

MISSISSIPPI PORT AUTHORITY

BOARD OF COMMISSIONERS

REGULAR MEETING

April 24, 2014

Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,
Thursday, April 24, 2014, 2510 14th Street, Suite 1500, Gulfport, Mississippi at which the
following Commissioners and staff were present:

Commissioners: John Rester, President
 Jack Norris, Vice-President
 E.J. Roberts, Secretary
 Robert J. Knesal, Treasurer

Staff: Jonathan Daniels, Executive Director/CEO
 Matthew Wypyski, Chief Operating Officer
 Joe Conn, Director of Port Restoration
 John Webb, Director of Engineering
 Dale Waltman, Director of Operations
 Tammy Salisbury, Director of Finance
 Kim Purchner, Executive Assistant/HRO

 Ben Stone, Legal Counsel
 David Duhe, Legal Counsel

Others: Denton Gibbes, The Gibbes Company
 Christine Brice, Election Committee
 Phillip Carter, MDA
 Howard Page, Steps Coalition
 Robert Boone, RFB, LLC
 Lisa Hathorn, The Gibbes Company
 Todd Bradford, YAJV
 Courtney Haggerty, Residence Inn
 Anna Gibson, Watkins Eager
 Todd Bradford, Yates Anderson
 Duane Wilson, DuPont
 Mark McDaniel, Yates/Anderson
 Cathy Mackenzie, Island View Casino Resort
 Chuck Graham, Chiquita
 Brian Varnado, T.L. Wallace
 Carlos Bell, Waggoner Engineering
 Lon Elledge, CH2MHill
 Tom Ryburn, CH2MHill
 Todd Stockberger, CH2MHill
 Elizabeth Calvert, CH2MHill
 Michael Costelli, Simpkins & Costelli, Inc.
 Chris Williams, BMA
 Melissa Powell, Horne-MDA
 Rebecca Ferguson, MDA
 Richie Ashley, NSI
 H. L. Washington, CH2MHill
 Robert Chambers, Meredith
 Glenn Cobb, Pathways to the Port Committee
 Anthony Thompson, TTOF/Kingdom/COAAC
 Collin Macpherson, E.N. Bisso & Son

Anna Gibson, Watkins & Eager
Kenneth Casey, ILA/Gpt. City Council

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 asked for a copy of MDA's response to HUD when it is complete. He also thanked Commissioner Rester for his latest response regarding the 33rd Street Property but he still had more questions and hoped that he and members of the community could meet with port officials regarding those questions.

Commissioner Roberts moved to approve March 14th, March 19th and April 10th minutes. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve travel (March 27-28/Daniels to Jackson; March 29-April 1/Daniels to Washington, DC; April 9/Arsenault to Washington, DC; April 14-15/Daniels to Nashville, TN; April 21-25/Arsenault and Shortt to San Diego, CA; May 11-20/Johnson to Clearwater, FL; July 13-18/Stevens to Clearwater, FL). Commissioner Roberts seconded and the motion was unanimously approved.

FINANCIAL REPORT:

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

FINAL CHECKLIST FOR APRIL 24, 2014
BILLS FOR THE MONTHS OF APRIL AND MAY 2014 APPROVED AND PAID
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
48171	Advanced Disposal Services	Waste Removal Services	438.00
48172	AFLAC	Employee Deductions	1,304.93
48173	AirGas Gulf States	Oxygen Cylinder Rental	33.18
48174	Anytime Portables, LLC	Portable Restroom Services	280.00
48175	Apple, Inc.	IPad	399.00
48176	RJ Young	Copier Maintenance Agreements	1,151.00
48177	C Spire Wireless	Radio/Cell Phone Services	1,576.76
48178	Daily Equipment	Parts to Repair Forklift	302.53
48179	Jonathan Daniels	Travel Expenses	401.99
48180	State School Insurance Fund	Employee Deductions	10,554.88
48181	E Fire	Recertify Fire Extinguishers	288.90
48182	Emerald TC, LLC	Software and Maintenance Renewal	595.00
48183	Federal Express Corp.	Express Mail Services	53.35
48184	Frazier Law Firm, PLLC	Employee Deductions	342.06
48185	Fuelman	Fuel for MSPA Vehicles	708.85
48186	Guardian	Employee Dental Deductions	944.08
48187	Gulf Coast Business Supply, Inc.	Office Supplies	190.65
48188	Gulfport Industrial Supply, Inc.	Maintenance Supplies	39.95
48189	Gulf South Customized, Inc.	Truck Bed Liner	455.00
48190	Hancock Bank	May Lease 14th Floor	14,432.24
48191	J.H. Haynes Electric Co., Inc.	Relocate/Install Power to Maintenance Trailer	2,016.00

