

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

Be it remembered that a regular meeting of the Port Commission of the City of Long Beach, Mississippi, was begun and held at the City Hall, 201 Jeff Davis Avenue, in said City at 5:30 o'clock p.m., it being the third Thursday in November, 2011, and the same being the time, date, and place fixed for holding said meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: Commission President Phil Kies, Secretary Barbara Reed, Commissioners David Marks, Charles Purchner, Barney Hill, Harbormaster Bill Angley, Port Attorney James C. Simpson, Jr., and Deputy City Clerk Stacey Dahl.

Absent the meeting were Commissioners Vernon Ehlers, Danny Hansen, Stan Snodgrass, and Vice President James Hancock.

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

The meeting was called to order and there were no amendments to the agenda.

Commissioner Purchner made motion seconded by Commissioner Hill and unanimously carried to approve the Port Regular Minutes of October 20, 2011.

The commission recognized Mr. Ron Robertson, Project Manager, Broaddus and Associates, whereupon Mr. Robertson submitted project updates as follows:

PORT COMMISSION MINUTES

NOVEMBER 17, 2011



Long Beach Port Commission
Phil Kies, President

November 17, 2011

RE: Project Updates:

1. **Bait Shop Trailer**
 - A. Garner Russell Engineering continues work on design drawings and bid package for new Trailer site. Proposed layout and estimate attached.
 - As discussed at last meeting, project cost will increase due to the project revisions. Formal request for approval of additional funding was submitted, however, FEMA no longer has a technical review group and formal review or approvals will not take place until close out of this project. All invoices must be paid prior to PW close out.
2. **Alternate Project. Harbor Pier revisions.**
 - **Phase-1** low bidder was M&D Construction at \$233,235; received bids in May 2011. A. Garner Russell Engineering continues work on **Phase-2** bid package (preliminary scope attached); \$100,000 +/- remaining. Also attached is a reduced set of prints for Phase-1.
3. **Bulkhead Project.**
 - Pre-construction meeting held for **Phase-1** on 10/13/2011. Bay South is scheduled to begin work on 12/05/2011. Completion is expected by 8/05/2012.
 - A. Garner Russell Engineering continues work on additional work scope and bid package for **Phase-2.** Proposed plan and estimate attached.
4. **CIAP – Harbor Expansion Planning.**
 - Received Statement of Qualifications for Harbor Master Planning from six firms (with sub-consultants) on 10/12/2011.
 - The Review sub-committee has met 5 times over the past few weeks. This has proved to be a difficult decision with all six firms being qualified to do the work. However, the committee has narrowed their selection to two firms. Before making a final recommendation to the port commission the review committee would like the finalists to make a presentation to the full board of commissors at a special called meeting the first week in December.

Please contact me at your convenience with any questions.

Best Regards,

Ron Robertson

Ron Robertson, P. E.
Project Manager

Port Commission Monthly Project Update
Prepared by Ron Robertson, P. E.

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

Revised COST ESTIMATE		
BAIT SHOP and HOLDING TANK ENCLOSURE		
Long Beach Small Craft Harbor		
November 17, 2011		
Item	Revised Est.	Orig. Estimate
<u>Purchased Items</u>		
1 Bait Shop Trailer (10' x 36')	\$ 29,900	\$ 30,000
2 Ice Machine	\$ 4,977	\$ 5,900
3 Security System	\$ 9,857	\$ 10,000
4 Signs	\$ 600	\$ 1,200
5 Trailer Setup/anchor system	\$ 2,250	\$ 1,900
6 Hand rails and steps	\$ 1,800	\$ 1,800
Sub Total	\$ 49,384	\$ 50,800
<u>Bid Package Items</u>		
7 Bait Tank Enclosure (14' x 14')	\$ 4,200	\$ 4,200
8 Sewer & Water	\$ 2,400	\$ 2,400
9 Electrical	\$ 25,000	\$ 4,800
10 Steps/hand rails to Dock and bait tanks	\$ 2,000	\$ 2,000
11 Storage Compartment	\$ 1,500	\$ 1,500
12 Install Four Signs	\$ 1,400	\$ 1,400
13 Outside lighting	\$ 1,000	\$ 1,000
14 Construction Contingency	\$ 5,675	\$ 3,405
15 Concrete Ramp	\$ 19,500	\$ -
Sub Total	\$ 62,675	\$ 20,705
Total Construction Estimate	\$ 112,059	\$ 71,505
14 Project Management	\$ 6,724	\$ 4,290
15 Engineering A/E Fees	\$ 15,411	\$ 5,821
TOTAL COST	\$ 134,194	\$ 81,616

