

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**July 11, 2013**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Thursday, July 11, 2013, 2510 14<sup>th</sup> Street, Suite 1500, Gulfport, Mississippi at which the  
following Commissioners and staff were present:

Commissioners: John Rester, Vice-President  
Jack Norris, Secretary  
Robert J. Knesal, Commissioner

Staff: Jonathan Daniels, Executive Director/CEO  
John Webb, Deputy Director - Engineering  
Bill McGhee, Deputy Director - Facilities  
Mary Bourdin, Deputy Director - Finance  
Kim Purchner, Executive Assistant/HRO

David Duhe, Legal Counsel

Others: Lisa Hathorn, The Gibbes Company  
Denton Gibbes, The Gibbes Company  
Lon Elledge, CH2MHill  
Brian Varnado, T.L. Wallace  
Duane Wilson, DuPont  
John Oliver, QES  
Christine Brice, Election Committee  
Michael Costelli, Simpkins & Costelli, Inc.  
Christiana Hassin, Watkins & Eager  
Phillip Carter, MDA  
Randall Love, T.L. Wallace  
Greg Schruoff, SSA Marine  
Howard Page, Steps Coalition  
Shorty Sneed, Stewart Sneed Hewes  
Daron Wilson, MDA  
Rusty Hilton, MS State Pilots  
Robert Boone, RFB, LLC  
Heather Megehee, Yates Anderson JV  
Jay Carney, T.L. Wallace  
Wade Foster, Archer Western  
Glenn Cobb, Pathways Committee  
Inessa Ramsey, CH2MHill  
Gary Pitcovich, Ports America  
Richie Ashley, Neel-Schaffer  
Steve Zelenka, Bertucci Contracting Co., LLC  
Gary Burge, DuPont  
Chris Williams, BMA  
Steve Twedt, Neel-Schaffer  
Don Lancaster, Neel-Schaffer  
Tommy Thompson, DOLE  
Stuart Jablon, DOLE  
Donald Lambert, Hatch Mott MacDonald

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Commissioner Rester noted the presence of a quorum and called the meeting to order at approximately 8:30 a.m.

The Pledge of Allegiance was led by Commissioner Rester.

PUBLIC COMMENTS:

Howard Page had questions regarding the direct jobs number, the state of the cleanup at the 33rd Street property and why the 33rd Street property was purchased. He hoped the state of the cleanup would be addressed at the next community meeting and also hoped that Hancock Bank representatives would attend as well.

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Commissioner Knesal moved to approve the June 13th and June 20th minutes. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve travel (Norris to Jackson on June 10; Daniels to Jackson on July 15; Daniels to Washington, DC on July 24 and Bourdin to Jackson on August 14). Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve the disbursements listed below. Commissioner Norris seconded and the motion was unanimously approved.

DISBURSEMENTS THROUGH JUNE 27, 2013  
BILLS FOR THE MONTHS OF JUNE AND JULY 2013 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK #	VENDOR	DESCRIPTION	CHK AMT
47007	Kentwood Springs	Drinking Water	139.33
47008	AFLAC	Employee Deductions	1,020.46
47009	AirGas Gulf States	Oxygen Cylinder Rental	42.68
47010	Bonds Services, Inc.	June Janitorial Services	1,050.00
47011	Sun Coast Business Supply	Office Supplies	450.00
47012	RJ Young	Copier Maintenance Agreements	1,253.01
47013	C Spire Wireless	Radio/Cell Phone Service	1,372.93
47014	CVR Computer Supplies	Toner for Printers	827.96
47015	Daily Equipment	Caterpillar Diesel Forklift	66,713.00
47016	Delta Sanitation of MS., LLC	Waste Removal/Portable Restroom Services	622.52
47017	State School Insurance Fund	Employee Deductions	14,316.44
47018	Emerald TC. LLC	Accounting Software Conversion Services	138.75
47019	Favorites Promotional Products	Promotional Items	1,085.50
47020	Federal Express Corp	Express Mail Services	286.24
47021	Fuelman	Fuel for MSPA Vehicles	832.33
47022	W.W. Grainger, Inc.	Maintenance Supplies	719.14
47023	Gulf Coast Business Supply Inc.	Office Supplies	610.95
47024	Hancock Bank	July Lease 14th Floor	14,432.24
47025	Harbor Square Parking Garage	Quarterly Parking 14th Floor	2,697.18
47026	J.H. Haynes Electric Co., Inc.	Repair EP Lights/Wire Crowley Tire Shop	7,601.77
47027	Hancock Bank	July Lease 8th Floor	5,241.35
47028	Harbor Square Parking Garage	Quarterly Parking 8th Floor	672.90
47029	MS Dept. of Human Services	Employee Deductions	117.70
47030	MS Pub. Employees Credit Union	Employee Deductions	480.00
47031	MS State Tax Commission	Employee Deductions	5,728.00
47032	Jack Norris	Travel Expenses	511.62
47033	Office Depot Card Plan	Office Supplies	68.20
47034	Piltz, Williams, LaRosa & Co.	May Accounting/Grant Administration Svcs.	6,282.14

