

MISSISSIPPI PORT AUTHORITY

BOARD OF COMMISSIONERS

REGULAR MEETING

July 24, 2018

Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,
Tuesday, July 24, 2018 at 2510 14th Street, Suite 1450, Gulfport, Mississippi at which the
following Commissioners and staff were present:

Commissioners: James C. Simpson, Jr., President
John Rester, Vice-President
Jack Norris, Secretary
E.J. Roberts, Treasurer

Staff: Jonathan Daniels, Executive Director
Matthew Wypyski, Chief Operating Officer
Kim Purchner, Executive Asst./HRO
John Webb, Director of Engineering
Nick Foto, Deputy Program Manager
Mel Arsenault, Director of External Affairs
Shawn Meyer, Director of Operations
Gary Pitcovich, Crane Manager
DeeDee Wood, CFO
Carlos Bell, Director of Community Development

David Duhe, Legal Counsel

Others: Brian Smith, Watkins & Eager
Bruce Newton, Digital Engineering
Michael Sheely, CH2MHill
Randall Love, TL Wallace
Howard Page, North Gulfport Community Landtrust
Joey Beattie, SSH
Lillian Jenkins, Horne
Richie Ashley, Neel Schaffer
Ryan Bradley, MS Commercial Fisheries United
Chris O'Brien, Seamans' Center
Greg Schruff, SSA
Thomas Adams, T.L. Wallace

Commissioner Simpson noted the presence of a quorum and called the meeting to order at approximately 10:30 a.m.

The Pledge of Allegiance was led by Commissioner Simpson.

The invocation was led by Pastor Chris O'Brien, International Seamans' Center

PUBLIC COMMENTS:

Howard Page, North Gulfport Community Land Trust, asked that changes be made to the port website where the ship channel is discussed in a report about YILPORT. He also had comments regarding a dedicated truck route.

Pastor Chris O'Brien of the Seamans' Center reported that their annual Christmas luncheon has already been scheduled for December 14, 2018.

Commissioner Roberts moved to approve the June 28th Minutes. Commissioner Rester seconded, and the motion was unanimously approved.

Commissioner Rester moved to approve travel requests as submitted. Commissioner Roberts seconded and the motion was unanimously approved.

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

FINAL CHECKLIST FOR JULY 11, 2018
BILLS FOR THE MONTHS OF JUNE AND JULY 2018 APPROVED AND PAID
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK #	VENDOR	DESCRIPTION	CHK AMT
53588	ABB, Inc.	Repairs to Crane #2	11,233.12
53589	AGJ Systems & Networks, Inc.	Computer Services	6,574.50
53590	AICPA	Membership Dues	275.00
53591	AirGas Gulf States	Oxygen Cylinder Rental	38.00
53592	Anytime Portables, LLC	Portable Restroom Services	785.00
53593	Melanie J. Arsenault	Travel and Business Expenses	2,941.83
53594	Battery Sales & Service	Battery for Forklift	105.70
53595	AT&T	Telephone Services	1,192.11
53596	Carlos Bell	Travel Expenses	75.75
53597	Best Buy Stores, L.P.	Office Equipment	66.99
53598	Card Services	Travel Expenses and Registration Fees	8,369.82
53599	Card Services	Travel Expenses	4,180.11
53600	Card Services	Office Supplies, Membership Dues and Advertising	1,300.39
53601	City of Gulfport	Water	1,482.46
53602	Sun Coast Business Supply	Office Supplies and Storage Cabinets	2,034.52
53603	Collection Services Center	Employee Deductions	108.06
53604	C Spire Wireless	Radio/Cell Phone Services	1,168.98
53605	C Spire Business Solutions	Telephone Services	1,707.20
53606	Jonathan Daniels	Travel Expenses	27.34
53607	E Fire Southern, Inc.	Fire Extinguishers, Inspections and Repair Parts	2,287.16
53608	ESL Power Systems, Inc.	Power Outlets for Crowley Building	4,729.56
53609	Federal Express Corp.	Express Mail Services	198.15
53610	Heather Fountain	Travel Expenses	22.05
53611	Fuelman	Fuel for MSPA Vehicles	600.69
53612	Grainger, Inc.	Tools, Grounds and Safety Supplies	3,228.56
53613	Great Southern Club	Monthly Dues and Business Expenses	222.12
53614	Inland Rivers, Ports & Terminals, Inc.	Membership Dues	750.00
53615	Kalmar USA, Inc.	Paint for Spreaders for Cranes	746.23
53616	Meltwater News US Inc.	Media Monitoring Subscription	5,000.00
53617	MS Dept. of Human Services CRDU	Employee Deductions	156.00
53618	MS Gulf Coast Chamber of Comm.	Sponsorship	2,000.00
53619	MS Power Company	Electricity	109,862.63
53620	MS Pub. Employees Credit Union	Employee Deductions	320.00
53621	MS Pub. Employees Credit Union	Employee Deductions	320.00
53622	Office Furniture Solutions, Inc.	Office Furniture	592.00
53623	Office Depot Card Plan	Office Furniture	399.99
53624	One Coast for Jackson County Comm.	Sponsorship	500.00
53625	Piltz, Williams, LaRosa & Co.	Grant Administration Services	437.50