BAIT SHOP

PORT COMMISSION MINUTES

NOVEMBER 17, 2011

Alternate Project - Harbor Pier Improvements PHASE-2 SCOPE

November 17, 2011

BASE BID

A. CLEAN EXISTING ELECTRICAL OUTLET BOXES

This work shall consist of all items of work and materials necessary to clean an existing outlet box and the associated components and to restore the outlet box to service. This shall include (but not necessarily be limited to):

1. Remove all interior components.
2. Clean all electrical contacts, wires, etc.
3. Treat all components with a commercial anti-oxidizing product for extended corrosion protection.
4. Make a recommendation to Engineer regarding any further work which may be required at the outlet box, such as the replacement of breakers, outlet receptacles, light and photocell, etc.
5. After approval from Engineer, make additional repairs and restore the unit to function. If recommendation detailed above was for additional replacement work, the additional work will be paid under other pay items.

B. REPLACE ALL INTERNAL COMPONENTS

This work shall consist of all items of work and materials to remove and replace all existing internal electrical components to restore the outlet box to service.

C. REPLACE BREAKERS

This work shall consist of all items of work and materials to remove and replace a breaker in an existing outlet box. Contractor shall match the breaker amperage with the existing breaker.

D. REPLACE OUTLET RECEPTACLES

This work shall consist of all items of work and materials to remove and replace an outlet receptacle in an existing outlet box.

E. REPLACE LIGHT & PHOTOCCELL

This work shall consist of all items of work and materials to remove and replace the light and photocell unit in an existing outlet box.

ALTERNATE BID 1

This item consists of adding two (2) 8" mooring cleats to each launch pier. Depending on the available funds, the Owner will determine if this item will be constructed.

ALTERNATE BID 2

This item consists of removing debris and sedimentation in 4 separate distinct areas in the Harbor basin. This will include removing and appropriately disposing of the debris. Depending on the available funds, the Owner will select which areas to be cleaned, up to and possibly including all areas depicted in the plans. A separate cost for each area.

ALTERNATE BID 3

This item consists of constructing finger piers at various points on the piers in the Harbor basin. Depending on the available funds, the Owner will select which piers will be constructed, up to and possibly including all finger piers depicted in the plans.

ALTERNATE BID 4

This item will include the extension of Pier 5 to include a "tee" configuration similar to Piers 1, 2, and 3. Depending on the available funds, the Owner will determine if this item will be constructed.

PORT COMMISSION MINUTES
NOVEMBER 17, 2011

CITY OF LONG BEACH

LONG BEACH HARBOR MODIFICATIONS TO PIER 2

SHEET INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	VICINITY MAP
3	PILING LAYOUT / PIER 2
4	PILING LAYOUT / LAUNCH RAMP AREA
5	ELECTRICAL WORK / LAYOUT
6	PIER CONSTRUCTION DETAILS
7&8	ELECTRICAL DETAILS



MAYOR
WILLIAM SKELLIE, JR.

BOARD OF ALDERMEN
AT LARGE LEONARD CARRUBBA
WARD 1 GARY PONTHEUX
WARD 2 BERNIE PARKER
WARD 3 KAYE COVILLON
WARD 4 RONNIE HAMMONS, JR.
WARD 5 MARK LISEN
WARD 6 CAROLYN ANDERSON