47035	Legal Shield	Employee Deductions	14.96
47036	Performance Tire & Wheel, Inc.	Repair Rail King and Back Hoe	471.52
47037	Redd Pest Solutions	Pest Control Services	365.00
47038	John Rester	Reimbursement for TWIC Card	60.00
47039	Rod Cooke Construction, Inc.	Release of Retainage 12-EN-03	59,542.00
47040	James C. Simpson, Jr.	Re-issue Check for Per Diem	80.00
47041	Munro Products Inc.	Materials for Roof Repair	115.00
47042	Southern Admin. and Benefits	Monthly Service Fees	200.00
47043	State Dept. of Audit	Statewide Testwork	6.77
47044	The Sun Herald	Advertising	342.16
47045	Swetman Security Services, Inc.	Security Guard Services	22,293.98
47046	United Concordia, Inc.	Employee Deductions	839.98
47047	WalMart Community	Supplies for Port Meeting	50.23
47048	Weaver Electric	Labor & Materials to Install Door Locks	9,980.00
TRANSFERS			
6/13/13	Deferred Compensation	Employee Deductions	3,099.67
6/14/13	Federal Tax Deposit	Payroll Tax Deposit	20,831.90
Total			\$ 253,607.51

FINAL CHECKLIST FOR JULY 11, 2013

BILLS FOR THE MONTHS OF JUNE AND JULY 2013 APPROVED AND PAID

FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK #	VENDOR	DESCRIPTION	CHK AMT
47049	Apple, Inc.	iPad Adapters	147.00
47050	AT&T Mobility	Cellular Phone Service	98.97
47051	AT&T	Telephone Service	1,583.13
47054	City of Gulfport	Water	7,855.36
47055	Delta Sanitation of MS., LLC	Waste Removal/Portable Restroom Services	1,520.00
47056	E Fire	Six Years Maint. on Fire Extinguishers	256.00
47057	Emerald TC. LLC	Accounting Software Conversion Services	677.50
47058	Federal Express Corp	Express Mail Services	79.93
47059	Fuelman	Fuel for MSPA Vehicles	210.39
47060	The Gibbes Company	Professional Services	30,175.63
47061	Great Southern Club	Monthly Dues and Business Expenses	1,596.96
47062	Gulfport Yacht Club	Business Expenses	45.89
47063	Logista	Computer Services	125.00
47064	MS State Treasure Fund 3601	Long Distance Telephone/Internet Services	808.19
47065	Inland Rivers, Ports & Terminals	Membership Dues	750.00
47066	JOC Group, Inc.	Marketing Data Subscriptions	2,705.00
47067	Robert J. Knesal	Per Diem	200.00
47068	Maximum Auto Parts	Automotive and Maintenance Supplies	446.04
47069	MS Dept. of Human Services	Employee Deductions	117.70
47070	MS Power Company	Electricity	12,476.67
47071	MS Pub. Employees Credit Union	Employee Deductions	480.00
47072	MS Power Company	Electricity	12,673.40
47073	MS Society of CPAs	Membership Dues	120.00
47074	Northern Tool & Equipment Co.	Grounds Maintenance	98.59
47075	Jack Norris	Per Diem	80.00
47076	Ports America, Inc.	Maintenance on Cranes	21,825.12
47077	Puckett Machinery Company	Parts to Repair Back Hoe	42.94
47079	Eluse J. Roberts	Per Diem	200.00

47081	Ronnie's Automotive & Tow Ser.	Replace Fan Motor Unit # 25	219.99
47082	Rose Office Systems, Inc.	Rental for Facilities/Ops./Crowley Trailers	3,830.00
47083	James C. Simpson, Jr.	Per Diem	120.00
47084	Stewart Sneed Hewes, Inc.	Insurance	17,101.02
47085	Swetman Security Services, Inc.	Security Guard Services	14,783.52

TRANSFERS

06/28/13	Deferred Compensation	Employee Deductions	3,099.67
06/28/13	Federal Tax Deposit	Payroll Tax Deposit	23,166.74
07/01/13	Public Employment Retirement	Retirement Match and Withheld	<u>38,311.15</u>
		Total	<u>\$ 198,027.50</u>

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Commissioner Norris moved to approve the Port User Licenses, pending receipt of all fees and insurance documents. Commissioner Knesal seconded and the motion was unanimously approved.

