

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

**MUNICIPAL DOCKET
REGULAR MEETING OF NOVEMBER 21, 2023
THE MAYOR AND BOARD OF ALDERMEN
THE CITY OF LONG BEACH, MISSISSIPPI
5:00 O'CLOCK P.M. LONG BEACH CITY HALL, 201 JEFF DAVIS AVE.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL AND ESTABLISH QUORUM**
- IV. PUBLIC HEARINGS**
- V. ANNOUNCEMENTS; PRESENTATIONS; PROCLAMATIONS**
- VI. AMENDMENTS TO THE MUNICIPAL DOCKET**
- VII. APPROVE MINUTES:**
 - 1. MAYOR AND BOARD OF ALDERMEN**
 - a. November 7, 2023, Regular**
 - b. November 7, 2023, Executive Session**
 - 2. PLANNING & DEVELOPMENT COMMISSION**
 - a. November 9, Regular**
- VIII. APPROVE DOCKET OF CLAIMS NUMBER(S):**
 - 1. 112123**
- IX. UNFINISHED BUSINESS**
 - 1. Inner Bulkhead & Southern Quay**
 - 2. Tree Removal – 501 N. Seal Avenue**
 - 3. City Hall Generator Repairs**
 - 4. Cemetery Services & Fees – Set Work Session**
 - 5. Amended Public Trust Tidelands Lease**
 - 6. Tri-Party Agreement – Alderman Frazer**
 - 7. Sidewalk Ordinance – Review Concrete Pricing**
- X. NEW BUSINESS**
 - 1. Special Event App – City of Long Beach; Easter Egg Hunt**
 - 2. Special Event App & Fee Waiver Req – Kind Hearts; Christmas on the Green**
 - 3. Banner Placement Request – First Baptist Church; A Night in Bethlehem**
 - 4. Rec Center Fee Waiver Req – American Legion; Community Blood Drive**
 - 5. Robert & Susie Sapp – Regarding Obtaining City ROW**
- XI. DEPARTMENTAL BUSINESS**
 - 1. MAYOR'S OFFICE**
 - 2. PERSONNEL**
 - a. Fire Dept – Education Pay (2)**
 - 3. CITY CLERK**
 - a. Financing for Police Cars**
 - b. Revenue/Expense**
 - 4. FIRE DEPARTMENT**
 - 5. POLICE DEPARTMENT**
 - 6. ENGINEERING**
 - a. Change Order – J.E. Borries; Southeastern Shoreline Bulkhead**
 - b. Change Order – DNA Underground; Trautman Basin Pump Station Imp.**
 - c. Change Order – Bottom 2 Top; N. Jeff Davis Ave. Extension**
 - d. Award – Eastern Bulkhead; W.C. Fore Trucking, Inc.**
 - 7. PUBLIC WORKS**
 - 8. RECREATION**
 - 9. BUILDING OFFICE**
 - 10. MUNICIPAL COURT**
 - 11. HARBOR**
 - 12. COMMUNITY AFFAIRS**
 - 13. DERELICT PROPERTIES**
- XII. REPORT FROM CITY ATTORNEY**
- XIII. ADJOURN (OR) RECESS**

Be it remembered that a regular meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 5:00 o'clock p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, it being the third Tuesday in November, 2023, and the same being the time, date and place fixed by Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said meeting.

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There were present and in attendance on said board and at the meeting the following named persons: Mayor George L. Bass, Aldermen Donald Frazer, Patrick Bennett (via telephone), Bernie Parker, Angie Johnson (via telephone), Timothy McCaffrey, Jr., Mike Brown, Pete L. McGoey, Deputy City Clerk Kini Gonsoulin, and City Attorney Stephen B. Simpson, Esq.

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

At the request of City Attorney Steve Simpson, Alderman Frazer made motion seconded by Alderman McGoey and unanimously carried to suspend the rules and add item #6 under New Business – Citizen Group Soliciting Information from the Public.

Alderman McGoey made motion seconded by Alderman McCaffrey and unanimously carried to approve the Regular & Executive Session minutes of the Mayor and Board of Aldermen dated November 7, 2023, as submitted.

Alderman McCaffrey made motion seconded by Alderman McGoey to approve the Regular minutes of the Planning & Development Commission dated November 9, 2023, as submitted. After discussion, Alderman Frazer offered a substitute motion seconded by Alderman McCaffrey and unanimously carried to approve the minutes of the Planning & Development Commission dated November 9, 2023, as submitted, with the contingency of clarification of item #8 under New Business – Short Term Rental 20136 Pineville Road; Nancy S. L. McGill as it pertains to her state tax identification number.

Alderman McGoey made motion seconded by Alderman McCaffrey and unanimously carried to approve payment of invoices listed in Docket of Claims number 112123, as submitted.

There came on for discussion Inner Bulkhead & Southern Quay, whereupon Alderman Parker made motion seconded by Alderman Brown and unanimously carried to table this item until a representative from AnderCorp is present for discussion and clarification.

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There came on for discussion Tree Removal – 501 N. Seal Avenue, whereupon Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to remove this item from the agenda as Public Works had removed a limb from the tree and made 12’ of clearance for trucks. Nor further action necessary.

There came on for discussion City Hall Generator Repair, whereupon Building Official Mike Gundlach provided the following quote:



ESTIMATE

PRESTON BOND PAINTING
217 ALVERADO DRIVE
LONG BEACH MS 39560

- CITY HALL GENERATOR BASE REPAINT:
- COMPLETE WASHDOWN OF GENERATOR AND FUEL TANK CONTAINER WITH JOMAX AND BLEACH
- WIRE BRUSH WITH GRINDER AND WIRE BRUSH ALL RUSTED AREAS
- TREAT WITH SHERWIN WILLIAMS KEM-PRIME METAL PRIMER WITH RUST INHIBITOR
- COVER WITH 2 PART EPOXY PRIMER
- FINISH COAT WITH 2 COATS OF EPOXY FINISH PAINT
- CLEAN ALL MATERIAL AND DEBRIS AND REMOVE FROM SITE
- TOTAL PRICE= \$4300.00**

After further discussion, Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to authorize repairs per the aforementioned quote.

Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to table the Cemetery Services & Fees item to allow time to gather additional information.

Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to table the Amended Public Trust Tidelands Lease until City Attorney Simpson has time to review.

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There came on for discussion Tri-Party Agreement, whereupon Alderman Frazer made motion seconded by Alderman McCaffrey to approve the Tri-Party Agreement. After discussion, the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Donald Frazer	voted	Aye
Alderman Patrick Bennett	voted	Aye
Alderman Bernie Parker	voted	Nay
Alderman Angie Johnson	voted	Not voting, call dropped
Alderman Timothy McCaffrey, Jr .	voted	Aye
Alderman Mike Brown	voted	Nay
Alderman Pete McGoey	voted	Nay

The question having received a tie vote, the Mayor cast a Nay vote causing the motion to fail.

