.
- Step Increase, Patrolman 1st Class Clark Ladner, PS-9-III, effective November 16, 2012.
- Payment of Comp Time, Lt. Ray Bell, 174 accrued hours for a total of \$3,121.18.

There came on for consideration a letter with attachment from City Engineer David Ball, as follows:

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Mayor and Board of Aldermen

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A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33RD STREET
GULFPORT, MS 39507

TEL (601) 883-0667
FAX (601) 883-6832

November 1, 2012

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

RE: Marcie Drive Tank – Maintenance Program

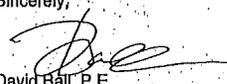
Ladies and Gentlemen:

The construction of this tank was completed in 2010. Although we know of no major problems with the tank now, there are life-cycle costs associated with the maintenance of an elevated water tank. We are already in an agreement with Utility Service Company for annual maintenance and inspection of the elevated water tank at Nicholson Drive. Derrel Wilson and I met with Utility Service on Thursday morning regarding Marcie Drive, and they are ready to enter into an agreement with the City to extend their services to include the Marcie Drive tank.

There is hardly any doubt that Utility Service has provided a useful "product" to the City in that the City's Public Works Department have had to perform little maintenance on the Nicholson tank and Utility Service Company assumes all liability for the maintenance of the tank's structural and paint systems. The contract structure also allows for an easily quantifiable budget amount for the maintenance of the tanks, with little capacity for "surprise" costs. In short, I believe a similar contract is in place right now for the Nicholson Tank and has been successful in past years.

We've attached Utility Service Company's preliminary price quotation for your review. Allowing for a reasonable inflation in cost, this should be in-line with what the City currently pays for maintenance of the Nicholson tank. If you concur, we can request that Utility Service finalize a proposed agreement for your review at an upcoming Board meeting.

Sincerely,


David Ball, P.E.

DB:539

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City of Long Beach, MS
 Projected Schedule of Work and Fees
 for Full Service Maintenance Program (1 Tank)

	base fees set for 7 years during inscription cycle							base fees only
	2012 Year 1	2013 Year 2	2014 Year 3	2015 Year 4	2016 Year 5	2017 Year 6	2018 Year 7	2019 Year 8
500,000 ELEVATED MARCIE DR. WATER TOWER					Exterior Renovation		Interior Renovation	
	\$ 32,278	\$ 32,278	\$ 32,278	\$ 32,278	\$ 32,278	\$ 32,278	\$ 32,278	\$ 255,912

RENOVATION DETAILS OF 500,000 GALLON MARCIE DRIVE ELEVATED TANK

EXTERIOR: 2 COAT OVER-COAT COATING SYSTEM (2016)
 INTERIOR: SSPC-SB#10; 2 COATS OF EPOXY (2018)
 REPAIRS: INSTALL OVERFLOW SCREEN (2012)

500,000 ELEVATED MARCIE DRIVE TANK PROJECTED MAINTENANCE

FUTURE EXTERIOR RENOVATION 2025-2028
 FUTURE INTERIOR RENOVATION 2028-2030
 EMERGENCY SERVICE / LIFETIME WARRANTY COATINGS + STRUCTURAL STEEL (WHILE UNDER MAINTENANCE PROGRAM)
 VISUAL INSPECTION EVERY YEAR WITH DETAILED REPORT
 WASHOUT INSPECTION EVERY OTHER YEAR WITH DETAILED REPORT

Upon discussion, Alderman Ponthieux made motion seconded by Alderman Lishen and unanimously carried to approve the Maintenance Program, Marcie Drive Elevated Tank, with Utility Service Company, Inc.

There came on for consideration a letter with attachments from City Engineer David Ball, as follows:

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Mayor and Board of Aldermen

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A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
620 33rd STREET
GULFPORT, MS 39507
TEL (228) 883-1065
FAX (228) 883-5232

November 1, 2012

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

RE: **Change Order No. 1**
Drainage Improvements – Shady Drive to Cypress Drive

Gentlemen:

Enclosed herewith is Change Order No. 1 for the above referenced project. This change is needed in order to increase the contract quantity of Select Backfill and Adjustment of Exist. Water Mains. Both adjustments are due to unforeseen conditions on-site, but should be well within available contingency funds for the project. We recommend approval of this Change Order.

