

**PORT COMMISSION MINUTES**  
**JULY 17, 2014**

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 Meeting Room, 201 Jeff Davis Avenue, in said City at 5:00 o'clock p.m., it 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 Don Deschenes, Commissioners Susan Nicolais, Vernon Ehlers, Joseph P. Yott, Sr., John Casey, Barney Hill, Port Attorney James C. Simpson, Jr., Harbormaster Bill Angley, and Deputy City Clerk Stacey Dahl.

Absent the meeting were Commissioners Roger Ladner and Stan Snodgrass.

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

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The meeting was called to order, whereupon Mr. Joseph Yott was welcomed as the newly appointed At-Large Commissioner to fill the unexpired term of Ms. Barbara Reed.

There were no amendments or comments to the agenda.

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Commissioner Deschenes made motion seconded by Commissioner Ehlers and unanimously carried to approve minutes of the Port Commission, as follows:

- Regular minutes dated June 16, 2014, as submitted
- Closed/Executive Session minutes dated June 16, 2014, as submitted

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The Commission recognized Mr. Ron Robertson, Project Manager, Broaddus and Associates, and Mr. Larry Lewis, Senior Environmental Scientist, BMI Environmental Services, LLC; whereupon Mr. Lewis apprised the commission regarding permitting on the CIAP Master Plan.

Mr. Robertson submitted project updates, as follows:

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Long Beach Port Commission  
Phil Kies, President

July 17, 2014

**RE: Project Updates:**

1. **CIAP- Harbor Master Plan.**

USACE continues their 408 and permit review. As a result of a conference with USACE on Monday this week, BMA Engineers have to prepare additional information that was requested. A. Garner Russell and M. Costelli are working on Design and development of bid packages for improvement projects. Advertisement for bids for the construction of Bulkhead Improvements (tie-backs) is planned for mid-August. Request approval from port commission to place advertisements in paper.

2. **Bulkhead Project** AGR Engineering is working on design and bid package for improvements along the new north shore bulkhead. A time extension is being requested because the Grant period of Performance on this project runs out September 30, 2014.

3. **Isaac Repairs.** All permits for the launch ramp, boat fueling/sewer installation were issued last month. Cobb Environmental is on site and plans to finish this work in August. I also recommend approval of Cobb's request for change order #2 to comply with related submerged fuel tank codes. Work on replacement of the middle launch ramp will require obtaining at least one more bid. Construction should start sometime in August. Rip-Rap and Dredging will begin when permits are received. The additional construction work on paving/sidewalks is on-hold until inner bulkhead work is completed in April 2015. Expectation is the roads and sidewalk project will be completed by June 2015. The USACE permit for some of the completed work is still under review. **Appeal FEMA Decision (\$80,000 reduction) on Launch Ramps.** The appeal letter from LBPC was mailed to MEMA on May 12, 2014. MEMA has sent our appeal letter, along with their remarks, on to FEMA in Atlanta. The port commission should not expect a decision from FEMA for 6 to 12 months.

Please contact me at your convenience with any questions.

**Best Regards,**

**PORT COMMISSION MINUTES  
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**STATE OF MISSISSIPPI**  
PHIL BRYANT, GOVERNOR

**MISSISSIPPI EMERGENCY MANAGEMENT AGENCY**

ROBERT R. LATHAM, JR.  
EXECUTIVE DIRECTOR

July 7, 2014

Mr. Andrew Velasquez  
Acting Regional Administrator  
U.S. Department of Homeland Security  
Federal Emergency Management Agency  
Region IV  
3003 Chamblee Tucker Road  
Atlanta, Georgia 30341-4112

Attention: Mr. Michael A. Phillips, Recovery - Public Assistance

**RE: FEMA-4081-DR-MS - LONG BEACH PORT COMMISSION, #047-UDKVR-00  
PW# 747 - Long Beach Harbor Boat Launch and Pier  
First Appeal of Denial of Eligibility**

Dear Mr. Velasquez:

Enclosed, as Attachment 1, is a letter from the above-referenced applicant ("Applicant") appealing FEMA's denial of eligibility for portions of Project Worksheet ("PW") 747 written to repair the Long Beach harbor's concrete boat launch ramp including two damaged launch ramp access finger piers, fuel tank facility protective slab, fuel dispensing system, fuel pier electrical supply conduit and circuit wiring, and effluent pump-out station and pump ("Small Craft Harbor Project"). FEMA originally estimated the boat launch ramp portion of the project, including the two launch ramps, at \$166,739.00. As FEMA has currently determined work on one launch ramp to be ineligible (the landside), the amount in dispute for this appeal is 50% of the costs previously estimated for this portion of the project, leaving the amount in dispute approximately \$83,370.00.

The State has reviewed Applicant's appeal and related documentation and submits that Applicant's Small Craft Harbor Project is eligible for reimbursement through FEMA's Public Assistance Program. Applicant restored the questioned boat launch ramp to its pre-disaster footprint, function and size in accordance with the applicable scope of work captured in PW 747. Importantly, in doing so, Applicant relied on information included in the PW signed by

POST OFFICE BOX 5644 • PEARL, MISSISSIPPI 39288-5644 • PHONE: 601-933-MEMA  
EMERGENCY 1-800-222-6362 (24 HOUR)  
TDD 1-800-445-6362

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Applicant on December 21, 2012 including confirmation that FEMA had reviewed and determined that the Project presented no environmental or other special concerns.

Notably, even in FEMA's recent determination to deny funding for a large portion of Applicant's Project, FEMA does not state that the completed Project is in direct violation of any environmental requirements. Instead, FEMA determined this portion of Applicant's Project was ineligible due merely to the timing of the construction, apparently based on the position that Applicant should have delayed repair of its facility until FEMA forwarded additional documentation to confirm that its December 2012 determinations contained within Applicant's PW were correct - confirmation that did not occur until nearly two years after Hurricane Isaac. Indeed, the US Fish and Wildlife Service and National Oceanic and Atmospheric Administration have both confirmed that Applicant's Project poses no adverse environmental issues. For the reasons discussed herein, the State supports Applicant's appeal and recommends that FEMA grant reimbursement for all costs necessary to adequately complete Applicant's Small Craft Harbor Project.

### **Background**

Hurricane Isaac struck the Mississippi Gulf Coast on August 28, 2012, causing extensive damage to five separate areas of the Applicant's Small Craft Harbor. Specifically, prolonged wave action damaged Applicant's concrete boat launch ramp and destroyed two 72 feet long launch ramp access finger piers and wood piles supporting the finger piers. Prolonged wave action and fast moving water also undermined and cracked Applicant's 20 feet wide by 40 feet long fuel tank protection concrete cap slab of a 3,000 gallon fuel tank. The tank's outer shell also sustained damage by the moving slab. Applicant's fuel dispensing and monitoring system located on the fuel dock and affluent pump-out station as well as the electrical conduits, junction boxes and wiring were all damaged by prolonged wave action and inundated with salt water.