A. GARNER RUSSELL & ASSOCIATES, INC.

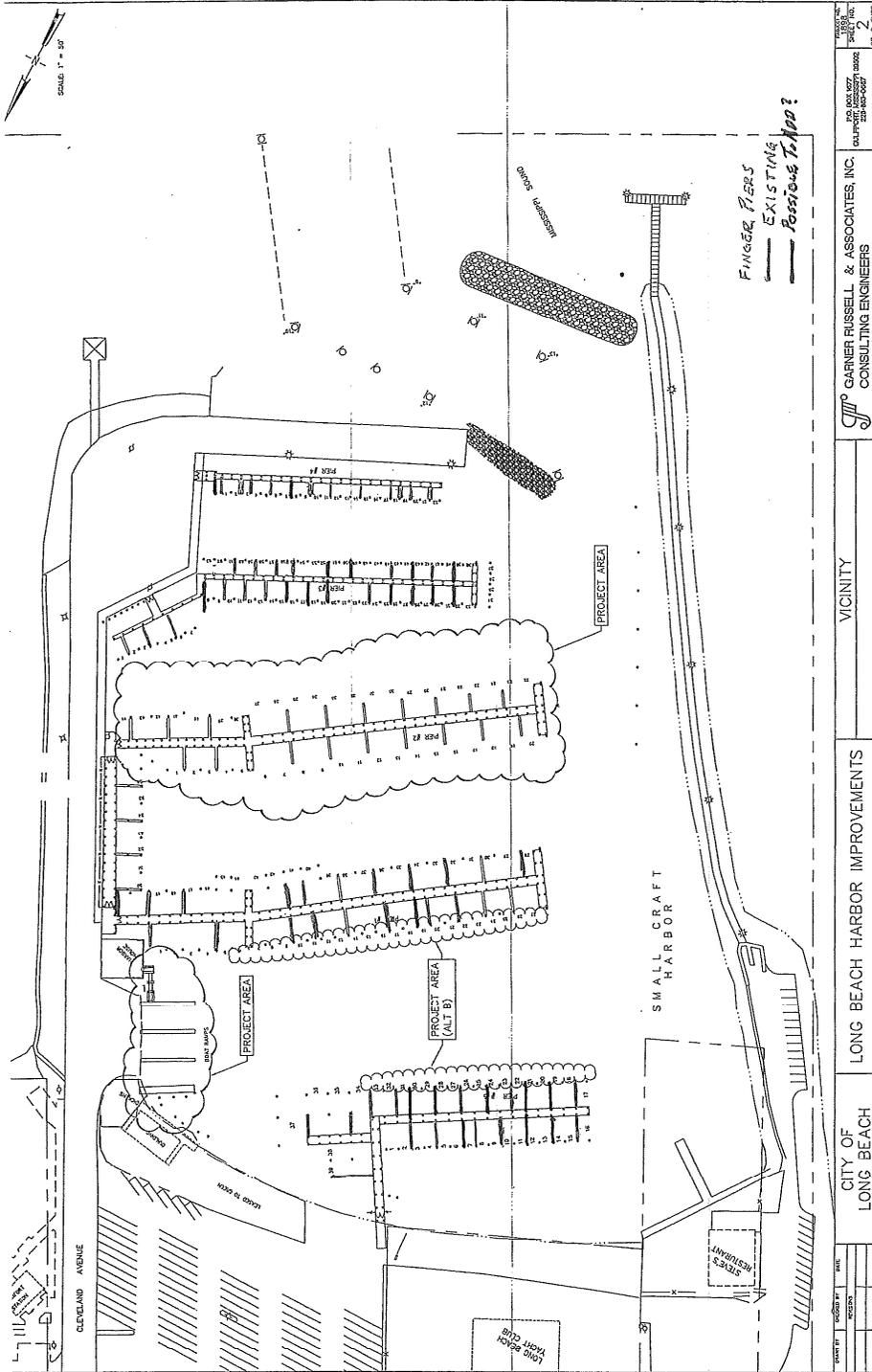
CONSULTING ENGINEERS



GULFPORT, MISSISSIPPI

#1898

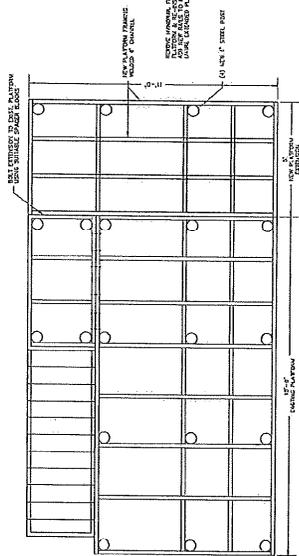
PORT COMMISSION MINUTES NOVEMBER 17, 2011



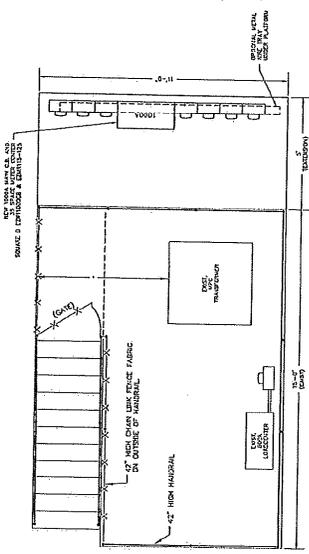
DATE	DRAWN BY	CHECKED BY	SCALE	PROJECT NO.	SHEET NO.
CITY OF LONG BEACH				LONG BEACH HARBOR IMPROVEMENTS	
VICINITY				PROJECT NO. 2	
GARNER RUSSELL & ASSOCIATES, INC. CONSULTING ENGINEERS					