48192	Hancock Bank	May Lease 8th Floor	5,241.35
48193	Huntoons, Inc.	Print and Dry Mount Pictures	60.00
48194	ID Wholesaler	ID Card Printer/Camera/Software	4,737.56
48195	Jerry's Lawn Mower Sales	Weedeater Line	71.40
48196	Robert J. Knesal	Per Diem	240.00
48197	Lowe's Home Center, Inc.	Plumbing Supplies and Treated Lumber	190.85
48198	Mississippi Business Journal	Advertising	2,230.00
48199	MS Dept. of Human Services CRDU	Employee Deductions	117.70
48200	MS Pub. Employees Credit Union	Employee Deductions	400.00
48201	MS State Tax Commission	Employee Deductions	6,408.00
48202	Secretary of State	Notary Renewal	25.00
48203	MS Water Resources	Registration	40.00
48204	Naylor, LLC	Advertising	5,200.00
48205	Jack Norris	Per Diem	80.00
48206	Ports America, Inc.	Chiquita Out of Berth	9,132.96
48207	Legal Shield	Employee Deductions	166.41
48208	Performance Tire & Wheel, Inc.	Replace Ball Joints/Alignment Ford Van	708.67
48209	Redd Pest Solutions	Pest Control Services	365.00
48210	RJ Young Company, Inc.	Software and Maintenance Renewal	7,200.00
48211	Eluse J. Roberts	Per Diem	240.00
48212	James C. Simpson, Jr.	Per Diem	200.00
48213	Norma Jean Soroe	Transcription Fees	474.48
48214	Specialty Hose & Fabrication	Plumbing Supplies	219.12
48215	State Dept. of Audit	Statewide Testwork	11.62
48216	Stuart C. Irby Co.	Electrical Supplies	343.71
48217	Swetman Security Services, Inc.	Security Guard Services	22,353.38
48218	Vision Service Plan	Employee Deductions	178.27
CHECK DATED 4/11/14 AND RELEASED PRIOR TO THE MEETING			
4/11/14	MSPA Petty Cash Fund	Replenish Petty Cash	100.10
TRANSFERS			
4/10/14	MS Department of Revenue	March Sales Tax Payment	3,737.89
4/16/14	Deferred Compensation	Employee Deductions	3,169.67
4/21/14	Federal Tax Deposit	Payroll Tax Deposit	22,729.50
			\$ 132,880.99

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

The following items were approved:

RENEWAL LICENSES:

<u>Vendor:</u>	B&R Transport Refrigeration, Inc.; Barbe's Dairy; Hymax Inc. dba Kamil Ship Supply; Waste Management
<u>Steamship Agent:</u>	Ross Maritime, Inc.
<u>Stevedore:</u>	Newman Lumber Company
<u>Tug Company:</u>	E.N. Bisso Mississippi LLC

OLD BUSINESS:

Commissioner Roberts moved to approve Amendment No. 1 to the Crowley Lease which extends the terms for two years. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve a Notice of Completion with Landshapers, Inc. under Contract No. 011-EN-01 for the pavement maintenance and repair project. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to authorize staff to enter into negotiations with ZPMC for the acquisition of rail mounted gantry cranes. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 3 to Contract No. 010-HUD-012 with CDM Smith. Amendment No. 3 extends the contract by 718 days with no change in costs. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 3 to Contract No. 010-HUD-011 with Anchor QEA, LLC. Amendment No. 3 extends the contract by 693 days with no change in costs. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 2 to Contract No. 010-HUD-010 with Michael Baker, Jr., Inc. Amendment No. 2 increases the duration by 718 days with no change in cost. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Change Order No. 11 to Contract No. 010-HUD-014 with Atkins North America. Change Order No. 11 increases costs by \$58,430.00 for the support of a noise analysis of proposed increases in rail traffic. There is no change in the schedule. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 6 to Contract No. 010-HUD-002 with Thompson Engineering. Amendment No. 6 extends the contract by 887 days with no change in costs. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 2 to Task Order No. 12 under Contract No. 010-HUD-002 with Thompson Engineering. Amendment No. 2 increases the duration by 90 calendar days with no change in costs. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to award the bid for landscaping to the lowest and best bidder, Tropical World Landscaping & Irrigation. Tropical World Landscaping & Irrigation is a local, Section 3, small minority disadvantaged business. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris recused himself and left the meeting.