FEMA inspected the damaged facility on November 12, 2012, and subsequently prepared PW 747 on December 12, 2012 to capture the estimated costs to repair Applicant's damaged Small Craft Harbor, including Applicant's landside launch ramp and finger pier. As noted in the PW, the work to be performed in accordance with PW 747 would not change the pre-disaster condition at the project site. Before commencing the repair work, Applicant completed the exhaustive regulatory permitting process, receiving the necessary approvals from the Mississippi Department of Marine Resources ("MDMR"), the Mississippi Department of Environmental Quality, and the U.S. Army Corps of Engineers ("USACE"). Additionally, as required as part of the PW preparation and approval process, PW 747 was reviewed for compliance with various Special Considerations issues, including whether repair of the facility would change its pre-disaster condition and whether there were any other environmental or controversial issues associated with the damaged facility and/or item of work. The FEMA PAC assigned to complete this review noted that the damaged facility lies within wetlands but that the project would not, on a long-term or short-term basis, adversely impact wetland functions, resources or characteristics.

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The FEMA PAC also indicated that, besides the wetlands issue, the Project presented no other environmental concerns.

In early 2013, Applicant forwarded environmental clearances to FEMA per the request of the Region 4 Environmental Historic Protection Department (R-4-EHP). Soon thereafter, FEMA asked the State to request additional information from the Applicant regarding the Project. On March 1, 2013, Applicant responded to MEMA/FEMA's request for information. Also, on February 28, 2013, the U.S. Fish and Wildlife Service ("USFWS"), forwarded a request for information ("RFI") to Applicant, which included a form relative to the PW 747 Project. Applicant then returned the form to MEMA/FEMA on May 13, 2013, to be forwarded to USFWS. Applicant also promptly returned answers to USFWS's follow up questions. In addition, Applicant provided timely responses to RFIs from the National Oceanic and Atmospheric Administration ("NOAA"), which were forwarded to Applicant on March 5, 2013 and May 7, 2013. NOAA also forwarded instructions to Applicant to follow during construction of the Small Craft Harbor Project to minimize or avoid disruption to the Sea Turtles and Smalltooth Sawfish.

On May 9, 2013, MDMR forwarded a Request for Review of Permit Application along with the Applicant's permit application to all concerned agencies, including USFWS, NOAA, USACE and National Marine and Fisheries Service ("NMFS"), among others. Consequently, the concerned agencies received information regarding the Applicant's Project from numerous sources and had multiple opportunities to gauge the potential impact the Project could have on the environment. Yet, despite having the information necessary to reach a conclusion as to any environmental concerns, these agencies remained silent and did not advise Applicant of any concerns or negative conclusions.

On June 6, 2013 and June 10, 2013, Applicant inquired about whether it could begin work on its Project. At that time, MEMA advised Applicant that FEMA had not yet obligated the PW but had advised that the environmental queue would have been cleared in 30-45 days. MEMA further advised Applicant to follow the scope of work, to follow all procurement procedures and to secure all permits before beginning work. MEMA's advice to the Applicant was consistent with FEMA's Public Assistance Applicant Handbook, FEMA P-323 / March 2010 which states that "Applicants should not delay taking the necessary response and recovery actions" and that "those actions should not be dependent upon receiving Federal funds." Applicant indeed complied with the scope of work, procurement procedures, obtained all required permits and began construction to avoid delay. Therefore, the Applicant reasonably expected to receive full funding its Project when work began in 2013.

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The Applicant ultimately learned in early 2014 of FEMA's determination that a portion of the costs required for repairs to Applicant's boat launch and pier was ineligible for funding. Upon learning of this information, Applicant promptly duplicated and resubmitted all of its RFI responses to FEMA. Despite this, FEMA has denied 50% of the costs required to repair Applicant's boat launch ramp and pier due to FEMA's position that this proportion of the previously approved work for these items occurred prior to environmental compliance clearance. The State notified Applicant of FEMA's determination to reduce funding for the Project by 50% in correspondence dated April 16, 2014. Applicant submitted the enclosed appeal within 60 days of its receipt of this determination. The State has reviewed the documentation submitted by Applicant and agrees that Applicant's Project appears to have cleared all applicable environmental compliance requirements. The State therefore recommends that FEMA reconsider its determination that the Project is non-compliant with environmental regulations.

### **FEMA's Current Position Misapplies and Misapprehends the Environmental Considerations Applicable to FEMA-funded Projects.**

The National Environmental Policy Act ("NEPA") is a procedural law that requires federal agencies to consider the environmental impact of proposed actions prior to making decisions or taking actions that may "significantly affect the quality of the human environment." 42 U.S.C. § 4321 *et seq.* 44 CFR Part 10 implements the NEPA and mandates that all federal agencies (including FEMA) assure that all practical means and measures are used to protect, restore, and enhance the quality of the environment to avoid or minimize adverse environmental concerns. "The first step in applying the NEPA process is to determine whether to prepare an environmental assessment or an environmental impact statement." 44 CFR § 10.8. Therefore, the regulations contemplate situations where Stafford Act-funded projects will not adversely affect or significantly impact the environment. Stated differently, when a project does not adversely affect the environment, then environmental concerns are reduced or eliminated and the full NEPA review process is not required.

FEMA completed a Record of Environmental Considerations form ("REC") related to the Project which identified the various categories of applicable environmental policies. See Attachment 2. In the REC, FEMA concluded that the Project fell within a categorical exclusion to the NEPA requirements.<sup>1</sup> Specifically, FEMA concluded that Categorical Exclusion XVI applied to this Project because "[i]mprovements to existing facilities and the construction of small scale hazard mitigation measures in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use." See REC, Attachment 2.

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<sup>1</sup> "Categorical exclusion" means "a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency . . . and for which, therefore, neither an Environmental Assessment nor an Environmental Impact Statement is required." 40 CFR §1508.4.

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When a proposed action falls within a categorical exclusion, then the environmental review process is complete. Once the environmental compliance process is complete, work on the project can and should proceed to an expeditious conclusion. Here, as required by NEPA, FEMA reviewed Applicant's Small Craft Harbor Project and determined that the Project fell within a categorical exclusion and documented the results of that review within the REC. As noted within Applicant's appeal, pursuant to Public Assistance Applicant Handbook, FEMA PA-323, Applicant did not delay in taking the necessary response and recovery actions. Instead, Applicant began construction. When the Applicant advised FEMA in November of 2013 that it had completed work on one finger pier and one launch pier, Applicant reasonably expected to be reimbursed for the costs of construction. Unfortunately, FEMA now seeks to deny funding for this completed work.