PORT COMMISSION MINUTES NOVEMBER 17, 2011

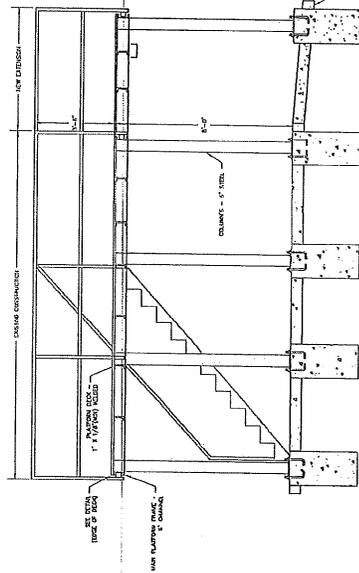
TABLE 1000 - LACED-FINDER BRICKWORK PLATFORM DETAILS



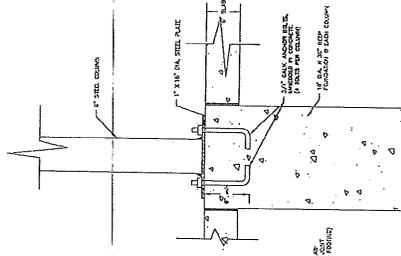
FRAMING - ELECTRICAL PLATFORM @ PIER 2



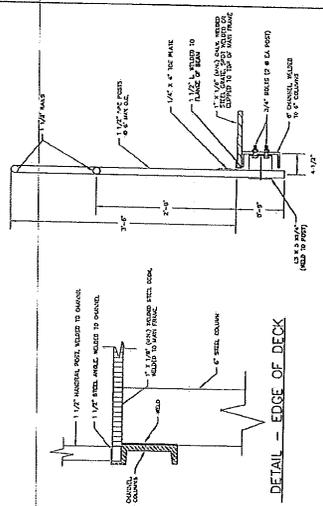
LAYOUT - ELECTRICAL PLATFORM @ PIER 2



FRONT ELEVATION



FOUNDATION DETAIL



DETAIL - EDGE OF DECK

DETAIL
HANDRAIL
N.E.S.

NO. OF SHEETS	NO. OF SHEETS USED	DATE	BY	CHECKED BY	DATE
CITY OF LONG BEACH			LONG BEACH HARBOR IMPROVEMENTS		
PLATFORM DETAILS			C/JP GARNER RUSSELL & ASSOCIATES, INC. CONSULTING ENGINEERS		
PROJECT NO.		JOB NO.		SHEET NO.	

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

BULK HEAD PROJECT

Long Beach B.I.G. Project - Budget Analysis		10/20/2011	
	<u>Total</u>	<u>BIG</u>	<u>Tidelands</u>
Phase-1 Construction (260 ft. Bulkhead)	\$ 775,162	517,033	258,129
Contingency Phase-1	75,000	50,025	24,975
Laundry Facility	15,000	10,005	4,995
Outreach Materials	44,000	29,348	14,652
Current Construction Phase-1	\$ 909,162	\$ 606,411	\$ 302,751
Phase-4 Proposed			
170 ft Pier	103,500	69,035	34,466
Dredge adjacent to Pier	18,000	12,006	5,994
Electrical	55,000	36,685	18,315
70 ft sidewalk	1,500	1,001	500
Drainage	3,500	2,335	1,166
land scaping	2,500	1,668	833
Phase-3 Proposed portion			
Bulkhead (as cost will allow) approx. 60 ft. +/-	135,000	90,045	44,955
Contingency Phase-3 & 4	\$ 39,807	26,551	13,256
Construction Phase-4 and portion of Phase-3	\$ 358,807	\$ 239,324	\$ 119,483
Engineering/Project Management/Inspection	\$ 180,000	120,060	59,940
Total this Grant	\$ 1,447,969	\$ 965,795	\$ 482,174

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After considerable discussion on the aforesaid report, the following actions were taken:

- Commissioner Marks made motion seconded by Commissioner Hill and unanimously carried to locate the bait tanks at the northeast edge of the bait shop slab.
- Commissioner Marks made motion seconded by Commissioner Reed and unanimously carried to approve the Alternate Project – Harbor Pier Improvements Phase-2 Scope of work.