Sincerely,

David Ball, P.E.

DB:1922
Enclosure

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Change Order
No. 1

Date of Issuance: 11/1/2012 Effective Date: 11/6/2012

Project: _____ Owner: City of Long Beach Owner's Contract No.: _____
 Contract: Drainage Improvements Shady Drive to Cypress Drive Date of Contract: 7/5/2012
 Contractor: ProCon, Inc. Engineer's Project No.: 1881 (1)

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

1. Revise contract quantities for select backfill due to unsuitable material on-site.
2. Revise contract quantities for in-field adjustment of existing water mains due to unforeseen utility lines encountered.

Attachments: (List documents supporting change):

1. n/a

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: <u>\$689,141.00</u> (Decrease) In Contract Price from previous Change Orders No. _____ n/a to No. n/a <u>\$0.00</u> Contract Price prior to this Change Order: <u>\$689,141.00</u> (Increase) In Contract Price due to this Change Order: <u>\$9,280.00</u> Revised Contract Price Incorporating this Change Order: <u>\$698,421.00</u>	Original Contract Times: <input type="checkbox"/> Working Days <u>150</u> Calendar days Substantial completion (days or date): <u>12/5/2012</u> Ready for final payment (days or date): _____ Change In Contract Time from previous Change Orders No. _____ n/a to No. n/a Substantial completion (days or date): _____ Ready for final payment (days or date): _____ Contract Times prior to this Change Order: Substantial completion (days or date): <u>12/5/2012</u> Ready for final payment (days or date): _____ Change In Contract Time due to this Change Order: Substantial completion (days or date): _____ Ready for final payment (days or date): _____ Contract Times Incorporating this Change Order: Substantial completion (days or date): <u>12/5/2012</u> Ready for final payment (days or date): _____

RECOMMENDED: (ENGINEER)	ACCEPTED: (CONTRACTOR)	ACCEPTED: (OWNER)
By: _____	By: _____	By: _____
Date: _____	Date: _____	Date: _____

Minutes of November 6, 2012
Mayor and Board of Aldermen



A: GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
520 83RD STREET
GULFPORT, MS 39507
TEL (228) 863-0667
FAX (228) 863-6232

November 1, 2012

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

RE: Linda Lane Water Main Replacement

Ladies and Gentlemen:

Please find the attached proposed contract for design and construction phase services for the referenced project. We have proceeded with design per the direction of the Board during the Oct. 2, 2012 meeting, and we expect to have a set of Contract Documents ready by early December so that the City could advertise for bids and move toward construction. We recommend that the Board authorize the Mayor to execute the attached contract so that we may complete this critical project on schedule.

Sincerely,

David Ball, P.E.

DB:1071
Enclosure

Minutes of November 6, 2012
Mayor and Board of Aldermen

SHORT FORM OF AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES

THIS IS AN AGREEMENT, effective as of September 17, 2012 ("Effective Date") between
City of Long Beach ("Owner") and A. Garner Russell & Assoc. ("Engineer").

Engineer agrees to provide the services described below to Owner for the replacement of a water main along Linda Lane, along with other misc. water system improvements, all more particularly described as the Linda Lane Water Main Replacement. ("Project")

Description of Engineer's Services: Provide design, bidding, and construction phase services for the Linda Lane Water Main Replacement, including surveying, design, preparation of Contract Documents, recommendation of bidder, and inspection services during construction.

Owner and Engineer further agree as follows:

1.01 Basic Agreement

A. Engineer shall provide, or cause to be provided, the services set forth in this Agreement, and Owner shall pay Engineer for such Services as set forth in Paragraph 9.01.