In an updated EMMIE Report dated April 15, 2014, FEMA included its determination that the Project was partially ineligible for funding "due to completion of work . . . prior to environmental compliance clearance." *See* Attachment 3. FEMA also concluded in the updated EMMIE that consultation with NOAA under the Endangered Species Act ("ESA") should have occurred before any work on the Project commenced. The function of the ESA is to ensure that agencies conserve the endangered species and threatened species identified on the endangered species list. As a federal agency, FEMA is mandated to consult with NOAA regarding a project's impact on endangered species but only when FEMA first determines that a FEMA-funded project may destroy or adversely modify the habitat of an endangered or threatened species. *See* ESA, Section 7(a). Thus, if the proposed agency action would not adversely impact the habitat of the protected species, then neither the ESA nor any other rule or law requires any action from NOAA before FEMA can provide funding for a disaster recovery project. For the Applicant's Project, FEMA had already determined that the Applicant's Project did not adversely impact protected species or their habitats prior to start of construction.

Moreover, in the REC, FEMA states in the comments section under the ESA that the status for review was "completed as per USFWS letter dated October 15, 2012, [and] the project, as described, [was] not likely to adversely affect listed species or critical habitat." Attachment 2 and Attachment 5. FEMA also reviewed the Project for compliance with NOAA and NMFS requirements, including the ESA and the Magnuson-Stevens Fishery Conservation and Management Act ("MSA"), and echoed the same conclusions that were found in NOAA's March 28, 2014 letter addressed to the Applicant -- *i.e.* that "the project as described, does not adversely affect threatened and endangered species or critical habitat." Attachment 2; *see also* NOAA/NMFA correspondence, Attachment 4. Again, every assessment of the Applicant's Project for environmental concerns led to the conclusion that this Project (1) would not adversely impact wetland functions, resources or characteristic, (2) would not adversely affect threatened and endangered species or critical habitat; (3) would not exceed capacity of other system components; (4) would not modify intended land use; and (5) would not adversely affect essential fish habitat.

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Notwithstanding, FEMA's position is apparently that all of the necessary reviews were not completed before work began on the Project and that this issue of timing requires denial of any funding for this otherwise eligible work. However, an after-the-fact formal consultation with NOAA is permitted by regulations applicable to NOAA and is allowable under FEMA's own regulations. Specifically, according to 50 CFR § 402.05(a), (b), FEMA may engage in formal consultation with NOAA at any practicable time "after" a disaster. FEMA does not state that it denied funding because the Project actually poses an environmental concern. Rather, FEMA's only basis for denying funding for a portion of the Project is apparently that construction for some of the work began before FEMA *communicated* to the Applicant that its Project complied with all applicable environmental mandates. This position is despite the fact that FEMA confirmed to Applicant in 2012 via the Special Considerations questionnaire that there were no environmental issues identified with respect to Applicant's project. And despite the fact that FEMA determined that Applicant's project fell within a categorical exclusion for NEPA and USFWS and NOAA have both confirmed that Applicant's Project does not have any adverse impact on protected species. The timing of these conclusions does not create an impediment to full funding. Only a determination that the project adversely impacted these protected species or critical habitat should result in non-funding.

In the alternative, if FEMA determines that all necessary environmental concerns were not adequately addressed prior to construction and that this should somehow prevent Applicant's recovery of otherwise eligible costs, pursuant to 44 CFR § 13.6, FEMA has authority to grant an exception to administrative requirements applicable to its own grants. The State recommends that FEMA do so here where it is undeniable that, if FEMA had timely pursued consultation, there would be no issue as all necessary parties have now confirmed that Applicant's Project poses no environmental concerns. Any perceived lack of diligence and/or break in communications should therefore not result in denial of any opportunity to receive federal funding for Applicant's otherwise eligible Project.

**Conclusion**

FEMA determined in December 2012 that the work to be performed by Applicant to restore the Small Craft Harbor did not alter basic functions of the facility, did not exceed capacity of other system components, and did not modify intended land use. FEMA has yet to make any findings inconsistent with this previous determination, meaning the Project fell within a categorical exclusion of NEPA and was not deemed a federal action significant enough to harm the environment. FEMA also confirmed with other agencies that Applicant's Project was not likely to have an adverse impact on wetland functions, resources or characteristic, threatened and endangered species or critical habitats, or essential fish habitat.<sup>2</sup> Applicant completed the Project

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<sup>2</sup> Record of Environmental Consideration (REC) comments from FEMA state that the "Project will not, on both a long-term or short-term basis, adversely impact . . . wetland functions, resources, or characteristics." See Attachment 3, REC comment dated December 28, 2012. Additionally, further ESA Review comments also dated

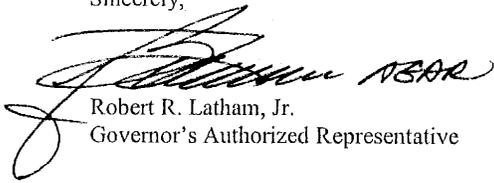
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in reliance on FEMA's previous reviews and should not be penalized for delayed confirmation from other agencies that also ultimately found Applicant's Project was of no concern. The State therefore recommends that FEMA reconsider its position and grant full reimbursement for all costs that Applicant incurred to repair and restore its Small Craft Harbor to its pre-disaster condition.

Please carefully review Applicant's enclosed appeal and the State's recommendation that it be granted. If you have any questions, please contact Mr. Larry Bowman, Alternate Governor's Authorized Representative, at telephone number (601) 933-6696.

Sincerely,



Robert R. Latham, Jr.  
Governor's Authorized Representative

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December 28, 2012, specifically confirm that "per U.S. Fish and Wildlife Service letter dated October 15, 2012, the project, as described, is not likely to adversely affect listed species or critical habitat." Finally, the REC comment dated April 2, 2014, also note that "the project as described does not adversely affect essential fish habitat."