53626	Ports America, Inc.	Draying Dole Containers	17,716.20
53627	It's Promo Time	Promotional Supplies	1,007.63
53628	RJ Young Company, Inc.	Copier and Printer Maintenance Agreements	1,750.88
53629	Rose Office Systems, Inc.	Construction Trailer Rental	1,983.00
53630	Norma Jean Soroe	Transcription Services	629.48
53631	Southern Admin. and Benefits	Monthly Service Fee	200.00
53632	BXS Insurance, Inc.	Insurance	27,009.85
53633	Swetman Security Services, Inc.	Security Guard Services	29,026.55
53634	WalMart Community	Office Supplies	136.20
53635	Waring Oil Company, LLC	Grease for Cranes	240.00
53636	Waste Management	Waste Removal Services	340.20
53637	ZPMC NA - East Coast Inc.	Part for Crane #2	3,128.26

TRANSFERS

07/06/18	MS Department of Revenue	Employee Deductions	7,544.00
07/06/18	Deferred Compensation	Employee Deductions	990.00
07/11/18	Federal Tax Deposit	Payroll Tax Deposit	26,729.49
		Total	<u>\$ 294,471.26</u>

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CHK#	VENDOR	DESCRIPTION	CHK AMT
53638	Kentwood Springs	Drinking Water	412.39
53639	AFLAC	Employee Deductions	1,277.60
53640	AGJ Systems & Networks, Inc.	Computer Equipment	140.00
53641	AirGas Gulf States	Welding Supplies	345.28
53642	Barefield Workplace Solutions, Inc.	Office Supplies	286.80
53643	Carlos Bell	Travel Expenses	628.74
53644	Boot Outlet, LLC	Employee Safety Shoes	1,969.30
53646	Can't Be Beat Fence Co., LLC	Fence for Set Out Yard	22,941.50
53647	City of Gulfport	Water	4,082.60
53648	Collection Services Center	Employee Deductions	108.06
53649	Jonathan Daniels	Travel and Business Expenses	147.53
53650	State School Insurance Fund	Employee Deductions	16,007.82
53652	Federal Express Corp.	Express Mail Services	48.50
53653	Fuelman	Fuel for MSPA Vehicles	202.38
53654	Gleem Paint Center	Paint for Dock Restriping	449.75
53655	Grainger, Inc.	Maintenance and Safety Supplies	6,661.39
53656	Guardian	Employee Deductions	1,702.45
53657	Hancock Bank	August Lease for Suite 1450	23,168.31
53658	Robert J. Knesal	Per Diem	80.00
53659	L.L. Bean, Inc.	Tote Bags for T-ansporting Items for Events	177.65
53660	Lowe's Home Center, Inc.	Small Tools, Maintenance and Repair Supplies	743.45
53661	MS Dept. of Human Services CRDU	Employee Deductions	156.00
53662	MS Pub. Employees Credit Union	Employe Deductions	320.00
53663	MS Society of CPAs	Membership Dues	155.00
53664	National Crane Services, Inc.	Annual Inspections of Cranes and Spreaders	4,685.00
53665	Jack Norris	Per Diem	40.00
53666	Pass Road Mini Storage, LLC	Storage Unit Rental	150.00
53667	Ports America, Inc.	Draying Dole Containers	11,091.68
53668	Legal Shield	Employee Deductions	30.91
53669	Kim Purchner	Travel Expenses	19.62
53671	Redd Pest Solutions	Pest Control Services	90.00
53672	Eluse J. Roberts	Per Diem	80.00
53673	Rotary Club of Gulfport	Membership Dues	229.00