Alderman Johnson was gone from the meeting at this time.

There came on for discussion Sidewalk Ordinance – Review Concrete Pricing, whereupon Alderman McCaffrey apprised the Board that he had received estimates of concrete pricing ranging from \$6.00 per square foot to \$9.00 per square foot. After discussion, Alderman McCaffrey made motion seconded by Alderman Brown to increase the in lieu of fee for sidewalks to \$2,250 and to be revised annually during the budget process. After further discussion, Alderman Brown made substitute motion seconded by Alderman Parker and unanimously carried to table this item until the next meeting so that written quotes could be obtained, It was further ordered not to accept any new applications for sidewalk variances until the fees are adjusted.

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Alderman McCaffrey made motion seconded by Alderman Parker and unanimously carried to approve the following Special Event Application submitted by the City of Long Beach for Easter Egg Hunt:

March 16, 2023
Saturday
Easter Egg Hunt
10:00 Am - 1:00pm
Town Green

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: 11/21/23 Time: _____ 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 Mayor at least 90 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: City of Long Beach

Organization Address: 201 Jeff Davis Ave

Organization Agent: Courtney Cuevas Title: Community Affairs Director

Phone: 863-1556 Home _____ Cell 228 297 2191 During Event

Agent's Address: _____

Agent's E-Mail Address: Courtney.cuevas@cityoflongbeachms.com

Event Name: Easter Egg Hunt

Please give a brief description of the proposed special event:

Easter egg hunt with kid games and face painting

Event Day (s) & Date (s): Sat. March 16th Event Time (s): 10:00 am

Set-Up Date & Time: Sat. March 16th Tear-Down Date & Time: 1:00 pm

Event Location: Town Green

ANNUAL EVENT: Is this event expected to occur next year? YES NO

How many years has this event occurred? 0

ADOPTED: 08.18.20-BOARD ACTION

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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:

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 expected (estimated) attendance for this event? 100

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

If yes, you are requested to obtain a permit through the Building/Permit Department.

RESTROOMS: Are you planning to provide portable restrooms at the event? YES NO

If yes, how many?

As an event organizer, you must consider the availability of restroom 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 restroom 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.

ADOPTED: 08.18.20-BOARD ACTION

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OTHER REQUESTS: (i.e., Police Department assistance, Fire Department, Street closures, electrical, etc.)

barricades

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$1,000,000 (1 million). 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 the 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 the Board of Aldermen waive the insurance requirement for this Low Hazard Event as identified in the 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.

11/7/23
Date

[Signature]
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least ninety (90) days before the first day of the event to:
City of Long Beach * Mayor's Office * 201 Jeff Davis Ave. * P. O. Box 929 * Long Beach, MS
39560**

ADOPTED: 08.18.20-BOARD ACTION

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Event Title: Easter Egg Hunt 3/16/24 10 Am - 1 PM

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: [Signature] Recommended Approval: (YES) NO Est. Economic Impact: \$ 0

Fire Dept: _____ Recommended Approval: YES NO Est. Economic Impact: \$ _____

Public Works: [Signature] Recommended Approval: YES NO Est. Economic Impact: \$ 0

Traffic Eng: _____ Recommended Approval: YES NO Est. Economic Impact: \$ _____

Parks/Rec: [Signature] Recommended Approval: (YES) NO Est. Economic Impact: \$ 0

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: _____

ADOPTED: 08.18.20-BOARD ACTION

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March 16, 2024
Saturday
Easter Egg Hunt
10:00 am - 1:00 pm
Town Green

CITY OF LONG BEACH
PARKS AND RECREATION DEPARTMENT
APPLICATION FOR PERMIT
TOWN GREEN
Bob Paul
228-669-7601

Group / Individual Name (Permit tee):
City of Long Beach
Telephone Number: 2288631556 2282972191
Home Work Cell
Street Address: 201 Jeff Davis Ave
City Long Beach State MS Zip 39560
Type of Event: Easter Egg Hunt
Start Time: 10:00 am
Closing Time: 1:00 pm

It is agreed between the City of Long Beach and the permit tee that the named facility is reserved on
March 16th 2024
(Date)

- The person(s) requesting this permit
1. Agrees to personally accept responsibility for any damage done to the facility, grounds or equipment by persons in his/her group during the reserved period of time, and will hold the City of Long Beach harmless of any damage done to permit tee or permit tee's equipment.
 2. Agrees to maintain order and control over persons in the group.
 3. Agrees to abide by all policies and procedures of the City of Long Beach, the Long Beach Parks and Recreation Department as directed by the contents of the Town Green policy statement.
 4. Understands that failure to comply with all the terms of the aforementioned policy as well as any violation of federal, state, or municipal law in conjunction with the use of this facility will result in the cancellation of the privilege of using this facility and will jeopardize any future permit grants for this or any other facility. I hereby agree that I have read and understand the regulations and policies governing the use of the Long Beach Town Green, including the deck area and shoo-fla.

Signature [Signature] Date: 11/7/23

Rental Fee \$ / Receipt # / Date /
Deposit Fee \$ / Receipt # / Date /
Clean-up Fee \$ / Receipt # / Date /

PLEASE REVIEW THE POLICY AND RETAIN FOR YOUR RECORDS

Minutes of November 21, 2023 Mayor and Board of Aldermen

STATE OF MISSISSIPPI
COUNTY OF HARRISON
SECOND JUDICIAL DISTRICT

RELEASE AND IDNEMNITY

WHEREFORE, for and in consideration of the use of the ground of the City of Long Beach, Town Green and structures erected upon it owned by the City of Long Beach, Mississippi, and located at 115 East 3rd Street, I Courtney Cuevas, do hereby release, acquit and forever discharge the City of Long Beach, Mississippi, and all of its respective agents, servants, employees, elected and non-elected officials, successors, predecessors, insurers, attorneys, and any and all other legal entities and persons, of and from any and all claims, demands, actions, damages, liability, or legal recourse of any type, and expenses (including attorneys' fees) in connection with or arising from or out of my use of the Town Green.

WHEREFORE, PREMISES CONSIDERED:

The undersigned further agrees that he/she shall indemnify and hold harmless the City against and from all claims, demands, actions, rights of action, liabilities, losses, judgments, costs, expenses, and attorney fees which shall or may rise by virtue of anything done or omitted to be done by us, including through or by its agents, employees, or other representatives, arising out of, claimed on account of, or in any manner predicated upon the use of the above mentioned property. The undersigned further agrees to protect and save and keep the City harmless and indemnify the City against and from any and all claims, demands, actions, liabilities, judgments, losses, costs, damages or expenses (including attorneys' fees) arising out of, claimed on account of, or in any manner predicated upon any accident or other occurrence arising from the use of the above mentioned property causing injury to person(s) (including death) or property to whomsoever or whatever in law and equity.