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**ATTACHMENTS**

1. Applicant's Appeal Letter, dated May 8, 2014
2. Record of Environmental Considerations (REC)
3. April 2014 EMMIE Report
4. NOAA/NMFS March 28, 2014 Letter
5. USFWS October 15, 2012 Letter

# PORT COMMISSION MINUTES

## JULY 17, 2014

Meeting to review harbor projects – July 16, 2014:

**AGENDA**

1. Pending Permits: a) Isaac Repairs; b) Dredging; c) Rip--Rap; d) Cat Island Excursions; e) BIG and CIAP Improvement projects
2. Period of Performance for BIG Grant ends September 30, 2014. Period of Performance for CIAP Grant ends December 31, 2015.
3. Status of Replacement of Launch area middle Pier
4. Status of Construction Fueling station and Sewer pump-out systems, Concrete slope, Retaining wall and walk-way.
5. Michael Costelli bid packages advertise begin August 15. Construction to start November 15. c/p by 4/15/15.
6. Scope of work by Gulf Breeze to coordinate with new bulkhead tie-backs (If any).
7. Other Schedule and total Scope of work to be accomplished by Gulf Breeze Inc.
8. Status of Other Isaac projects. Piers/Electrical by Twin L; (Law Suit) ? OTHER?
9. Status of Engineering Plans and Specs for BIG and CIAP Improvement Projects
10. Lighting by Mississippi Power? Check with Becky c/ state approved contractor.
11. How to handle erosion on west end?
12. Status of Engineering Plans and Specs Cat Island Excursions Pier

		<u>B.I.G. Grant</u>	<u>February 21, 2014</u>
	ITEM		ESTIMATE
Mpower	1	Lighting along concrete walk (chk w/ Becky)	\$ 30,000
COBB	2	Finish concrete walk to East/erosion control	\$ 8,000
Chris	3	Erosion control plantings north of new bulkhead	\$ 15,000
LBPC	4	Out reach Materials	\$ 20,000
AGR	5	Asphalt to stop erosion	\$ 8,500
AGR	6	Benches along walk way	\$ 8,000
AGR	7	Rubber bumpers along new pier (Bill to spec)	\$ 9,000
AGR	8	Flag Pole installation	\$ 5,000
AGR	9	Curb and Asphalt to control storm water runoff	\$ 20,000
AGR	10	Pavilion with seating (Bill to select location)	\$ 45,000
		<b>CIAP Improvement Projects</b>	
C/P	1	Install 24" pipe through south bulkhead wall.	\$ 25,000
C/P	2	Electrical Imp. Plus Finger Piers	\$ 38,500
MC	3	Reinforce support for bulkheads	\$ 375,000
AGR	4	Provide restraint system to protect garbage cans	\$ 30,000
AGR	5	Fence around fuel tanks	\$ 1,800
AGR	6	Provide roof over west fishing pier	\$ 45,000
AGR	7	Two Fish cleaning station near charter boats 1 and 3	\$ 100,000
AGR-RR	8	three exhibit signs plus installation	\$ 25,000
AGR	9	Add 24 benches around harbor area	\$ 20,000
AGR	10	Pavilion with seating (Bill to select location)	\$ 45,000

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After considerable discussion, action on the aforesaid report as follows;

- Regarding CIAP – Commissioner Nicolais made motion seconded by Commissioner Ehlers and unanimously carried authorizing the advertisement for bids for the construction of Bulkhead Improvements (tie-backs).
- Regarding Bulkhead (BIG) Project – Commissioner Kies made motion seconded by Commissioner Hill and unanimously carried directing Mr. Ron Robertson to prepare a request to DMR for the maximum amount of funding for Phase II, BIG.

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There came on for consideration Change Order #2, Cobb Environmental & Technical Services, Inc., as follows:

**Stacey Dahl**

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**From:** David Ball <davidball@cableone.net>  
**Sent:** Thursday, July 17, 2014 4:17 PM  
**To:** Stacey Dahl  
**Subject:** Fwd: 1980 CO2  
**Attachments:** mime-attachment.gif; Untitled attachment 00248.htm; 20140127 CO#2.pdf; Untitled attachment 00251.htm

Sent from my iPhone

Begin forwarded message:

**From:** David Ball <davidball@cableone.net>  
**Date:** July 14, 2014 at 12:31:50 PM CDT  
**To:** Ron Robertson <rrobertson@broaddusassociates.com>, Bill Angley <harbor@cityoflongbeachms.com>, Phil Kies <phil.kies@att.net>, Ron Robertson <rrobertson@broaddusassociates.com>  
**Subject:** Fwd: 1980 CO2

Please see the attached proposed change order for the fuel facility. I was working with Cobb last week to get all this info together and to understand it all. They are hoping that they could get a tentative answer by the end of this week. Is that possible?

I'm available to answer any questions, but below is a general explanation:

- CO2-1 - This item is to install Stage 1 Vapor recovery on the tank. As I understand it, this is required to be compliant with the law. I believe these items were damaged by Hurr. Isaac and therefore need to be replaced.
- CO2-2 - This is to install a physical access point into the interstitial space in the outer tank (we have a double-wall tank). Again, I assume these items were damaged by Hurr. Isaac, but we need them to maintain our "double-wall status" with MSDEQ. Apparently, double-wall tanks are easier to meet environmental standards. We don't want to lose this status.
- CO2-3 - This is related to CO2-2, but is for the electrical monitoring to ensure no leaks in the interstitis

Thanks,  
DB

----- Original Message -----

# PORT COMMISSION MINUTES

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Change Order

No. 2

Date of Issuance: 7/14/2014 Effective Date: 7/14/2014

Project:	Owner: <b>City of Long Beach</b>	Owner's Contract No.:
Contract:	<b>Hurricane Isaac Repairs - Harbor Fuel Facility</b>	Date of Contract: <b>9/27/2013</b>
Contractor:	<b>Cobb Environmental &amp; Technical Services, Inc.</b>	Engineer's Project No.: <b>1980</b>

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

Description:

- 1. Stage I vapor recovery items were either missing or damaged. These items must be reinstalled per codes & standards. Access to the interstitial space (between outer tank wall & inner tank wall) must be restored to meet codes & standards.**
- 2. Otherwise, MSDEQ will treat the tank as a single-wall tank.**
- 3. Extend Contract time due to delays outside of Contractor's control.**

Attachments: (List documents supporting change):

- 1. Contractor's emails.**

**CHANGE IN CONTRACT PRICE:**

Original Contract Price:  
\$136,969.11

(Decrease) in Contract Price from previous Change Orders No.

\$0.00

Contract Price prior to this Change Order:

\$136,969.11

(Increase) in Contract Price due to this Change Order:

\$3,080.00

Revised Contract Price Incorporating this Change Order:

\$140,049.11

**CHANGE IN CONTRACT TIMES:**

Original Contract Times:  Working Days  90 Calendar days

Substantial completion (days or date): 2/1/2014

Ready for final payment (days or date):

Change in Contract Time from previous Change Orders No.