2.01 Payment Procedures

A. Preparation of Invoices. Engineer will prepare a monthly invoice in accordance with Engineer's standard invoicing practices and submit the invoice to Owner.

B. Payment of Invoices. Invoices are due and payable within 45 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 45 days after receipt of Engineer's invoice, the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law) from said forty-fifth day. In addition, Engineer may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

3.01 Additional Services

A. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above.

B. Owner shall pay Engineer for such additional services as follows: For additional services of Engineer's employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses and Engineer's consultants' charges, if any.

4.01 Termination

A. The obligation to provide further services under this Agreement may be terminated:

1. For cause,

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party.

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b. By Engineer:

1) upon seven days written notice if Engineer believes that Engineer is being requested by Owner to furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or

2) upon seven days written notice if the Engineer's services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer's control.

3) Engineer shall have no liability to Owner on account of such termination.

c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under paragraph 4.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon the receipt of notice by Engineer.

B. The terminating party under paragraphs 4.01.A.1 or 4.01.A.2 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

5.01 Controlling Law

A. This Agreement is to be governed by the law of the state in which the Project is located.

6.01 Successors, Assigns, and Beneficiaries

A. Owner and Engineer each is hereby bound and the partners, successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by paragraph 6.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

7.01 General Considerations

A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Engineer and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.

B. Engineer shall not at any time supervise, direct, or have control over any contractor's work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.

C. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor.

D. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except Engineer's own employees) at

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the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Engineer.

E. The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract" as prepared by the Engineers Joint Contract Documents Committee (No. C-700, 2002 Edition).

F. All design documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.

G. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.

H. The parties acknowledge that Engineer's scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the Site is in full compliance with applicable Laws and Regulations.

8.01 Total Agreement

A. This Agreement (consisting of pages 1 to 5 inclusive together with any expressly incorporated appendix), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

3 of 4
EJCDC E-520 Short Form of Agreement Between Owner and Engineer for Professional Services
Copyright © 2002 National Society of Professional Engineers for EJCDC. All rights reserved.

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9.01 Payment

A. Using the procedures set forth in paragraph 2.01, Owner shall pay Engineer as follows:

1. Basic Services will be compensated on a lump sum amount of \$23,500 based on the following assumed distribution of compensation:

- a. Preliminary Design Phase 35%
- b. Final Design Phase 65%
- c. Bidding and Negotiating Phase 75%
- d. Construction Phase 100%

2. Resident Project Representative Services and Post Construction Services. For services of ENGINEER's Resident Project Representative, an amount equal to the cumulative hours charged to the Project by each class of ENGINEER's employees times Standard Hourly Rates for each applicable billing class for all Resident Project Representative services performed on the Project, plus Reimbursable Expenses and ENGINEER's Consultant's charges, if any.

3. Engineer's Standard Hourly Rates are attached as Appendix 1.

4. The Standard Hourly Rates may be adjusted annually (as of June, 2013) to reflect equitable changes in the compensation payable to the ENGINEER.

B. Engineer proposes the following schedule for submittal of the work to the Owner:

- a. Final Design Phase December 1, 2012
- b. Bidding & Construction Phases To be determined upon approval of the City.

C. The Engineer's compensation is conditioned on the time to complete construction not exceeding 12 months. Should the time to complete construction be extended beyond this period, total compensation to Engineer shall be appropriately adjusted.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

OWNER: City of Long Beach

ENGINEER: A. Garner Russell & Associates, Inc.

By: _____
William Skelle, Jr.
Mayor

By: M. Scott Burge
M. Scott Burge
President

Date Signed: _____

Date Signed: 11.1.2012
License No. and State: 9550 / MS

Address for giving notices:

Address for giving notices:

P. O. Box 929
Long Beach, MS 39560

520 33rd St.
Gulfport, MS 39507

4 of 4
EJCDC E-520 Short Form of Agreement Between Owner and Engineer for Professional Services
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Minutes of November 6, 2012
 Mayor and Board of Aldermen

This is Appendix 1, consisting of 1 page, referred to in and part of the Agreement between OWNER and ENGINEER for Professional Services, dated _____, 2012.