Furthermore, as part of the consideration for using the abovementioned property, the undersigned agree to assume full responsibility and liability for any and all risk of loss by theft, vandalism, destruction, or otherwise, of any and all items of personal property belonging to the organization, group or members thereof while in and about said facility, regardless of whether or not said loss relates to, or arises out of, the use of said facility and, in addition, said organization or group agrees to indemnify and hold the City of Long Beach, its agents and servants, and employees harmless from and against all claims and expenses for same, including attorneys fees.

This, the 7th day of November, 20 23.

Authorized Signature [Signature]

Witness [Signature]

Minutes of November 21, 2023 Mayor and Board of Aldermen

Alderman McCaffrey made motion seconded by Alderman McGoey and unanimously carried to approve the following Special Event Application submitted by The Kind Hearts Organization for Christmas on the Green, and waive any applicable fees:



November 15, 2023

Dear City of Long Beach,

My name is Laura Ncaise, I am the founder of The Kind Hearts Organization. We are a 501c3 nonprofit organization here on the coast that helps families, youth, and individuals in need. You may be familiar with a few of our past missions; Project Prom, the many benefits we have done for locals diagnosed with cancer, our help with veterans in need in, and many more.

We would love the opportunity to use the Harper McCaughan Town Green for our Christmas celebration. We would have free photos with Santa and the grinch, free reindeer food for children, free winter wonderland games, a food vendor and 25 craft vendors. We would like to request the rental and fees be waived if possible as the proceeds for this event would be used for Mission Christmas, in which we provide meals and gifts for local families in need. I have attached a copy of our 501c3 letter and I'm happy to provide any further information you may need. The date we would like to reserve is December 10, 2023. Setup would begin at 7a.m., event would end at 4p.m. and final cleanup would be complete by 5p.m. We hope that you find it in your hearts to support our mission for this holiday season and look forward to speaking with you soon.

Sincerely,

Laura Ncaise
(228)669-3280

Founder of The Kind Hearts Organization



25201 Wallace Saucier Rd
Saucier, MS 39574
(228)669-3280
thekindheartsorganization@gmail.com
ncaiselaurad@gmail.com

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Mayor and Board of Aldermen**

**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: _____ Time: _____ By: _____

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

Sponsoring Organization's Legal Name: The Kind Hearts Organization

Organization Address: 25201 Wallace saucier Rd saucier, ms 39574

Organization Agent: Laura Necaise Title: Founder of Org.

Phone: 228 609 3280 Home _____ Cell _____ During Event

Agent's Address: 25201 Wallace saucier Rd saucier, ms 39574

Agent's E-Mail Address: necaiselaurad@gmail.com

Event Name: Christmas on the Green

Please give a brief description of the proposed special event:

The event will be Christmas themed featuring free photos with Santa and the Grinch, free winter wonderland games, 25-30 craft vendors to shop and 1-3 food vendors. Proceeds will be used to provide Christmas meals and gifts to families in need.

Event Day (s) & Date (s): Sunday December 10th Event Time (s): 10am - 4pm

Set-Up Date & Time: 12/10/23 7am Tear-Down Date & Time: 12/10/23 4pm

Event Location: Harper McCaughran Town Green

ANNUAL EVENT: Is this event expected to occur next year? YES NO

How many years has this event occurred? 0

ADOPTED: 08.18.20-BOARD ACTION

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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: NA 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:

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 expected (estimated) attendance for this event? 200-300

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

If yes, you are requested to obtain a permit through the Building/Permit Department.

RESTROOMS: Are you planning to provide portable restrooms at the event? YES NO

If yes, how many?

As an event organizer, you must consider the availability of restroom 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 restroom 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.

ADOPTED: 08.18.20-BOARD ACTION

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OTHER REQUESTS: (i.e., Police Department assistance, Fire Department, Street closures, electrical, etc.)

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$1,000,000 (1 million). 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 the Board of Aldermen waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

Soothing

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 the Board of Aldermen waive the insurance requirement for this Low Hazard Event as identified in the 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.

11/15/23
Date

[Signature]
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least ninety (90) days before the first day of the event to:
City of Long Beach * Mayor's Office * 201 Jeff Davis Ave. * P. O. Box 929 * Long Beach, MS
39560**

ADOPTED: 08.18.20-BOARD ACTION

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Event Title: _____

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: _____ Recommended Approval: YES NO Est. Economic Impact: \$ _____

Fire Dept: _____ Recommended Approval: YES NO Est. Economic Impact: \$ _____

Public Works: _____ Recommended Approval: YES NO Est. Economic Impact: \$ _____

Traffic Eng: _____ Recommended Approval: YES NO Est. Economic Impact: \$ _____

Parks/Rec: _____ Recommended 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: _____

ADOPTED: 08.18.20-BOARD ACTION

Minutes of November 21, 2023 Mayor and Board of Aldermen

December 10, 2023
Sunday
Christmas on the Green
7:00 am - 5:00 pm
Event - 10:00 - 4:00 pm
Town Green

CITY OF LONG BEACH
PARKS AND RECREATION DEPARTMENT
APPLICATION FOR PERMIT
Bob Paul
228.669.7601

TOWN GREEN

Group / Individual Name (Permit tee):

The Kind Hearts Organization / Laura Necaise

Telephone Number: 228.669.3280

Street Address: Home 25201 Wallace Saucier Rd Work Cell

City Saucier State MS Zip 39574

Type of Event: non-profit fundraiser, craft show, Christmas

Start Time: 10am

Closing Time: 4pm

It is agreed between the City of Long Beach and the permit fee that the named facility is reserved on
12/10/23
(Date)

The person(s) requesting this permit

1. Agrees to personally accept responsibility for any damage done to the facility, grounds or equipment by persons in his/her group during the reserved period of time, and will hold the City of Long Beach harmless of any damage done to permit tee or permit tee's equipment.
2. Agrees to maintain order and control over persons in the group.
3. Agrees to abide by all policies and procedures of the City of Long Beach, the Long Beach Parks and Recreation Department as directed by the contents of the Town Green policy statement.
4. Understands that failure to comply with all the terms of the aforementioned policy as well as any violation of federal, state, or municipal law in conjunction with the use of this facility will result in the cancellation of the privilege of using this facility and will jeopardize any future permit grants for this or any other facility. I hereby agree that I have read and understand the regulations and policies governing the use of the Long Beach Town Green, including the deck area and shoo-fly.