Substantial completion (days or date):

Ready for final payment (days or date):

Contract Times prior to this Change Order:

Substantial completion (days or date): 2/1/2014

Ready for final payment (days or date):

(Increase) in Contract Time due to this Change Order:

Substantial completion (days or date): 238

Ready for final payment (days or date):

Contract Times incorporating this Change Order:

Substantial completion (days or date): 9/27/2014

Ready for final payment (days or date):

RECOMMENDED:  
(ENGINEER)

ACCEPTED:  
(CONTRACTOR)

ACCEPTED:  
(OWNER)

By: \_\_\_\_\_ By: \_\_\_\_\_ By: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_

# PORT COMMISSION MINUTES

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NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	TOTAL CONTRACT QUANTITY	TOTAL CONTRACT AMOUNT
<b>FEMA PROJECT WORKSHEET NO. LBGR020</b>								
401-A	SITE WORK	0 L.S.	\$118,390.00	\$0.00			0	\$0.00
401-B	SEWAGE PUMPOUT STATION	1 L.S.	\$15,297.11	\$15,297.11			1	\$15,297.11
CO1-1	PAYMENT AND PERFORMANCE BOND	1 L.S.	\$3,055.00	\$3,055.00			1	\$3,055.00
CO1-2	SITE WORK (LESS BOND COSTS)	1 L.S.	\$115,935.00	\$115,935.00			1	\$115,935.00
CO2-1	STAGE 1 VAPOR RECOVERY (BALL FLOAT & VAPOR CONNECTION)	0 L.S.	\$1,930.00	\$0.00	1	\$1,930.00	1	\$1,930.00
CO2-2	INTERSTITIAL TANK RISER & MANHOLE	0 L.S.	\$500.00	\$0.00	1	\$500.00	1	\$500.00
CO2-3	INTERSTITIAL TANK ELECTRICAL MONITORING	0 L.S.	\$650.00	\$0.00	1	\$650.00	1	\$650.00
	<b>Total FEMA Project Worksheet No. LBGR020</b>			<b>\$133,687.11</b>		<b>\$3,080.00</b>		<b>\$136,767.11</b>
<b>BID SCHEDULE NO. 2 (B.I.G. PROGRAM)</b>								
301-A	CONCRETE SIDEWALK AND SLOPE PAVING	1 L.S.	\$3,282.00	\$3,282.00		\$0.00	1	\$3,282.00
	<b>Total Bid Schedule No. 2 (B.I.G. Program)</b>			<b>\$3,282.00</b>		<b>\$0.00</b>		<b>\$3,282.00</b>
	<b>TOTAL</b>			<b>\$136,969.11</b>		<b>\$3,080.00</b>		<b>\$140,049.11</b>

ATTACHMENT TO CHANGE ORDER NUMBER

2

PROJECT NO.

1580

**PORT COMMISSION MINUTES**  
**JULY 17, 2014**

Long Beach Project

CO2-1  
David Ball

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**Subject:** Long Beach Project  
**Date:** Tuesday, July 01, 2014 2:32 PM  
**From:** "Brian Cobb" <bcobb@cobbenv.com>  
**To:** "David Ball" <davidball@cablone.net>

Bobby has observed that the vent line is not connected to the tanks properly. There is not a ball float and vapor connection point for Stage I vapor recovery for the gas tank. He has asked that I price to you an extra which includes a ball float assembly, extractor vent valve, a 4 inch riser for both compartments and add a 5-gallon vapor spill bucket, a vapor adapter and a new cap for the gasoline side. To supply the equipment and perform the installation the cost is \$1,930.00. CO2-1

Also, since the concrete pad is being removed from the tank, Bobby is requesting the city purchase fuel to help with hold down of the tanks to prevent damage from buoyant forces due to high groundwater. Please advise on this as soon as possible.

Brian Cobb, P.E.  
President  
1-662-841-0995 (phone)  
1-662-841-0810 (fax)  
1-662-401-0363 (cell)



*Cobb Environmental & Technical Services, Inc.*  
**Website:** [www.cobbenv.com](http://www.cobbenv.com)

Mailing Address	Physical Address
P. O. Box 1602 Tupelo, MS 38802	871 South Green Street Tupelo, MS 38804

**PORT COMMISSION MINUTES**  
**JULY 17, 2014**

RE: Tank and Line Testing

**David Ball**

**Subject:** RE: Tank and Line Testing  
**Date:** Tuesday, July 08, 2014 5:08 PM  
**From:** "Brian Cobb" <bcobb@cobbenv.com>  
**To:** "David Ball" <davidball@cableone.net>

You have \$650 off of #2 without the electrical. That would make that item \$500

CO2-2

CO2-3

Tank and line testing is commonly performed by all of our customers after retrofitting and/or tank and line modifications. I believe the MDEQ would expect it.

Brian Cobb, P.E.  
President  
1-662-841-0995 (phone)  
1-662-841-0810 (fax)  
1-662-401-0363 (cell)



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P. O. Box 1602 Tupelo, MS 38802	871 South Green Street Tupelo, MS 38804

**From:** David Ball [mailto:davidball@cableone.net]  
**Sent:** Tuesday, July 08, 2014 5:07 PM  
**To:** Brian Cobb  
**Subject:** Re: Tank and Line Testing

Alright, just wanting to make sure I understand all:

1. Stage 1 vapor recovery = \$1930 → CO2-1
2. Riser, electrical, manhole for interstitial = \$1150 → CO2-2 & CO2-3
3. Tank & line testing = \$1100

Is this correct?

~~PERFORMED~~ REQUIRED BY CONTRACT  
TO BE PERFORMED BY 3<sup>RD</sup> PARTY AFTER WORK.

If we eliminate the electrical in #2, what's the estimated cost?

Can we eliminate the tank & line testing? If we don't do it, does it jeopardize your work?

1 of 3

2/1/14

7/14/2014 11:15 AM

**PORT COMMISSION MINUTES  
JULY 17, 2014**

RE: Fueling Facility - Long Beach, MS

**David Ball**

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**Subject:** RE: Fueling Facility - Long Beach, MS  
**Date:** Tuesday, July 08, 2014 11:31 AM  
**From:** "Brian Cobb" <bcobb@cobbenv.com>  
**To:** "David Ball" <davidball@cableone.net>  
**CC:** <bobbyo@cobbenv.com>

The riser, electrical stub up, and manhole for the interstitial will be around \$1,150.00. As soon as I know on the items I will order the equipment.

Brian Cobb, P.E.  
President  
1-662-841-0995 (phone)  
1-662-841-0810 (fax)  
1-662-401-0363 (cell)

**CETS**

*Cobb Environmental & Technical Services, Inc.*

Website: [www.cobbenv.com](http://www.cobbenv.com)

Mailing Address	Physical Address
P. O. Box 1602 Tupelo, MS 38802	871 South Green Street Tupelo, MS 38804

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**From:** David Ball [mailto:davidball@cableone.net]  
**Sent:** Tuesday, July 08, 2014 11:20 AM  
**To:** Brian Cobb  
**Cc:** bobbyo@cobbenv.com  
**Subject:** Re: Fueling Facility - Long Beach, MS

I believe the City is interested in the riser/manhole & the Stage I vapor system that you sent in your previous email. As soon as possible, please provide a quote for the manhole/riser that you reference below, which I'll assemble into a single change order (with the Stage I vapor system) that the City can review. Hopefully, we can get some sort of approval quickly. I'll keep you up to date on that as we go forward.