The following items were approved:

RENEWAL LICENSES:

<u>Vendor:</u>	All Crane Rental; Arrow Sysco Food Services; Auto Chlor Services; Coast Coca Cola Bottling Company; Dockside Services; Eagle Energy, Inc.; Gulf Marine & Industrial Supplies, Inc.; J.C. Ehrich Company, dba Presto X; Kirby Inland Marine; Klomar Ship Supply Company; Maymar Marine Supply; Tire Center, LLC; World Ship Supply
<u>Steamship Agents:</u>	Biehl & Company; Chiquita Brands Company; Dole Fresh Fruit; Genera Steamship Corporation; Norton Lilly International
<u>Stevedores:</u>	CSA Equipment Company, LLC; Murphy Marine Services, Inc.; Ports America Gulfport, Inc.
<u>Pilots:</u>	Stanley Fournier, Murrell Hilton, II; Robert Wren

Commissioner Norris moved to approve Modification No. 5 to CDBG Agreement No. R115-06-02, shifting \$85,000 of budgeted legal fees from planning and activity/delivery to administration. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to approve the following cash request:

#57 MSPA (\$95,384.47); RFB, LLC (\$4,420.00); Archer Western (\$3,715,946.05); Neel Schaffer (\$260,776.10); QES (\$7,242.47); Thompson Engineering (\$15,462.12); Atwell & Gent (\$47,679.35); Atkins (\$69,811.64); CDM (\$2,438.70); Anchor QEA (\$63,318.13); CH2MHill (\$312,499.13) for a total of \$4,594,978.16. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve the request for reimbursement for the rail upgrade: CDBG Funds Request #20 to Piltz, Williams, LaRosa for \$270.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester asked Daron Wilson, MDA to provide a rail update at the next Board Meeting.

Commissioner Norris moved to approve the following progress payments: BMA (\$25,425.23); BMI Environmental (\$3,593.75); QES (\$5,180.00); Rod Cooke Construction (\$100,752.62); W.C. Fore Trucking (\$288,221.69). Commissioner Knesal seconded and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Norris moved to approve Modification No. 3 to Contract No. 11-FD-14 with Piltz, Williams, LaRosa & Co. There is no change to the cost of the contract, just an extension of time for grant management services through Fiscal Year 2014. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 1 to Task Order No. 15 under Contract No. 010-HUD-001 with Neel-Schaffer (General Engineering & Design). Amendment No. 1 requests a decrease in cost by \$172,733.11 and closes out Task Order No. 15. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 1 to Task Order No. 16 under Contract No. 010-HUD-001 with Neel-Schaffer (General Engineering & Design). Amendment No. 1 requests a decrease in cost by \$18,563.00 and closes out Task Order No. 16. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 1 to Task Order No. 17 under Contract No. 010-HUD-001 with Neel-Schaffer (General Engineering & Design). Amendment No. 1 increases the costs by \$50,000 and adds 365 days to the Task Order. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 3 to Task Order No. 7 under Contract No. 010-HUD-011 with Anchor QEA (Dredging Design & Services). Amendment No. 3 increases the costs by \$25,039.00 and adds 120 days to the Task Order. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 3 to Task Order No. 9 under Contract No. 010-HUD-002 with Thompson Engineering (Geotechnical Design). Amendment No. 3 has no change in costs but adds 153 days to the Task Order. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 1 to Task Order No. 4 under Contract No. 010-HUD-12 with CDM Smith, Inc. (General Utility & Engineering). Amendment No. 1 decreases costs by \$13,486.00 and closes out the Task Order. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 1 to Task Order No. 20 under Contract No. 010-HUD-001 with Neel-Schaffer (General Engineering & Design). Amendment No. 1 adds 60 days to the Task Order with no change in costs. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 4 to Task Order No. 3 under Contract No. 010-HUD-003 with QES, Inc. (Construction Materials Testing). Amendment No. 4 adds 60 days to the Task Order with no change in costs. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to award the West Pier Shore Protection Project to the lowest bidder, Bertucci Contracting, in the amount of \$6,432,500.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to award the West Pier Prefabricated Vertical Drains Completion Project to the only bidder, U.S. Wick Drain, Inc., in the amount of \$1,249,927.00. Commissioner Norris seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Norris moved to appoint Jonathan Daniels to the Board of Directors of the Mississippi Coast Foreign Trade Zone. The MCFTZ Bylaws require the Executive Director of MSPA serve as one of twelve member of their Board of Directors. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Task Order No. 25 under Contract No. 10-HUD-001 with Neel Schaffer (General Engineering & Design). The duration of this task is 365 days with a not to exceed cost of \$51,127.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Task Order No. 26 under Contract No. 10-HUD-001 with Neel Schaffer (General Engineering & Design). The duration of this task is 376 days with a not to exceed cost of \$2,123,027.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Task Assignment No. 5 under Professional Service Agreement No. 13-EN-02; Brown, Mitchell & Alexander. The proposed fee for this task order is \$4,077,710.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve a Memorandum of Understanding between MSPA and MDOT regarding five acres of MDOT property located at the intersection of 29th Avenue and 19th Street in Gulfport. The property would be used for an evacuation site in the event of a hurricane. Commissioner Knesal seconded and the motion was unanimously approved.