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

- Commissioner Reed made motion seconded by Commissioner Marks and unanimously carried to schedule a Port Commission Work Session on Monday, December 5, 2011, at 5:00 p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to hear presentations by prospective consultants/firms regarding the Harbor Master Plan.

There came on for consideration the SECOND AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT by and between the Long Beach Port Commission and Blue Ridge Properties, LLC, ordered spread upon the minutes of this meeting in words and figures as follows:

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

State of Mississippi
County of Harrison
First Judicial District

**SECOND AMENDMENT TO AMENDED AND
RESTATED LEASE AGREEMENT**

THIS SECOND AMENDMENT TO THE AMENDED AND RESTATED LEASE AGREEMENT (this "Amendment") is made and entered into by and between the LONG BEACH PORT COMMISSION (hereinafter referred to as "Lessor") and BLUE RIDGE PROPERTIES LLC, a Mississippi limited liability company (hereinafter referred to as "Lessee"), and to be considered effective as of the date of approval hereof by the Governing Authorities of the City of Long Beach (the "Effective Date").

WHEREAS, the parties have previously entered into and once amended an AMENDED AND RESTATED LEASE AGREEMENT with an Effective date of February 11, 2010, such agreement being recorded March 1, 2010 as Instrument Number 2010 1735 -D-J1 in the office of the Chancery Clerk of Harrison County , Mississippi, First Judicial District; and

WHEREAS, due to the close proximity of construction operations of the BIG construction program underway in the Long Beach harbor by the Long Beach Port Commission and the City of Long Beach to the construction site and location of Lessee's proposed building, it is recognized and acknowledged between the parties that construction delays may be unavoidable, and an accommodation of construction schedules between the parties is deemed in the best interests of all parties, so as to allow for the orderly, efficient, safe and timely construction of both projects; and.

WHEREAS, in order to accomplish same, the parties wish to again amend said AMENDED AND RESTATED LEASE AGREEMENT for such purpose, so it is therefore

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

agreed as follows:

WITNESSETH:

FOR AND IN CONSIDERATION of the mutual covenants herein contained and for other good, lawful and valuable consideration given and received by each of the parties to be bound hereby, the parties agree that Section 4.3 of the AMENDED AND RESTATED LEASE AGREEMENT as referenced above shall be amended to read as follows:

Section 4.3 Failure to Submit Plans, Commence Construction or Complete Construction. Lessee shall submit final building plans and specifications for approval to Lessor within ninety (90) days from Lessor's approval of the rendering of the proposed building. Lessee shall obtain a building permit from the City of Long Beach and commence actual construction of such building and permitted structure within sixty (60) days of final approval by Lessor of such plans and specifications and issuance of the building permit, and thereafter proceed with commercially reasonable diligence to complete such construction. This sixty (60) day commencement date is subject to any delay that may be caused due to the failure of permitting by any other governmental agency, State or Federal, which may be required. Notwithstanding anything in this paragraph to the contrary, construction shall be completed and the facility operating not later than **May 1, 2013**. Failure to have such facility operating by **May 1, 2013** shall be considered an act of default.

All other provisions, terms and conditions of the **AMENDED AND RESTATED LEASE AGREEMENT** as once amended shall remain unchanged, and in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed as of the date hereof.

LONG BEACH PORT COMMISSION, Lessor

By: 
Phil Kies, President

By:


Barbara Reed, Secretary

Blue Ridge Properties, LLC, Lessee

By: 
Its Manager

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

AND NOW COMES WILLIAM SKELLIE, JR., Mayor of the City of Long Beach, Mississippi, who signs herein below acknowledging the approval of this Lease by the City of Long Beach, Mississippi Board of Aldermen.

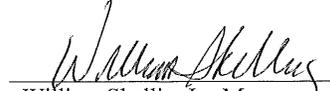
Date of Execution: 12/6/11

WITNESS OR ATTEST:

CITY OF LONG BEACH



Rebecca Scruff, City Clerk



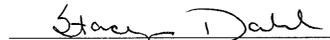
William Skellie, Jr., Mayor

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said county and state, on this 18 day of Nov, 2011, within my jurisdiction the within named William Skellie, Jr., personally known to me to be the Mayor, and Rebecca Scruff, personally known to me to be the City Clerk of the CITY OF LONG BEACH, MS, who acknowledged that they executed the above and foregoing SECOND AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT as the act and deed of said City, on the date and for the purposes therein stated, being first duly authorized to so do.