Signature: [Signature] Date: 11/15/23

Rental Fee \$ _____ Receipt # _____ Date _____

Deposit Fee \$ _____ Receipt # _____ Date _____

Clean-up Fee \$ _____ Receipt # _____ Date _____

PLEASE REVIEW THE POLICY AND RETAIN FOR YOUR RECORDS

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Mayor and Board of Aldermen

STATE OF MISSISSIPPI
COUNTY OF HARRISON
SECOND JUDICIAL DISTRICT

RELEASE AND IDNEMNITY

WHEREFORE, for and in consideration of the use of the ground of the City of Long Beach, Town Green and structures erected upon it owned by the City of Long Beach, Mississippi, and located at 115 East 3rd Street, I Laura Necaize, do hereby release, acquit and forever discharge the City of Long Beach, Mississippi, and all of its respective agents, servants, employees, elected and non-elected officials, successors, predecessors, insurers, attorneys, and any and all other legal entities and persons, of and from any and all claims, demands, actions, damages, liability, or legal recourse of any type, and expenses (including attorneys' fees) in connection with or arising from or out of my use of the Town Green.

WHEREFORE, PREMISES CONSIDERED:

The undersigned further agrees that he/she shall indemnify and hold harmless the City against and from all claims, demands, actions, rights of action, liabilities, losses, judgments, costs, expenses, and attorney fees which shall or may rise by virtue of anything done or omitted to be done by us, including through or by its agents, employees, or other representatives, arising out of, claimed on account of, or in any manner predicated upon the use of the above mentioned property. The undersigned further agrees to protect and save and keep the City harmless and indemnify the City against and from any and all claims, demands, actions, liabilities, judgments, losses, costs, damages or expenses (including attorneys' fees) arising out of, claimed on account of, or in any manner predicated upon any accident or other occurrence arising from the use of the above mentioned property causing injury to person(s) (including death) or property to whomsoever or whatever in law and equity.

Furthermore, as part of the consideration for using the abovementioned property, the undersigned agree to assume full responsibility and liability for any and all risk of loss by theft, vandalism, destruction, or otherwise, of any and all items of personal property belonging to the organization, group or members thereof while in and about said facility, regardless of whether or not said loss relates to, or arises out of, the use of said facility and, in addition, said organization or group agrees to indemnify and hold the City of Long Beach, its agents and servants, and employees harmless from and against all claims and expenses for same, including attorneys fees.

This, the 16 day of November, 20 23.

Authorized Signature [Signature]

Witness [Signature]

Minutes of November 21, 2023 Mayor and Board of Aldermen

LONG BEACH TOWN GREEN RULES AND REGULATIONS

The Town Green is owned and operated by the City of Long Beach and administered by the Department of Parks and Recreation. All groups wishing to book the facility are considered on first come, first serve basis. The City of Long Beach reserves the right to provide activities on those dates deemed appropriate in carrying out its program(s).

Permission to use the Town Green does not include the closing of the Town Green to the general public. When renting the shoo-fly area the permit tee agrees not to restrict the public from entering the grounds or the parking lot connected to the Town Green.

Tables and chairs are NOT provided at this facility. Arrangements for the rental of these items are the responsibility of the permit tee. However, the City does rent their stage and bleacher area. You can get the rental fees for those areas by contacting the Parks and Recreation Department.

Gambling will not be permitted on the Town Green or in any of the buildings at this location and failure to comply with this policy shall be grounds for cancellation of the permit.

The selling or consumption of alcoholic beverages on the Town Green is NOT ALLOWED without written consent for the City of Long Beach Parks and Recreation Department. Requests must be presented in writing and will be considered on an individual basis.

NO GLASS BOTTLES OR OTHER GLASS CONTAINERS are allowed on the Town Green area without the approval of the Parks and Recreation Department.

The permit tee is responsible for the cleaning of the grounds following his/her activity. Failure to clean the area may result in forfeiture of the deposit, and/or the denial of any future use of this facility by their person(s) or group.

All functions must be concluded and the premises emptied no later than midnight. Any deviation from this policy will have to approve the by the Parks and Recreation Department.

There will be no nailing, screwing or tying of any type to the Gazebo's and Shoo-fly structures; this includes the trees on the grounds. Some exceptions can be made but only with prior consent from The City of Long Beach.

Any special requests must be submitted in writing and approved by the City of Long Beach Parks and Recreations Department.

No vehicles are allowed on the grounds without approval from Director or Assistant Director of Parks and Recreation.

Initial XU

~ 3 ~

Minutes of November 21, 2023 Mayor and Board of Aldermen

FEES:

Deposit Fee – A deposit of \$100.00 must be paid when your contract is signed, this will also secure your event date. **Deposit for festivals is \$300.00**

Rental Fees - \$150.00 per day for the stage and bleacher areas, \$50.00 per day for each gazebo, & \$50.00 per day for the shoo-fly area. **Festival rental is \$400.00 this fee must be paid 1 month prior to the event date.**

Clean-up Fee - \$200.00 for events - **\$300.00 for festivals**, this fee is refundable. You are responsible for cleaning up after your event/festivals, if you fail to do so your cleanup fee will not be refunded to you. The property will be inspected at the end of your event/festival.

Non-Profit Group Fee- To be considered for the reduced rate you must provide The City of Long Beach with a copy of the organizations 501 C-3 tax status form that is filed with the Secretary of State in Jackson, MS. If you do qualify for the discounted rate it will reduce it by half.

Security Personnel - \$25.00 per hour with a 4 hours minimum. The requirement for security personnel will be handled on a case by case basis. This will be handled by a City of Long Beach Police Department representative and will be dependent on the type of event and estimated attendance. You will need to contact the City of Long Beach Police Department to make those arrangements.

★ **Refunds** – All refund will be processed the day after your event and inspection. As long as there is no damage your refund will be mailed out to you and could take 3-5 weeks for you to receive.

★ **Cancellation Policies:** should the permit tee cancel his/her event with the Parks and Recreation Department prior to 60 days of their scheduled event, 100% of the deposit will be refunded. Any cancellation within 60 days their deposit will be forfeited. If a warning or watch for a hurricane is present, then the renter would be refunded full rent and deposit. Any other exception (weather conditions) will be on a case by case basis.

Initial AN

Minutes of November 21, 2023
Mayor and Board of Aldermen



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

THE KIND HEARTS ORGANIZATION
C/O LAURA NECAISE
25201 WALLACE SAUCIER RD
SAUCIER, MS 39574

Date: 03/23/2023
Employer ID number: 92-2454003
Person to contact: Name: Customer Service
ID number: 31954
Telephone: 877-829-5500
Accounting period ending: December 31
Form 990-PF required: Yes
Effective date of exemption: February 22, 2023
Addendum applies: No
DLN: 26053479002813

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a private foundation within the meaning of Section 509(a).

