

PORT COMMISSION MINUTES
APRIL 29, 2009

Be it remembered that a recess meeting of the Port Commission of the City of Long Beach, Mississippi, was begun and held in the IT FEMA trailer, located next to Central Fire Station, 645 Klondyke Road, in said city at 5:30 pm, on Wednesday, April 29, 2009, that being the time, date, and place fixed by order of the Port Commission recessing the meeting from April 16, 2009.

There were present and in attendance on said commission and at the meeting the following named persons: Commission President Phil Kies, Vice President James Hancock, Secretary Barbara Reed, Commissioners Vernon Ehlers, Charles Purchner, Kaye Couvillon, Harbormaster Calvin Poupart, Port Attorney Bryan Vonder Bruegge, and Deputy City Clerk Stacey Dahl.

Absent the meeting was Commissioner Chuck Ryan. It was noted for the record that Mr. Mike Spruill has resigned his position on the Port Commission.

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

There came on for discussion the bait shop lease agreement by and between the **Long Beach Port Commission, Lessor and Wanda A. Cazaubon, Lessee.** After considerable discussion and upon information obtained from Commissioner Kies regarding conversations with the lessee, Commissioner Reed made motion seconded by Commissioner Couvillon and unanimously carried directing the Port Attorney to send a letter to Ms. Cazaubon regarding a mutual termination of her lease.

There came on for discussion a REQUEST FOR PROPOSALS FOR THE OPERATION OF A MARINE FUEL FACILITY AND BAIT SHOP. After considerable discussion, Commissioner Reed made motion seconded by Commissioner Couvillon and unanimously carried to advertise for proposals in words and figures as follows:

**PORT COMMISSION MINUTES
APRIL 29, 2009**

29 April 2009

Long Beach Port Commission

Request for Proposals

Operation of a Marine Fuel Facility and Bait Shop

Please submit proposals to the Long Beach Harbormaster no later
than 5 pm Tuesday, May 19th.

Contact Information:
Long Beach Harbormaster
P.O. Box 929
Temporary Harbormaster Building
South Cleveland Ave.
Long Beach, MS 39560
(228) 863-4795

PORT COMMISSION MINUTES

APRIL 29, 2009

1.0 Purpose

The Long Beach Port Commission is soliciting proposals for operation of a Marine Fuel Facility and a Bait Shop to be located in the Long Beach, Mississippi municipal recreation harbor located at the southern extension of Cleveland Avenue. Separate proposals for either the Fuel Facility or the Bait Shop will also be considered.

2.0 Scope of Work

The operation will consist of providing Marine Fuel and live and frozen bait to harbor tenants and to the public at pre-determined, regular operating hours.

2.1 Marine Fuel:

- Two new operating fuel pumps and 2 fuel storage tanks will be provided by the Long Beach Port Commission.
- Operator is responsible for routine maintenance of the pumps and the tanks in order to maintain compliance with applicable laws and regulations.
- Both regular (a minimum of 89 octane, no ethanol) and marine low sulfur diesel fuel are required.
- Minimum operating hours are:

	Summer (Central Daylight Savings Time)	Winter (Central Standard Time)
Minimum weekday hours	0600 - 0900	0700 - 0800
Minimum weekend hours	0600 - 0900	0700 - 0800
Minimum callout response time (daylight hours)	30 min,	none

2.2 Bait Shop:

- Provide a temporary (movable) building, bait tanks and all equipment required to sustain live and dead (frozen) bait at a bait shop to be located at a site within the harbor that is agreeable with the lessee and the Port Commission. A more permanent building location for a bait shop will become available after the new Harbormaster's building is constructed during 2009-2010.
- Minimum operating hours will be in accordance with Mississippi Department of Marine Resources regulations for Bait Shops.