Initial:
 OWNER _____
 ENGINEER _____

Standard Hourly Rates Schedule

<i>Position</i>	<i>Billing Rate</i>
Senior Engineer, Principal	\$135.00
Professional Engineer III.....	\$125.00
Professional Engineer II.....	\$115.00
Professional Engineer I.....	\$115.00
Senior Engineer Technician.....	\$105.00
Junior Engineer.....	\$100.00
Engineer Intern III.....	\$95.00
Engineer Intern II.....	\$80.00
Engineer Intern I.....	\$70.00
Professional Land Surveyor II.....	\$135.00
Professional Land Surveyor I.....	\$95.00
Survey Crew Chief.....	\$85.00
Senior Resident Project Representative.....	\$80.00
Engineering Technician III	\$75.00
Engineering Technician II	\$65.00
Engineering Technician I	\$50.00
CADD Technician III	\$80.00
CADD Technician II	\$65.00
CADD Technician I	\$50.00
Clerical.....	\$55.00

Page 1 of 1 Pages
 (Appendix 1 – Standard Hourly Rates Schedule)
 Revised: 07/1/2011

Based upon the recommendation of Mr. Ball, Alderman Parker made motion seconded by Alderman Lishen and unanimously carried to approve the engineering contract, A. Garner Russell and Associates, Linda Lane Water Main Replacement, as set forth above.

Alderman Couvillon made motion seconded by Alderman Parker and unanimously carried to declare Library surplus property, as follows:

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Mayor and Board of Aldermen

Long Beach Public Library
209 Jeff Davis Avenue
Long Beach, Mississippi 39560
228-863-0711
Fax 228-863-8511

To: Mayor Skellie and Board of Aldermen
Date: October 23, 2012
Subject: Surplus property

The library has the following items that are no longer working and need to be declared surplus property and destroyed :

- 1 cash register
- 1 typewriter
- 5 printers (3 of these were donations that did not work)
- 2 fax machines
- 3 monitors
- 6 keyboards

Thank you for your help with this and all that you do to help our city.

Jeannie Ripoll
Jeannie Ripoll, Director

Alderman Ponthieux made motion seconded by Alderman Couvillon and unanimously carried to revise the city holiday schedule, authorizing administrative offices to close all day Monday, December 31, 2012, to coincide with the governor's proclamation for state agencies. It was noted for the record that employees must utilize leave time in order to close.

There came on for consideration derelict properties and it was the consensus of the Mayor and Board of Aldermen to take the 0 Savannah Drive property under

advisement for further review and consideration at the next regular meeting, November 20, 2012.

There came on for consideration the acoustics in the City Hall Meeting Room. It was noted for the record that solutions and proposals were solicited and four were obtained, as follows:

Specialty Contractors & Associates, Inc.
P.O. Box 7001
Gulfport, MS 39506
Bid Amount: \$18,970.00

Robert M. Bertucci, d/b/a Bertucci Acoustical & Drywall
606 – 35th Street
P.O. Box 7606
Gulfport, MS 39506-7606
Bid Amount: \$20,836.00

Aladdin Construction
12772 B Highway 67
Biloxi, MS 39532
Bid Amount: \$25,000.00

Magnolia Music Center - AVIS Division
12100 Highway 49 Building 606
Gulfport, MS 39503
Bid Amount: \$5,452.00

Upon discussion, it was noted that Magnolia Music Center – AVIS Division submitted a solution to rewire the overhead speakers and split into three zones; replace the pair of existing analog automixers with a pair of digital signal processors; and to remove and replace the preamp/mixer with a more user friendly unit. All other solutions and proposals dealt with the installation of acoustical panels only.