Thanks,  
DB

---

**From:** Brian Cobb  
**Sent:** Monday, July 07, 2014 4:06PM  
**To:** David Ball  
**Cc:** Bobbyo

~~10/14~~ 2 of 3

7/14/2014 11:15 AM

**PORT COMMISSION MINUTES  
JULY 17, 2014**

RE: Fueling Facility - Long Beach, MS

Subject: Fueling Facility - Long Beach, MS

We have exposed the bung on the tank that allows access to the interstitial portion of the double wall tank. This bung was buried and the interstitial was not accessible. If you would like to have the interstitial space of the double wall tank accessible through a riser then we will need to request a change order for the riser and a manhold to protect the riser. In addition, the interstitial space can be monitored remotely with the fuel management system. If you would like to add this feature then an interstitial sensor would need to be added along with electrical conduit and wiring. Advise.

We assume no response means there is no interest and the bung will be buried as it were before. Thanks,

Brian Cobb, P.E.  
President  
1-662-841-0995 (phone)  
1-662-841-0810 (fax)  
1-662-401-0363 (cell)



*Cobb Environmental & Technical Services, Inc.*

Website: [www.cobbenv.com](http://www.cobbenv.com)

Mailing Address	Physical Address
P. O. Box 1602 Tupelo, MS 38802	871 South Green Street Tupelo, MS 38804

3 of 3  
2/18/14

7/14/2014 11:15 AM

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Based upon the recommendation of Project Engineer Mr. David Ball, Commissioner Nicolais made motion seconded by Commissioner Hill and unanimously carried to approve the aforesaid Change Order #2, Hurricane Isaac Repairs – Harbor Fuel Facility.

\*\*\*\*\*

The Commission recognized Ms. Shanna Baine, Bearcat Booster Club Even Coordinator, with a request, as follows:

**PORT COMMISSION MINUTES  
JULY 17, 2014**



7/3/14

To Whom It May Concern,

The Bearcat Booster Club would like to request use of the Long Beach Harbor to host the 1<sup>st</sup> Annual Bearcat Big Catch Fishing Tournament on Saturday, August 9, 2014. The Bearcat Booster Club is a non-profit booster club who seeks to promote and encourage the athletic program of the Long Beach School District, specifically the football program.

The BBC would like to request the specific use of the downstairs space below the Harbormaster's Office for weigh-in/tournament headquarters and permission to advertise with banners around the Harbor using the Harbor's name.

Our event begins with registration at the site on Friday, August 8, at 5:30pm until 7:30pm. The tournament will start at 8:00pm that evening and run through 11:30am the next morning, Saturday, August 9. Weigh-in will begin at 5:00am and conclude at 11:30am. Lunch will be served from 11:00am until 12:30pm while supplies last. The tournament awards ceremony will take place at 12:30pm.

The BBC would like to thank you for any possible donation the Harbor could make toward our event.

Thank you for your consideration,

Forrest Williams  
*Long Beach Athletic Director/Head Football Coach*

David Sprinkle  
*Bearcat Booster Club President*

Shanna Baine  
*Bearcat Booster Club Event Coordinator*



**PORT COMMISSION MINUTES  
JULY 17, 2014**

 **BEARCAT BOOSTER CLUB**  
19148 COMMISSION ROAD - LONG BEACH, MS 39560  
FAX: (228) 863-3196 - PHONE: (228) 864-1146  
Proudly supporting Long Beach Bearcat Athletics 

**1<sup>st</sup> ANNUAL BEARCAT BIG CATCH FISHING TOURNAMENT  
2014 REGISTRATION FORM**

**SPECKLED TROUT TOURNAMENT**

PRE-REGISTRATION FEES are \$25 per angler.  
Day of Event Tournament Fees are \$35 per angler.  
Calcutta Entry is \$10 plus registration.

Full name, address, and phone number of anglers wishing to register:

1. Name: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
CALCUTTA: YES - NO (Circle one.) Registration #: \_\_\_\_\_

2. Name: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
CALCUTTA: YES - NO (Circle one.) Registration #: \_\_\_\_\_

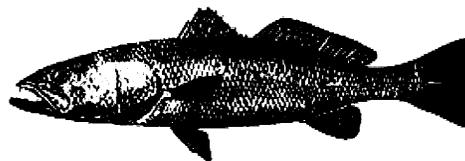
3. Name: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
CALCUTTA: YES - NO (Circle one.) Registration #: \_\_\_\_\_

4. Name: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
CALCUTTA: YES - NO (Circle one.) Registration #: \_\_\_\_\_

(Please include entry fee with registration)

**Please make checks payable to: BBC**

Please print and fill out registration form and mail to:  
Bearcat Booster Club  
ATTN: Forrest Williams/Fishing  
19148 Commission Road  
Long Beach, MS 39560



- Registration may be turned in to the Long Beach School District Central Office, the Long Beach Harbormaster (when guards are present), or at the Long Beach harbor site registration on Friday, August 8, from 5:30pm until 7:30pm.

 "THE PRIDE AND TRADITION OF LONG BEACH ATHLETICS  
IS NOT FOR THE WEAK, TIMID OR NON-COMMITTED." 

# PORT COMMISSION MINUTES

## JULY 17, 2014



**BEARCAT BOOSTER CLUB**  
19148 COMMISSION ROAD - LONG BEACH, MS 39560  
FAX: (228) 863-3196 - PHONE: (228) 864-1146  
*Proudly supporting Long Beach Bearcat Athletics*