You're required to file Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation, annually, whether or not you have income or activity during the year. If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PF" in the search bar to view Publication 4221-PF, Compliance Guide for 501(c)(3) Private Foundations, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Letter 1076 (Rev. 2-2020)
Catalog Number 35161A

Minutes of November 21, 2023
Mayor and Board of Aldermen

Alderman Brown made motion seconded by Alderman McCaffrey and unananimously carried to approve the following Banner Placement Request submitted by First Baptist Church for A Night in Bethlehem:



Dr. LaRue Stephens, Senior Pastor
Rev. Matthew Gaddy, Worship Pastor
Brenda Davis, Minister of Education

November 13, 2023

Board of Aldermen
City of Long Beach
P.O. Box 929
Long Beach, MS 39560

Dear Board,

We, First Baptist Church, Long Beach, would like to ask permission to put 3 banners around the city advertising our "A Night In Bethlehem". The date is December 16 - 17, 5:30 - 7:30 p.m. at the Town Green. We would like to have the banners out from December 2 - 18, 2023.

The following locations are requested:

- Railroad and Pineville intersection on the south side
- Railroad and Cleveland on the southeast corner
- Cleveland and Klondyke in the triangle – low to the ground so not to interfere with traffic.

Please let us know if there is any problem with the placing the banners. Thank you so much for the opportunity to advertise our "A Night In Bethlehem" to the community.

Sincerely,

Brenda Davis
Minister of Education

(228 864-2584  info@fbclb.com  www.fbclb.com 

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to approve the following Request to Waive Fees for the Recreation Center submitted by American Legion Post 1995 for a Community Blood Drive:



Donnie Levens American Legion Post 1995
Post Office Box 550
Long Beach, Mississippi 39560-0550

November 7, 2023

Greetings Mayor George Bass & Board of Aldermen,

The Donnie Levens American Legion Post 1995 is requesting that the City of Long Beach waiver the application of the usage fee for the use of the Long Beach Community/Senior Activity Citizens Center. This request is solely for the purpose of hosting a Community Blood Drive conducted in cooperation with the directors of the American Red Cross Blood Services. This event will occur on Tuesday, February ~~8~~ 2024, between the hours of 1:00 pm and 6:00 pm.


13

For coordination purposes, the Point of Contact for this post activity is Ray Chavaree, Post 1995 Executive Committeeman. He may be contacted by calling 774-218-6786.

Thank You in Advance for your consideration of this fee waiver on behalf of the veterans and members of the Donnie Levens American Legion Post 1995.

FOR GOD AND COUNTRY


WILLIAM M. MORAN, JR., Commander
American Legion Post 1995
Email: msamlegion@gmail.com


JACKIE K. MCKENZIE, Adjutant
American Legion Post 1995
Email: jkmckenzie@comcast.net

Minutes of November 21, 2023
Mayor and Board of Aldermen

Mayor Bass recognized Robert & Susie Sapp of 119 Marcie Drive, Long Beach, MS, who provided the following:

We are the Sapp's.....Robert & Susie
119 Marcie Drive in Long Beach
Lot #10

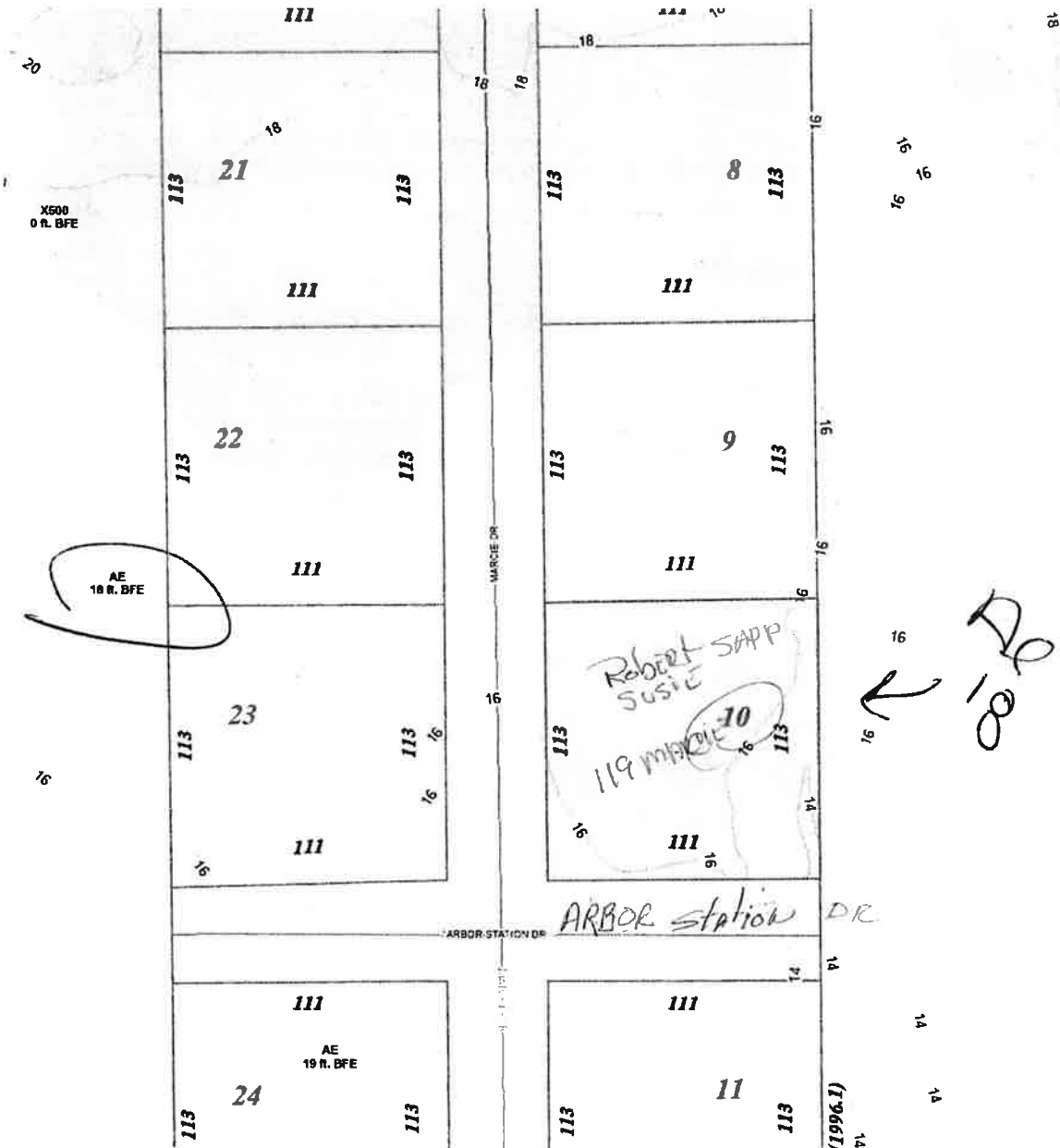
Currently building a Southern Paradise home by Glynn Illich. We're about 3 months away from completion.