My Commission Expires:
12/5/15





NOTARY PUBLIC

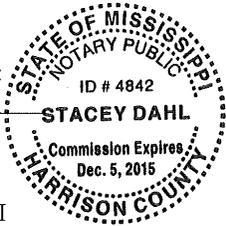
STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said county and state, on this 17 day of Nov, 2011 within my jurisdiction the within named Phil Kies, personally known to me to be the President, and Barbara reed, personally known to me to be the Secretary of the LONG BEACH PORT COMMISSION, who acknowledged that they executed the above and foregoing SECOND AMENDMENT TO AMENDED AND

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

RESTATED LEASE AGREEMENT as the act and deed of said Long Beach Port Commission on the date and for the purposes therein stated, being first duly authorized to so do.

My Commission Expires:
12/5/15



Stacey Dahl
NOTARY PUBLIC

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said county and state, on this 18 day of Nov, 2011, within my jurisdiction the within named Jimmy Levens, personally known to me to be the MANAGER/MEMBER of the BLUE RIDGE PROPERTIES, LLC, who acknowledged that he/she executed the above and foregoing SECOND AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT as the act and deed of said limited liability company, on the date and for the purposes therein stated, being first duly authorized to so do.

My Commission Expires:
12/5/15



Stacey Dahl
NOTARY PUBLIC

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Commissioner Purchner made motion seconded by Commissioner Marks and unanimously carried to approve the aforesaid lease.

The commission recognized Mr. Ray Meek, 909 East Birch Drive, Gulfport, MS, who is requesting permission to post a sign at the entrance of each pier advertising his Seaquest Diving Service. After brief discussion, it was the consensus of the commission to deny his request based on potential problems that may occur if various businesses request the same.

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

There was no action required or taken regarding Tidelands/BIG.

Commissioner Purchner made motion seconded by Commissioner Kies and unanimously carried to approve payment of invoices as listed on Dockets of Claims #HBR110111 and #HBR111511.

Commissioner Hill made motion seconded by Commissioner Reed and unanimously carried acknowledging receipt of the October, 2011, revenue/expense report; recognizing a discrepancy in the Harbormaster's report and the revenue report. After considerable discussion, it was the consensus of the commission to direct the harbormaster to confer with the city comptroller to resolve the difference.

The commission recognized Mr. Bill Angley for the harbormaster's report; whereupon the following report was ordered spread upon the minutes of this meeting in words and figures as follows:

PORT COMMISSION MINUTES

NOVEMBER 17, 2011

Harbor Master Report

November 17, 2011

- Received ice machine awaiting installation
- Working on Clean Marina check list and received 97% on practice inspection from Rhonda Price
- Adding vegetation between yacht club and hwy 90 and around transformers at east side of launches
- Finishing signage for piers to finish clean marina check list
- Need wood for replacing bowed and split wood along the piers estimating around 750.00 dollars plus hardware
- Working on repairs to harbor after tropical storm lee will try to work with BIG contractor to fix pilings while barge is in harbor to save on cost
- GC on BIG is going to help us with the movement of pilings and flag pole to save on cost
- Will be starting construction on BIG next week
- Working on final purchases of harbor contents so work order can be closed out with FEMA and MEMA need approval to purchase contents
- Boats for sale on our web page
- Advertisements and links for charters on our web page
- Current Slip Occupancy 196 of 233
- September Income Collected \$33,212

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

October 2011

Tax Report

Store Income:	\$ 100.00
Tax:	<u>\$ 7.00</u>
Total:	\$ 93.00

Slip Rent Income:	\$30,038.00
Tax:	<u>\$ 2,103.00</u>
Total:	\$27,935.00

Land Lease:	\$ 3,074.00
Tax:	<u>\$.00</u>
Total:	\$ 3,074.00

Combined Income:	\$ 33,212.00
Combined Tax:	<u>\$ 2,110.00</u>
Combined Total:	\$ 31,102.00

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Regarding the aforesaid report, action was taken as follows:

- After considerable discussion regarding Seabees in NBC 28 volunteering labor to make pier repairs, paint, and landscape, Commissioner Purchner made motion seconded by Commissioner Reed and unanimously carried authorizing the harbormaster to expend port funds, not to exceed \$1200.00 (twelve hundred dollars), for materials and costs associated with the projects.

**PORT COMMISSION MINUTES
NOVEMBER 17, 2011**

There was no action required or taken regarding the Port Attorney's report.

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

APPROVED:

PHIL KIES, PRESIDENT

DATE

ATTEST:

STACEY DAHL, DEPUTY CITY CLERK