### *BEARCAT BIG CATCH FISHING TOURNAMENT 2014 RULES*



- Registration will be accepted until 8:00 am on the day of the tournament. Fishing hours are from 8:00 PM Friday, August 8, 2014 until the scales close at 11:30 AM on Saturday August 9, 2014. Vessels may depart at any time but fishermen cannot put a line in the water until fishing hours begin.
- All fish must be caught with rod and reel. Maximum of 3 rods fished at one time.
- Stringer: A stringer of fish is defined as no less than three (3) fish. Two (2) or less fish does not qualify for a stringer and will not be accepted as entry. An angler must enter a minimum of three (3) and no more than five (5) fish to qualify for the tournament prize. Participants are allowed to enter one (1) fish only if entered in the Calcutta and entering said fish for their Calcutta entry.
- Prizes to be awarded solely on basis of weight. This is a five (5) fish aggregate weight tournament; for example, first prize will go to the boat weighing the heaviest five fish. In case of a tie for any of the places, the first boat to weigh in will win.
- All fish must be weighed in from the boat in which they were caught. An angler must present the eligible fish to the weigh master along with their assigned registration number.
- Eligible fish is the speckled trout with a minimum fork length of 13 inches from the end of its nose to the end of its tail.
- Measurement Method: To qualify the length of every fish the weighmaster will use the pinch method. The tail will be pinched together and the total length of the fish will be measured from nose to tail. Any fish exceeding 22 inches once the tail is pinched will be disqualified. It is the responsibility of each angler to measure all fish prior to bringing them to the scales. There is no shuffling of fish at the scales once fish have entered and should an entered fish be disqualified it cannot be replaced.
- The five fish weighed (Speckled Trout) per angler weighed will be eligible for the Junior and Lady secondary prizes provided the Junior and Lady is registered as a participant with the tournament and do activity participate in the tournament. The Junior Angler must be 15 years of age or less prior to 9 August 2014. The lady angler must be 17 years of age or older. A junior or lady should accompany the fish to the scales.
- All participants must comply with all Mississippi Wildlife laws and USCG regulations. All fish must be presented to the weighmaster in good, edible, properly iced or in live condition. Fish that appear to have been gilled, harpooned, frozen or mutilated in any way will be declined. No mutilated fish will be weighed. A mutilated fish is a fish that is injured so that it impacts its ability to fight. Hook punctures are acceptable. This definition, and how it applies to any fish entered, is left up to the sole discretion of the weighmaster. The weighmaster's word is final. All participants must be properly licensed with the state in which the fish is caught. Failure of any participant to be licensed will result in disqualification of the angler.
- All boats with fish to weigh must be in line to weigh fish by 11:30 am. Anglers waiting in line when the scales close will be considered on time. Scales will open for weigh in at 5:00 am at the Long Beach Harbor underneath the Harbormaster building. All fish must be presented to the weighmaster by the angler who hooked and landed the fish.
- Awards Ceremony will be at the Long Beach Harbor in Long Beach, MS on Saturday 9 August 2014 at 12:30 pm.



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# PORT COMMISSION MINUTES

## JULY 17, 2014



**BEARCAT BOOSTER CLUB**  
19148 COMMISSION ROAD - LONG BEACH, MS 39560  
FAX: (228) 863-3196 - PHONE: (228) 864-1146  
*Proudly supporting Long Beach Bearcat Athletics*



- Prizes are based on 50 registered anglers and will be awarded as follows. First place angler will receive \$500 cash. Second place angler will receive \$250 cash. Third place angler will receive \$100 cash.
- **CALCUTTA:** Tournament will include a Calcutta for the largest trout. The entry fee is \$10 per person. The Calcutta entry fee will be collected with registration. \$150 will be awarded to the person with the largest trout. The fish being weighed in the Calcutta can also be included in each boat's five-fish stringer or turned in solely as a Calcutta entry. The Calcutta entry is only good for the person that actually catches the fish and only if that person entered the Calcutta and will not qualify if anyone else other than said person enters the fish.
- All fish weighed in will become the property of the Bearcat Booster Club.
- Any advertiser, sponsor, or committee member entering the tournament in compliance with the tournament rules are eligible for any and all prizes.
- A boat is only eligible to win one primary prize, but may win more than one secondary prize.
- All registered anglers will receive a meal coupon from the Tournament redeemable at weigh-in for food. One coupon per person. Additional meals for non-registered people will be \$7.00 each and can be purchased at the weigh-in as long as supplies last. The Tournament will begin serving food at 11:00 am until 12:30pm while supplies last.
- This Tournament is intended to promote principles of sportsmanship, honesty and integrity among the adults and children participating in the Tournament. The entire responsibility for valid entry and eligibility rests solely on the participant. Each participant is responsible for knowing the rules of the Tournament and, by participating in the Tournament, agrees to comply with and abide by all rules of the Tournament. Failure to comply with the Tournament rules will result in disqualification. *The decision of the weighmaster is final.*
- Any entrant wishing to protest any matter regarding interpretation of the rules, or the eligibility of any entrant or catch, must be accompanied by \$150 in cash and submitted to the tournament committee in writing no later than thirty (30) minutes after the protested fish has been weighed. All decisions made by the rules committee will be final. A refund will be made if the protest is upheld if not the money deposited will become property of the Bearcat Booster Club.
- If the tournament is cancelled, all entry fees will be returned.
- The tournament committee has the right to modify, add, delete, or adjust any and all rules at their discretion. The tournament committee decisions are final.
- The **Bearcat Big Catch Fishing Tournament** is owned in its entirety by the Bearcat Booster Club.
- In consideration of being allowed to enter the Tournament, each person agrees and contracts to release, indemnify and hold harmless the friends of Bearcat Booster Club, its agents, officers, directors, employees, representatives, the Tournament judges, all Tournament sponsors and all their respective officers, directors, agents, employees and representatives, including indemnity for any negligent acts or omissions of the foregoing released and indemnified parties, from any and all liability, claims, or damages arising out of or in any manner whatsoever connected with the planning, operation or conduct of the Tournament, and including but not limited to claims for personal injury, wrongful death, survival damages, property damage, or claims relating in any way to the awarding of prizes in the Tournament.
- For questions, contact Event Coordinator Shanna Baine at [shannabaine@gmail.com](mailto:shannabaine@gmail.com) or 228-234-3934.



**"THE PRIDE AND TRADITION OF LONG BEACH ATHLETICS**

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**PORT COMMISSION MINUTES**  
**JULY 17, 2014**

CITY OF LONG BEACH  
SPECIAL EVENT APPLICATION  
City Clerk's Office \* 201 Jeff Davis Avenue \* P.O. Box 929 \* Long Beach, MS 39560

Date Received By Clerk's Office: 7/14/14 Time: 2:04 By: CS

Please complete this application in accordance with the City of LONG BEACH Special Events Policy, and return it to the Office of the City Clerk at least 90 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Bearcat Booster Club (Football)  
Organization Address: 19148 Commission Rd. Long Beach, MS. 39560  
Organization Agent: Shanna Baine Title: Event Coordinator  
Phone: 228-234-3931 Work Home same During event same  
Agent's Address: 116 Richards Ave. LB, MS. 39560  
Agent's E-Mail Address: shannabaine@gmail.com  
Event Name: First Annual Bearcat Big Catch Fishing Tournament  
Please give a brief description of the proposed special event: Speckled Trout fishing tourney, \$500 top prize, fish fry to follow. We are hoping to make this an annual event.  
Event Day(s) & Date(s): 8-8-14 / 8-9-14 Event Time(s): Friday 8pm - 12pm Saturday  
Set-Up Date & Time: 8-9-14 7AM Tear-Down Date & Time: 8-9-14 2pm  
Event Location: Long Beach Harbor  
ANNUAL EVENT: Is this event expected to occur next year?  YES  NO  
How many years has this event occurred? 8

ADOPTED: 11.15.11-BOARD ACTION

**PORT COMMISSION MINUTES**  
**JULY 17, 2014**

**MAP:** (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

**STREET CLOSURES:** Start Date/ Time: \_\_\_\_\_ through Date/ Time \_\_\_\_\_

**RESERVED PARKING:** Are you requesting reserved parking?  YES  NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

Empty parking lot next to McDonald's  
in Long Beach off Hwy 90

**VENDORS:** Food Concessions? YES  NO Other Vendors? YES  NO

**DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT?** YES  NO

If yes, are liquor license and liquor liability insurance attached? YES  NO   
If yes, what time? \_\_\_\_\_ Until \_\_\_\_\_

**ENTERTAINMENT:** Are there any entertainment features related to this event? YES  NO

If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

**ATTENDANCE:** What is the expected (estimated) attendance for this event? 100

**AMUSEMENT:** Do you plan to have any amusement or carnival rides? YES  NO

If yes, you are required to obtain a permit through the City Clerk's Office.