53674	James C. Simpson, Jr.	Per Diem	120.00
53675	BXS Insurance, Inc.	Insurance	1,098,449.89
53676	Stuart C. Irby Co.	Restroom and Lift Station Pump Parts	1,674.15
53677	The Sun Herald	Advertising	26.76
53678	Swetman Security Services, Inc.	Security Guard Services	3,527.53
53679	United Way of South MS, Inc.	Employee Deductions	220.26
53681	Waring Oil Company, LLC	Diesel Fuel	945.32
53682	Matthew Wypyski	Business Expenses	70.53
TRANSFERS			
07/17/18	MS Department of Revenue	June 2018 Sales Tax	9,910.17
07/20/18	Deferred Compensation	Employee Deductions	990.00
BILL APPROVED AND PAID FROM THE EARNINGS FUND			
07/24/18	Treasurer - State of MS	Port Improvement Bond	3,166,958.75
Total			<u><u>\$4,381,522.07</u></u>

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

The following items were approved:

RENEWAL LICENSES:

Vendors: Coast Coca-Cola Bottling Co.; JC Ehrich Company, DBA Presto X; Industrial Corrosion Control; Mid-Gulf Shipping; Mike Matthews Enterprises (formerly A&M Petroleum); Applus RTD USA Inc.; Vacuum Service Group, LLC; Airgas USA, LIC

Commissioner Rester moved to approve the following progress payments: Balch & Bingham (\$198,113.04); BMA, Inc. (\$21,063.50); and Digital Engineering (\$62,292.00); QES, Inc. (\$3,024.50) and Walters Diving & Marine (\$362,533.77). Commissioner Roberts seconded, and the motion was unanimously approved.

Commissioner Norris moved to approve Cash Request #225 – Anchor QEA (\$23,115.35); Atwell & Gent (\$35,293.60); CH2MHill (\$174,089.41); Drace Construction (\$46,234.60); Michael Baker (\$10,708.77); MSPA (\$30,165.11); Neel Schaffer (\$55,100.30); and QES (\$23,786.07) for a sub-total of \$594,998.86. Commissioner Rester seconded, and the motion was unanimously approved.

Commissioner Norris moved to approve Cash Request #226 to YAJV for \$240,202.50. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #227 to Drace Construction (\$250,117.56); MSPA (\$23,172.37); and QES, Inc. (\$12,499.41) for a total of \$285,789.34. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Cash Request #228 to Necaise Brothers for \$3,185,803.86. Commissioner Rester seconded, and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #229 to Travelers as Surety for \$441,759.52. Commissioner Roberts seconded, and the motion was unanimously approved.

Commissioner Rester moved to approve payment of \$195,033.22 to Eley Guild Hardy Architects under Cash Request #225. The total for Cash Request #225 is \$790,032.08. Commissioner Norris seconded and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Rester moved to approve Amendment 3 to the Dole Lease Agreement. Amendment 3 correctly states the leased premises as 31.56 acres. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment 18 to Contract No. 010-HUD-014 with Atkins North America. Amendment 18 de-obligates \$68,517.00 and all work under this contract has been completed and accepted. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the following Amendments that extend Task Orders to a revised expiration date of September 30, 2018:

- Amendment 4 to Task Order 39 – Neel Schaffer for Engineering Construction services – add 60 days
- Amendment 3 to Task Order 13 – QES, Inc. for Construction Materials Testing services – add 61 days
- Amendment 3 to Task Order 19 – YAJV for Construction Management services – add 61 days
- Amendment 4 to Task Order 12 – Atwell & Gent for Electrical Engineering services – adds 60 days

Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve de-obligated amounts in order to close out completed and accepted work with the following:

- Amendment 8/Task Order 14 – Thompson Engineering – West Pier Facility Buildings - <\$31,941.13>
- Amendment 3/Task Order 21 – Thompson Engineering – West Pier Phase 2 Project - <\$2,851.42>
- Amendment 2/Task Order 25 – Thompson Engineering – North Harbor West Paving & Electrical - <\$10,040.95>
- Amendment 2/Task Order 23 – QES, Inc. – Perimeter Landscape project - <\$30.08>
- Amendment 1/Task Order 25 – Anchor QEA – Water Tower Shore Protection - <\$3,826.50>