The solution and proposal submitted by Magnolia Music - AVIS Division, is as follows:

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Price and Specification Sheet

Date: 9/27/2012 **Phone:**
For: Long Beach City Hall **FAX:**
Phase I **Email:**

Line	Quantity	Description	Bld Price	Extension
1	2	Blamp Nexia CS DSP	\$1,856.00	\$3,710.00
2	1	Blamp RED1 controller	\$427.00	\$427.00
3	1	Speaker Wire	\$250.00	\$250.00
4				
5	1	Consult, Installation and Program	\$1,000.00	\$1,000.00
6	1	CBI single XLR wallplate	\$15.00	\$15.00
7	1	POE Injector	\$50.00	\$50.00
8				
9				
10				
11		consistent operation use to use		
12		4 zone control		
13		recall preset based on use of		
14		the room.		
15		dedicated record/broadcast out		

Sub Total \$5,452.00

Sub Total \$5,452.00

tax rate %

TOTAL \$5,462.00

Prepared by: Rain@MagnoliaMusicCenter.com www.AudioVideoInstallService.com

Signed: _____

12100 Hwy 49 Bldg 606
Gulfport, Ms. 39503
phn# 228-328-0850
fax# 228-328-0830

2668 Bienville Blvd.
Ocean Springs, Ms. 39564
phn# 228-875-3322
fax# 228-875-3302

Upon discussion, Alderman Carrubba made motion seconded by Alderman Lishen to approve the lowest and best solution and proposal submitted by Magnolia Music – AVIS Division, as set forth above, directing the Clerk to issue a purchase order for same upon the determination of available funds; should funding be unavailable the matter will be directed to the Mayor and Board of Aldermen for further consideration at the next regular meeting, November 20, 2012.

The question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Parker voted Aye

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Alderman Ponthieux	voted	Nay
Alderman Couvillon	voted	Aye
Alderman Anderson	voted	Absent, Not Voting
Alderman Carrubba	voted	Aye
Alderman Lishen	voted	Aye
Alderman Hammons	voted	Absent, Not Voting

The question having received the affirmative vote of a majority of the Aldermen present and voting, the Mayor declared the motion carried.

The following items were taken under advisement for further review and consideration at the next regular meeting, November 20, 2012:

- Hurricane & Disaster Debris Management Ordinance; Alderman Lishen
- MDEQ MS4 Requirements.

The Mayor recognized Mr. Rick Chancey, WastePro, to provide information and answer questions regarding garbage and trash pickup; no official action was required or taken.

It was noted for the record that Project Manager Derrel Wilson, Utility Partners, LLC, and City Engineer David Ball are handling the dirty water, Pitcher Point and Destiny Oaks; the matter was tabled at this time.

There came on for discussion problems associated with garbage/trash receptacles left on city easements creating a nuisance. After considerable discussion, Alderman Lishen made motion seconded by Alderman Couvillon directing the City Attorney to draft an ordinance regulating garbage/trash receptacles left on city easements.

The question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Parker	voted	Aye
Alderman Ponthieux	voted	Nay
Alderman Couvillon	voted	Aye
Alderman Anderson	voted	Absent, Not Voting
Alderman Carrubba	voted	Nay
Alderman Lishen	voted	Aye
Alderman Hammons	voted	Absent, Not Voting

Minutes of November 6, 2012
Mayor and Board of Aldermen

The question having received the affirmative vote of a majority of the Aldermen present and voting, the Mayor declared the motion carried.

The City Attorney updated the Mayor and Board of Aldermen regarding Ronald Jefferson property litigation; no official action was required or taken.

There were no public comments regarding general items not appearing on the agenda.

There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Ponthieux made motion seconded by Alderman Parker and unanimously carried to adjourn until the next regular meeting in due course.

APPROVED:

Alderman Leonard G. Carrubba, Sr., At-Large

Alderman Gary J. Ponthieux, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kaye H. Couvillon, Ward 3

Alderman Ronnie Hammons, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Alderman Carolyn J. Anderson, Ward 6

Date

ATTEST:

Rebecca E. Schruff, City Clerk