**REST ROOMS:** Are you planning to provide portable rest rooms at the event? YES  NO  
If yes, how many? \_\_\_\_\_

As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

ADOPTED: 11.15.11-BOARD ACTION

**PORT COMMISSION MINUTES  
JULY 17, 2014**

**INSURANCE:** All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Long Beach as an additional insured party on the policy. A sponsor of a Low Hazard event may request that Board of Aldermen waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

---

**CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that: A Certificate of Insurance must be provided which names the City of Long Beach as an additional named insured party on the policy or I am requesting that Board of Aldermen waive the insurance requirement for this Low Hazard Event as identified in paragraph above

related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.

All food vendors must be approved by the Harrison County Health Department, and each food or other vendor must provide the City of Long Beach with a Certificate of Insurance which names the City of Long Beach as an additional named insured party on the policy.

The approval of this special event may include additional requirements or limitations, based on the City's review of this application. Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

7-14-14  
Date

Shanna Baine  
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least ninety (90) days before the first day of the event to:  
CITY CLERK'S OFFICE - 201 JEFF DAVIS AVENUE - P.O. BOX 929 - LONG BEACH, MS  
39560**

ADOPTED: 11.15.11-BOARD ACTION

**PORT COMMISSION MINUTES  
JULY 17, 2014**

Event Title: First Annual Race at Big Lake Stadium

DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's Office, as soon as possible.

Approvals noted below, by departments, indicate they have been made aware of the request and the reasonability of their department has been met.

Police Dept.: \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Fire Dept.: \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Public Works: \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Traffic Eng.: \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Parks/REC: \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Have businesses been notified for street closures?: YES NO

Reason for disapproval \_\_\_\_\_

Any special requirements/conditions \_\_\_\_\_

Insurance / Indemnification Received: \_\_\_\_\_

Insurance Approved: \_\_\_\_\_

Board of Aldermen Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Approval/ Denial Mailed: \_\_\_\_\_

ADOPTED: 11.15.11-BOARD ACTION

\*\* \*\*

After considerable discussion, Commissioner Nicolais made motion seconded by Commissioner Hill and unanimously carried to approve the aforesaid request, contingent upon submittal of the proof of insurance, prior to the event.

\*\*\*\*\*

Commissioners Don Deschenes and Barney Hill were recused from the public meeting, due to a possible conflict of interest.

**PORT COMMISSION MINUTES  
JULY 17, 2014**

\*\*\*\*\*

There came on for discussion electric/utility rates at the harbor. After considerable discussion, Commissioner Kies made motion seconded by Commissioner Yott and unanimously carried to amend the Berthing Agreement, increasing the Air Conditioning fee to \$25.00 per month for each air-conditioner and increasing the utility fee to \$30.00 per month per boat. Said increase effective September 1, 2014.

\*\*\*\*\*

Commissioners Don Deschenes and Barney Hill returned to the public meeting.

\*\*\*\*\*

Commissioner Nicolais made motion seconded by Commissioner Deschenes and unanimously carried to approve payment of invoices, as follows:

- Docket #HBR070114, as submitted
- Docket #HBR071514, as submitted

\*\*\*\*\*

Commissioner Nicolais made motion seconded by Commissioner Casey and unanimously carried acknowledging receipt of the June, 2014, Revenue/Expense Report.

\*\*\*\*\*

The Commission recognized Bill Angley for the Harbormaster's report, as follows:

**PORT COMMISSION MINUTES  
JULY 17, 2014**

**Harbor Master Report**

July 17, 2014

- Currently requesting quotes for a maintenance and hurricane contract for electrical pedestals
- WIFI Repeater: Units are available for purchase inexpensively and would add a positive feature to harbor and may also be BIG qualified.
- Electrical quotes out to put outlet at bottom of building to facilitate pumping out to sewer
- Fuel building back on site awaiting hook up but needs work to make it easy to pick up and remove and make stronger to withstand to constant movement
- Working with Mississippi Power on power pedestals to get labeling and metering correct to help new customers hook up easier and faster
- Will hire one more part time employee to replace one that was hired to full time
- Will need to advertise for a full time guard position. Scott west resigned as of 31July2014
- Filled the wholes at launch with concrete
- Request reimbursement for battery and fuel that was bought to get Polaris running again for holiday weekend to help employees (64.39)
- Need more Signage for boat trailer and vessel owner parking so we are ahead when restaurant opens
- 10 minutes bait shop parking sign are need to stop issues with parking around shop that is causing unneeded traffic problems
- Currently requesting quote and specs to upgrade cameras to cover blind spots and to be ready for future construction that are salt water friendly
- Boat trailer lot striping
- Curb striping
- Need a contract for chevron towing to pick up and replace fuel building in event of storm
- Need a contract for bait shop trailer in event of storm
- Water faucets (change with brass)when funds are available
- 2 Live Aboard (Welch, Kilner)
- June 141 of 213

\*\*

\*\*

Based on the aforesaid report, the following actions were taken:

- Commissioner Ehlers made motion seconded by Commissioner Nicolais and unanimously carried to approve a reimbursement in the amount of \$67.92 to Harbormaster Bill Angley for an emergency expenditure to repair the Polaris.

**PORT COMMISSION MINUTES**  
**JULY 17, 2014**

- Commissioner Nicolais made motion seconded by Commissioner Casey and unanimously carried authorizing the Harbormaster to solicit quotes for various signage at the harbor.

\*\*\*\*\*

The Commission recognized the Port Attorney for his report, as follows:  
Attorney Simpson reviewed the terms of the Bait Shop Lease, as the current lease expires August 31, 2014.

After considerable discussion, it was the consensus of the commission to advertise for proposals to operate the Marine Fuel Facility and Bait Shop. Said proposals to be submitted to the Long Beach Harbormaster no later than 5 p.m., Friday, August 15, 2014.

\*\*\*\*\*

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

\*\*\*\*\*

APPROVED:

\_\_\_\_\_  
PHIL KIES, PRESIDENT

\_\_\_\_\_  
DATE

ATTEST:

\_\_\_\_\_  
STACEY DAHL, DEPUTY CITY CLERK