When we bought the lot from Glynn Illich, he informed us of the 50 feet of Property right next to us known as Arbor Station Drive, and that it is no longer going to be used by the City.

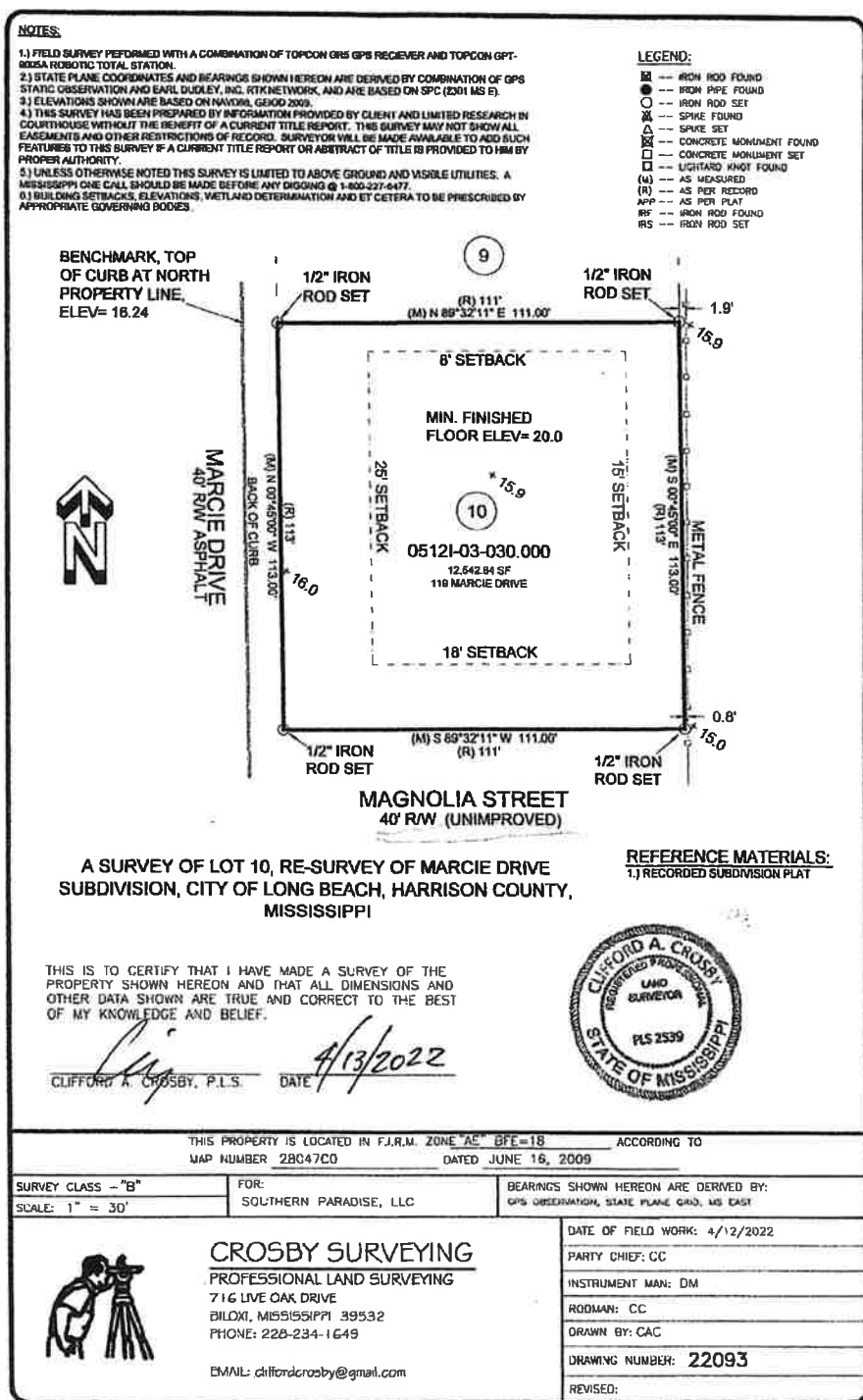
We're here to request to obtain half of this property to be added on to ours.

We were informed that it would be divided between the two property owners on both sides.

We tried to contact the owner next door, Maureen Tierney several times with no success.....phone calls and a letter.



Minutes of November 21, 2023 Mayor and Board of Aldermen



After further discussion, Alderman McCaffrey made motion seconded by Alderman Parker and unanimously carried to table this issue until the next meeting to allow Engineering & Public Works to determine if any utilities are in this right of way.

Minutes of November 21, 2023
Mayor and Board of Aldermen

There came on for discussion Citizen Group Soliciting Information from the Public, whereupon the City Attorney read the following:

Nov. 21, 2023 Regular Board of Alderman meeting for the City of Long Beach, Mississippi

Within the City of Long Beach are groups of concerned citizens, some of whom have organized to monitor and promote growth and economic development, while at the same time to improve, preserve and protect the natural beauty and "friendly city" environment Long Beach enjoys.

The mission statement of one such organization states it seeks to accomplish these goals "through collaboration with local governments".

The Mayor and Board of Alderman encourage and welcome participation and exchange of information and concerns with the citizens of Long Beach.

Recently members of the Board of Alderman received information from neighboring city officials and developers claiming concerned citizen groups from Long Beach had made request for production of information, and based upon the request, understood the group was either created, at least empowered and authorized by make such inquiries and request for information by the governing authority of the City.

An informed public is good for the community, however organized groups or individuals acting alone may not represent, infer or allow the appearance that they are acting with permission, authority or at the direction of the governing Board of the City.

Miscommunication often leads to misunderstanding; therefore, the Mayor and Board respectfully ask all citizens, to clearly and unambiguously identify themselves, their organization, and the purpose for which they may be making inquiries regarding development and other potential projects within the city. Developers, businesses or individuals may voluntarily provide such information and access to documents as they choose, but may not be led to believe they are under an obligation to respond to a request unless it is from a Long Beach City official.

Thank you for your cooperation.

No action was required or taken.

At the request of Mayor Bass, Alderman Brown made motion seconded by Alderman McCaffrey and unanimously carried to add the Tri-Party Agreement to the agenda of the next meeting on Tuesday, December 5, 2023.