Commissioner Roberts moved to approve Amendment No. 6 under Task Order No. 6 under Contract No. 010-HUD-006 with Yates Anderson Joint Venture. Amendment No. 6 closes out and de-obligates funds for Task Order No. 6. Total de-obligated funds total \$135,668.59. Commissioner Knesal seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Knesal moved to approve Task Order No. 13 under Contract No. 010-HUD-006 with Yates Anderson Joint Venture. Task Order No. 13 has a not to exceed

amount of \$1,879,840 and duration of 527 days. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris returned to the meeting.

Commissioner Roberts moved to authorize an advertisement for bid the West Pier tenant facilities. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to authorize an advertisement for bid for the West Pier site work and infrastructure, Phase I. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to authorize an advertisement for bid for the Water Storage Tank. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Task Order No. 9 under Contract No. 010-HUD-003 with QES, Inc. Task Order No. 9 has a not to exceed amount of \$478,385.90 and duration of 527 calendar days. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Task Order No. 28 under Contract No. 010-HUD-001 with Neel Schaffer, Inc. Task Order No. 28 has a not to exceed amount of \$802,808.00 and duration of 527 calendar days. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve a 5 year Lease Agreement with E.N. Bisso. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to authorize an advertisement for bid for the 2014 Fencing Project. Commissioner Roberts seconded and the motion was unanimously approved.

COMMUNICATIONS UPDATE:

The next port tour will take place on June 7th from 9:00 – 12:00.

RESTORATION UPDATE:

We are up to 144 full time equivalent people working currently on the program.

The tenant facilities and the Phase I site work will both be coming out. May 14th is the pre-bid meeting for the facilities. Section 3 training classes will be held in conjunction with that. The site work will immediately follow.

The shore protection project is approximately one month ahead of schedule and should be complete in a few weeks

The subgrade project had numerous rain delays but will finish approximately one month ahead of schedule.

OPERATIONS REPORT:

Matthew Wypyski reported on February maritime activity:

Vessels	15		Truck Count	6,899
Tugs	13		Railcar Count	744
Barges	53		TEU's	17,254
			Tonnage (short tons)	193,202

Hurricane season begins on June 1 and a hurricane preparedness meeting with tenants and stakeholders has been scheduled for May 27th.

EXECUTIVE DIRECTOR'S COMMENTS:

Director Daniels asked Cathy Mackenzie of the Island View to report on their current major construction project. The Island View is spending \$58 million on the re-construction/refurbishment of their hotel to the south of Hwy 90. The target opening date is sometime in April of 2015. Commissioners expressed their appreciation and greatly anticipate the opening of this worthwhile project.

With private investments, plus robust program expenditures, by the end of the year the port will have more than \$250 million in active construction projects.

Director Daniels expressed his appreciation to the local ILA and wants everyone to understand they are the backbone of the port and are admired for their workmanship.

Director Daniels introduced Carlos Bell as MSPA's Director of Community Relations and Marketing. Carlos brings a great level of qualifications to the position and we are proud to bring him in as a member of our team.

On dredging, we are working with the Army Corps of Engineers on a dredging schedule.

Director Daniels reported on the Harbor Maintenance Tax

As reported earlier, active construction projects are going to be enormous. We are no longer in the planning stage and it's exciting to begin the construction mode.

Regarding Green Marine, on April 1 we submitted the self-evaluation and are now waiting on the 3rd party evaluator. Once that is complete, we will be the 1st port outside the Great Lakes to be a Green Port.

GENERAL COUNSEL'S COMMENTS:

Teri Wyly had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

Commissioners acknowledged all staff members that were present and thanked them for keeping the port running efficiently on a day-to-day basis.

Commissioner Roberts expressed his appreciation to port staff on the recent hires and looks forward to working with all.

Commissioner Norris noted the significance of today's meeting with regard to the authorization of substantial construction RFPs that will go out on the street. Momentous action was taken today. Also, the reinvestment that Island View is making is a huge step in overall recovery from the recession.

Commissioner Rester thanked his fellow Commissioners for the hard work and effort they have put forth with the Restoration Project.

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

Commissioner Roberts moved to enter Executive Session to discuss Lease and Personnel Matters. Commissioner Knesal seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:20 A.M.)

Commissioner Rester stated that no action took place during Executive Session

The meeting adjourned at approximately 11:00 a.m.

Approved and Attested



John Rester
President



E.J. Roberts
Secretary