2.3 Permits, Insurance, misc.

PORT COMMISSION MINUTES

APRIL 29, 2009

Lessee will be required to obtain and maintain:

- City of Long Beach operating permit, all necessary state and federal permits,
- Commercial General Liability insurance with watercraft exclusion deleted or Marine General Liability in the amount of \$1,000,000 per occurrence/\$2,000,000 aggregate
- Commercial Auto Liability covering all owned, hired, and non-owned autos \$1,000,000
- Commercial Umbrella \$1,000,000
- Pollution Liability \$1,000,000
- All policies except Workers compensation to name Long Beach Port commission as additional insured (primary) for ongoing operations and products/completed operations
- All policies to waive subrogation against Long Beach Port Commission
- All policies to provide for 30 days notice of cancellation to Long Beach Port Commission.
- Monthly sales tax receipts must be furnished to the Port Commission

2.4 Regulations:

- Proposers must have a working knowledge of all federal, state and municipal regulations regarding the operation of these types of facilities that include, but are not limited to the following:
 - A). NFPA 30A, Motor Fuel Dispensing Facilities and Repair Garages, Chapter 11, Marine Fueling
 - B). Mississippi Department of Agriculture and Commerce Petroleum Production Inspection
 - C). Federal Oil Pollution Act of 1990
 - D). Mississippi Department of Marine Resources regulations relating to operation of either of these requested activities
- Operator must employ activities that comply with the Alabama-Mississippi Clean Marina Program
(<http://www.masgc.org/cleanmarinas/index.htm>)

3.0 Proposal

The proposal should address, but are not limited to, the following items:

3.1 Individual/Company profile

- Contact information for person submitting proposal
- Brief Individual/company background
- Relevant experience (Lack of prior experience for either or both of these services will not disqualify an applicant)

3.2 Services proposed

- Details of proposed fuel services
- Details of proposed Bait shop services

**PORT COMMISSION MINUTES
APRIL 29, 2009**

- Proposed/Desired Term of Lease
 - Hours and Mode of Operations
 - Date(s) prepared to commence operation for each of the requested retail sales operations.
- 3.3 Proposed Payment Structure
- Proposed type and/or level of payment, e.g. % of gas gross/net sales, constant monthly payments etc.
 - The bait shop lease payment should be a fixed monthly payment.
- 3.4 References
- Cite references with relevant knowledge of individual/Company
- 4.0 Evaluation and Award Process
- 2.1 Evaluation
- Evaluation of the proposals will be made by the Long Beach Port Commission. Evaluation will include verbal presentation, questions, and answers to the Port Commission at the regular Port Commission meeting on Thursday, May 21st beginning at 5:30 pm at the Long Beach School Administration Office, 19148 Commission Rd., Long Beach, MS.
 - The proposal that provides the best overall value to the harbor tenants, boating public, and the City of Long Beach will be selected.
- 2.2 Award Criteria
- Proposal Selection will be made as soon as possible after proposal presentations.
- 5.0 Disclosure – Proprietary Agreement
- Details of the terms of the proposals will be kept confidential to the Long Beach Port Commission and the City of Long Beach.

There was no action taken at this time regarding the Camille anchors and propellers.

The commission recognized Mr. Bryan Vonder Bruegge for the Port Attorney's report. Mr. Vonder Bruegge reported on various matters, including the lease agreement by and between the **LONG BEACH PORT COMMISSION, LESSOR AND LOOKOUT CATERING, LLC, LESSEE**. Upon continued discussion, Commissioner Nicosia made motion seconded by Commissioner Couvillon and unanimously carried to direct the Port Attorney to send a letter,

**PORT COMMISSION MINUTES
APRIL 29, 2009**

advising that Mr. Rob Stinson will be in violation of his lease if a building permit has not been pulled by August 15, 2009.

Commissioner Kies left the meeting at 7:15 pm.

The commission recognized Mr. Calvin Poupart for the Harbormaster's report. Mr. Poupart reported that the fishing piers should be completed within three (3) weeks.

There being no further business to come before the Port Commission at this time, Commissioner Ehlers made motion seconded by Commissioner Reed and unanimously carried to adjourn until the next regular meeting in due course.

APPROVED:

PHIL KIES, PRESIDENT

DATE

ATTEST:

STACEY DAHL, DEPUTY CITY CLERK