Based on the recommendation of Fire Chief Skellie and certification by the Civil Service Commission, Alderman Brown made motion seconded by Alderman McCaffrey and unanimously carried to approve personnel matters, as follows:

Fire Dept:

- Education Pay, Lieutenant Cody Carroll, Associates Degree, effective November 16, 2023
- Education Pay, Driver/Operator Clayton Maxwell, Associates Degree, effective November 16, 2023

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

Alderman McGoey made motion seconded by Alderman Parker and
unanimously carried to approve the following financing documents with Cadence Bank
for two patrol cars and authorize the Mayor to execute same:

111549 71034-002

SPECIAL STIPULATIONS

LESSOR: Cadence Equipment Finance,
a division of Cadence Bank
1222 Rogers Ave
Fort Smith, AR 72901

By: _____

Title: _____

Date: _____

LESSEE: City of Long Beach, Mississippi
201 Jeff Davis Ave
Long Beach, MS 39560

By: *[Signature]*

Title: Mayor

Date: 11-22-23

--NONE--

EXHIBIT A

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

111549 71034-002

**THIS IS THE FORM TO BE USED FOR A LEGAL OPINION OF THE LESSEE'S
LEGAL COUNSEL. IT SHOULD BE TYPED ON THE COUNSEL'S LETTERHEAD:**

Cadence Equipment Finance,
a division of Cadence Bank
1222 Rogers Ave
Fort Smith, AR 72901

Re: Equipment Lease - Purchase Agreement dated April 11, 2023 and Lease Schedule No. 002 thereto, dated 11/21/23, by and between Cadence Equipment Finance, a division of Cadence Bank, as Lessor, and City of Long Beach, Mississippi, as Lessee.

Ladies and Gentlemen:

I am the attorney for City of Long Beach, Mississippi (the "Lessee") and pursuant to the above-referenced transaction, I am familiar with the above-referenced Equipment Lease - Purchase Agreement and Lease Schedule No. 002 thereto (together, the "Agreement").

Based on the examination of the Agreement and such other documents, records and papers as I deemed to be relevant and necessary as the basis for my opinion set forth below, it is my opinion that:

1. Lessee is a public body corporate and politic, duly organized and existing under the laws of the State of Mississippi, and has a substantial amount of at least one of the following sovereign powers: (a) the power to tax, (b) the power of eminent domain, and (c) police power. Lessee is authorized by the Constitution and laws of the State of Mississippi to enter into the transactions contemplated by the Agreement and to carry out its obligations thereunder.

2. The Agreement has been duly authorized, executed and delivered by the Lessee and constitutes a valid, legal and binding obligation of the Lessee enforceable in accordance with its terms.

3. No further approval, consent or withholding of objections is required from any federal, state or local government authority with respect to the entering into or performance by the Lessee of the Agreement and the transactions contemplated thereby.

EXHIBIT B

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

Cadence Equipment Finance,
a division of Cadence Bank
Page 2

4. The entering into and performance of the Agreement and other related documents will not violate any judgment, order, law or regulation applicable to the Lessee or result in any breach of, or constitute a default under, or result in the creation of any lien, charge, security interest or other encumbrance upon any assets of the Lessee or the leased equipment pursuant to, any indenture, mortgage, deed of trust, bank loan, credit agreement or other instrument to which the Lessee is a party or by which it or its assets may be bound.

5. There are no actions, suits or proceedings pending or, to the knowledge of the Lessee, threatened against or affecting the Lessee in any court or before any governmental commission, board or authority which if adversely determined, will have a material adverse effect on the ability of the Lessee to perform its obligations under the Agreement.

6. The equipment subject to the Agreement is personal property and when subjected to use by the Lessee, will not be or become fixtures under the laws of the State of Mississippi.

7. All required open meeting laws and public bidding procedures regarding the award and approval of the Agreement have been followed by the Lessee.

You and your successors and assigns are entitled to rely upon this opinion.

Sincerely,

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

111549 71034-002

LEASE SCHEDULE NO: 002

Dated as of: 11/21/23

To Agreement No: 111549

THIS LEASE SCHEDULE is issued pursuant to an Equipment Lease - Purchase Agreement dated as of April 11, 2023 (the "Agreement"), between the parties for the acquisition of the Equipment listed herein. All terms used herein have the meanings ascribed to them in the Agreement.

A. PAYMENTS, TERM, TRANSPORTATION AND DELIVERY COSTS.

The Payments required under the Agreement for the Equipment designated on this Lease Schedule are included in Schedule A. A portion of each Payment is paid as and represents payment of interest as set forth in Schedule A hereto. Payments shall be due as set forth in **Schedule A** hereto. Lessee shall pay transportation and/or delivery costs, if any, as set forth in Schedule B hereto.

B. LATE PAYMENTS.

There will be a charge of \$0 per month based on the amount of any Payments which remain unpaid for six (6) days after the due date.

C. FISCAL YEAR.

Lessee's fiscal year period is from October to September

D. CONCLUDING PAYMENT.

Lessee shall have the option to purchase the Equipment described herein in accordance with Section 14 of the Agreement upon payment of the Concluding Payment Amount set forth in Schedule A hereto plus the payment then due.

E. EQUIPMENT DESCRIPTION.

The Equipment as defined in the Agreement includes the following: See Schedule A-1 attached hereto and made a part hereof

EXHIBIT C

Minutes of November 21, 2023 Mayor and Board of Aldermen

F. LOCATION.

201 Jeff Davis Ave, LONG BEACH, MS 39560.

G. ALTERNATIVE INTEREST RATES.

1. Loss of interest deductibility under the Agreement with respect to a change in designation of the Agreement as a "qualified tax-exempt obligation" under Section 265(b) of the Internal Revenue Code of 1986, as amended, will incur a rate of not less than 5.00%.

2. Loss of tax-exempt interest under the Agreement (as described in Section 2(d) of the Agreement) will incur a rate of not less than 5.00%.

H. REPRESENTATIONS.

THE TERMS GOVERNING THIS LEASE SCHEDULE ARE CONTAINED IN THE AGREEMENT REFERENCED ABOVE AND APPLY WITH THE SAME FORCE AND EFFECT AS IF SET FORTH FULLY HEREIN.

Lessor shall not be bound by this Lease Schedule until it is executed by an authorized officer of Lessor at Lessor's principal place of business.

DATED as of the day and year first above stated on this Lease Schedule.