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COMMUNICATIONS UPDATE:

There were 45,467 visitors to the Port of the Future website last month and the latest procurement is listed on the website.

The HUD Section 3 Business Certification Workshop held on June 20th was a great success and they are working on an outreach plan where we can hold these type of workshops more frequently.

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PATHWAYS TO THE PORT UPDATE:

Robert Boone, consultant for the Pathways to the Port Program reported on the outstanding progress made during the last 90 days. He has visited with five of the six tenants/users and discussed job descriptions and the hiring of low to moderate income individuals. New contractor, L&A, has made great strides with regard to hiring Section 3 individuals.

PORT RESTORATION UPDATE:

No U.S. companies make the large rail mounted gantry cranes so international procurement procedures are being worked on.

Agreements have been reached with tenants and with MDA regarding the final design and the schedule is being updated.

A notice to proceed has been issued for the Wharf Upgrade Project and we will soon have contractors working on the Shore Protection project and the PVD Completion.

The 24 acre dredge and fill project is scheduled for a July 23rd completion date.

OPERATIONS REPORT:

A lot of time is focused on the restoration project and it is important that we remember that we are an active seaport. The daily activity is impressive, especially while undergoing a massive restoration project. During the month of May, we had the following transportation numbers:

Vessel calls	Deep Draft	14		Truck Count	6,733
	Tugs/other vessels	11		Railcar Count	694
	Barges	12		TEU's	18,533
				Tonnage (short tons)	195,165
	Total	37			

EXECUTIVE DIRECTOR'S COMMENTS:

Staff has been working diligently on identifying additional evacuation sites in the event of a hurricane. We are working with MDOT and the Harrison County Development Commission on preparing two pieces of property and having them available for evacuation use.

We have reached a very important milestone by moving from layout to final design with the reconstruction project.

An agreement has been reached with tenants regarding warehouse design modification for their rail loading and unloading.

The new security gate roofing structure was successfully installed. This is a \$2 million project and should be complete in September.

The job count, as provided by ILA Local 1303, was explained by Executive Director Daniels.

We are proud to announce the full execution and completion of the DuPont Agreement. This is a 30 year agreement with the option to extend for another 30 years. DuPont's DeLisle Plant Manager, Gary Burge was introduced and Mr. Burge thanked the Commission, Duane Wilson and Mary Bourdin for their support during negotiations.

GENERAL COUNSEL'S COMMENTS:

David Duhe had no comments.

MDA'S COMMENTS:

Daron Wilson congratulated the port staff and DuPont for getting the Agreement in place. It's an excellent deal for all involved. MDA also is very appreciative to all stakeholders involved for their positive participation in reaching these important milestones that have been reported today.

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Commissioner Norris moved to close the meeting to determine the need for Executive Session. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to enter Executive Session to discuss legal matters (possible new tenant) and real estate matters (Island View). Commissioner Norris seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:15 A.M.)

Commissioner Rester stated that no action took place during Executive Session

Commissioner Rester moved to authorize Executive Director Jonathan Daniels and his designees to enter into discussions and negotiations and, subject to the review and approval of both MSPA legal counsel and MDA, a Memorandum of Understanding with a prospective economic developer for the lease of West Pier Terminal IV. Commissioner Norris seconded and the motion was unanimously approved.

The meeting adjourned at approximately 10:30 a.m.

Approved and Attested

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James C. Simpson, Jr.  
President

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Jack Norris  
Secretary