Commissioner Rester seconded, and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment 4 to Task Order 10 with QES, Inc. under Contract No. 010-HUD-002. Amendment 4 increases costs by \$12,000.00 with no change in schedule. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve negotiations with ARUP Advisory for Concession Advisory Services. Three proposals were received in response to the Request for Qualifications. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the Electrical Maintenance and Repair Services RFP award to Weaver Electric. Three proposals were received. Commissioner Roberts seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Rester moved to approve Work Order No. 6 with Digital Engineering under Contract No. 17-EN-04. Work Order 6 has a not to exceed amount of \$199,819.00 for the Chemours Enhancement Project and \$300,201.00 for the East Pier Wharf Improvements Project. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the LBO FY20 budget in the amount of \$66,194,481.00. Commissioner Roberts seconded and the motion was unanimously approved.

PORT RESTORATION UPDATE:

Nick Foto, Deputy Program Manager gave a status update on current projects.

OPERATIONS REPORT:

Matthew Wypyski, Chief Operating Officer, reported on the maritime activity for the month of June:

Vessels	26		Vehicles	12,683
Tugs	16		Railcar Count	851
Barges	19		TEU's	15,161
			Tonnage (short tons)	157,543

O&M Dredging continues in the ship channel. They began on June 19th and are making their way north. They have covered 3 miles and have approximately 4 miles to go. We anticipate their completion around the end of August or first of September.

Last Thursday, port staff conducted community port tours and had approximately 170 people attend. This was amid periodic rainfall so it was a great turnout despite the weather.

Cargo is being staged currently for another military outbound load from the Seabee Base.

Terminal 4 is free of all Crowley Equipment and SeaOne has placed a construction trailer on the premises. They are actively beginning their geo-technical work.

EXECUTIVE DIRECTOR'S REPORT:

We are proud to participate in the arrival of the Aquarium panels. They are currently being loaded in Italy and should arrive around the end of August or first of September. The walk-through acrylic tunnel is a most interesting piece.

We will soon be handing over property to SeaOne for their continued efforts.

Governor Bryant and a couple of Commissioners were on site a couple of weeks ago to tour the Marine Research Center. All were clearly impressed with that building and USM's presence.

USNS Spearhead will be in port tomorrow. On the last visit, 2 and 3-Star Admirals were here and talked about the huge cost-savings by utilizing Gulfport.

We were notified earlier this month that the Port of Gulfport will be the recipient of a \$500,000 Grant from MDOT for inland port facilities. Commissioner Tom King notified of this exciting decision.

Doors will open at 8:00 a.m., Friday, July 27th for the State of the Port address.

GENERAL COUNSEL'S COMMENTS:

David Duhe had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

Commissioner Roberts asked for the target date for SeaOne and Director Daniels responded that 2020 is when Commercial Production is scheduled to begin. Commissioner Roberts also commented on what he thought was an excellent Budget Workshop and all concluded that we will continue this workshop process.

Commissioner Simpson commended port staff on the great work that is being done and all the accomplishments that have been made. Commissioner Rester seconded.

Commissioner Rester moved to close the meeting to discuss the need for an Executive Session. Commissioner Roberts seconded, and the motion was unanimously approved.

Back in open session, Commissioner Rester moved to enter Executive Session to discuss legal matters (litigation with SIC and additional potential litigation), real estate matters (acquisition of property). Commissioner Norris seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 12:10 P.M.)

Commissioner Rester moved to come out of executive session and return to open meeting. Commissioner Roberts seconded and the motion was unanimously approved.

The Commission re-entered open session and Commissioner Simpson noted that no action was taken during executive session.

Commissioner Rester moved to amend the agenda and to add the revision of a Change Order with Necaise Brothers Construction. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the revised Change Order 17 with Necaise Brothers under Contract No. 015-HUD-026. Change Order 17 was originally approved at the June 28, 2018 Board Meeting and we are rescinding that Change Order and replacing it with this revised Change Order 17. The new increase amount is \$99,999 (as opposed to the original \$103,000) with no change in schedule. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to adjourn.

The meeting adjourned at approximately 1:05 p.m.

Approved and Attested


James C. Simpson, Jr.
President


Jack Norris
Secretary