LESSOR:

Cadence Equipment Finance, a division of
Cadence Bank
1222 Rogers Ave
Fort Smith, AR 72901

By: _____

Title: _____

LESSEE:

City of Long Beach, Mississippi
201 Jeff Davis Ave
Long Beach, MS 39560

By: George Johnson

Title: Mayor

Minutes of November 21, 2023 Mayor and Board of Aldermen

City of Longbeach, Mississippi
11549 002-0071034-002

DRAFT COPY - PAYMENT DUE DATE WILL BE AMENDED AT CLOSING

Nominal Annual Rate: 5.780%

Cash Flow Data - Leases and Lease Payments

Event	Date	Amount	Number	Period	End Date
1 Lease	11/15/2023	89,990.00	1		
2 Lease Payment	11/15/2024	21,325.89	5	Annual	11/15/2028

TValue Amortization Schedule - Normal, 30E3/360

Date	Lease Payment	Interest	Principal	Balance
Lease 11/15/2023				89,990.00
2023 Totals	0.00	0.00	0.00	
1 11/15/2024	21,325.89	5,341.45	15,984.44	74,005.56
2024 Totals	21,325.89	5,341.45	15,984.44	
2 11/15/2025	21,325.89	4,392.68	16,933.21	57,072.35
2025 Totals	21,325.89	4,392.68	16,933.21	
3 11/15/2026	21,325.89	3,387.59	17,938.30	39,134.05
2026 Totals	21,325.89	3,387.59	17,938.30	
4 11/15/2027	21,325.89	2,322.84	19,003.05	20,131.00
2027 Totals	21,325.89	2,322.84	19,003.05	
5 11/15/2028	21,325.89	1,194.89	20,131.00	0.00
2028 Totals	21,325.89	1,194.89	20,131.00	
Grand Totals	106,629.45	16,639.45	89,990.00	

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

SCHEDULE A-1

City of Long Beach, Mississippi

Master Lease Number: 111549

Schedule Number: 02

One (1) 2023 Ford Explorer Police AWD SUV (VIN: 1FM5K8AB0PGB62268)

One (1) 2023 Ford Explorer Police AWD SUV (VIN: 1FM5K8AB3PGB62572)

Minutes of November 21, 2023
Mayor and Board of Aldermen

EQUIPMENT ACCEPTANCE NOTICE

TO: Cadence Equipment Finance, a division of Cadence Bank

RE: Lease Schedule No. 002 dated _____ to Equipment Lease - Purchase Agreement dated April 11, 2023 (together, the "Agreement"), by and between Cadence Equipment Finance, a division of Cadence Bank, as Lessor, and City of Long Beach, Mississippi, as Lessee

This is to acknowledge that the delivery and/or installation of the Equipment, described in the above-referenced Lease Schedule has been completed in accordance with the terms of the above-referenced Equipment Lease - Purchase Agreement and that Lessee has duly delivered to and received in proper form all purchase orders, invoices or such forms or documents required by Lessee to assure commencement of Payments on _____, in accordance with Section 2 of the Agreement.

The undersigned has inspected said Equipment. Said Equipment satisfies provisions of Section 2 of the above-referenced Agreement, and it is accepted according to the provisions contained therein.

LESSEE:

City of Long Beach, Mississippi


By: 
Title: Mayor
Date: 11-22-23

EXHIBIT D

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

City of Long Beach



Cadence Equipment Finance,
A division of Cadence Bank
1222 Rogers Ave
Fort Smith, AR 72901

RE: Equipment Lease – Purchase Agreement 111549, dated April 11, 2023 and Lease Schedule No. 002, dated November 21, 2023 (together, the "Agreement")

Ladies and Gentlemen:

The equipment purchased under the above-referenced Agreement, and associated peripheral equipment that we are buying under said Agreement, will be used by the City of Long Beach Police Department. The equipment will not be used in any private business or put to any private business use.

The functions of the equipment will include patrol cars and are deemed to be essential to the efficient operation of the City of Long Beach Police Department.

Sincerely,

A handwritten signature in blue ink, appearing to read "George L. Bass". The signature is fluid and cursive.

Mayor George L. Bass

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • (228) 863-1556 • FAX (228) 865-0822
www.cityoflongbeachms.com

Minutes of November 21, 2023 Mayor and Board of Aldermen

DISBURSEMENT REQUEST

Pursuant to that certain Municipal Lease Contract No. 002-0071034-002 dated effective 11/21/23 between City of Long Beach, Mississippi and CADENCE EQUIPMENT FINANCE, A DIVISION OF CADENCE BANK, the parties hereto hereby request disbursement of funds in the amount and manner described below.

Please disburse to: City of Longbeach, Mississippi

Amount to disburse: \$89,990.00

Form of disbursement: Check

IN WITNESS WHEREOF: the parties hereto have executed this Agreement in multiple counterparts, each of which is and shall be considered an original for all intents and purposes, effective as of the date first written above.

By: 

Name: George L. Bass

Title: Mayor

Date: 11-22-23

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

111549 71034-002

**RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF AN
EQUIPMENT - LEASE PURCHASE AGREEMENT WITH CADENCE EQUIPMENT
FINANCE, A DIVISION OF CADENCE BANK**

WHEREAS, Mayor and Board of Aldermen (the "Governing Body") of City of Long Beach, Mississippi (the "Lessee"), acting for and on the behalf of the Lessee hereby finds, determines and adjudicates as follows:

1. The Lessee desires to enter into an Equipment Lease - Purchase Agreement with the Lease Schedule and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" (collectively, the "Agreement") with Cadence Equipment Finance, a division of Cadence Bank (the "Lessor"), for the purpose of leasing with an option to purchase the equipment as described therein for the total cost specified therein (the "Equipment").

2. It is in the best interest of the public purposes of the Lessee that the Lessee lease with an option to purchase the Equipment pursuant to and in accordance with the terms of the Agreement; and

3. It is necessary for Lessee to approve and authorize the Agreement.

NOW, THEREFORE, BE IT RESOLVED by this Governing Body for and on behalf of Lessee as follows:

Section 1. The Agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit "A" by and between the Lessor and the Lessee is hereby approved and 11/21/2023 (the "Authorized Officer") is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Agreement is being issued in calendar year 2023.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly, by property used or to be used in a trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to the Lessee) in respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly) to make or finance loans to persons other than governmental units.

Section 6. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or

Minutes of November 21, 2023 Mayor and Board of Aldermen

appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

Section 7. The Lessee desires to designate the Agreement as a "qualified tax-exempt obligation" of the Lessee, as defined in Section 265(b)(3) of the Internal Revenue Code of 1986 (the "Code"). The aggregate face amount of all tax-exempt obligations (excluding private activity bonds other than qualified 501(c)(3) bonds) issued or to be issued by the Lessee and all subordinate entities thereof during the current calendar year is not reasonably expected to exceed \$10,000,000. The Lessee and all subordinate entities thereof will not issue or enter into in excess of \$10,000,000 of tax-exempt obligations (including the Agreement, but excluding private activity bonds other than qualified 501(c)(3) bonds) during the current calendar year, without first obtaining an opinion of nationally recognized counsel in the area of tax-exempt municipal obligations acceptable to the Lessor that the designation of the Agreement as a "qualified tax-exempt obligation" will not be adversely affected.

Following the reading of the foregoing resolution, Alderman McGoey moved that the foregoing resolution be adopted. Alderman Parker seconded the motion for its adoption. The Mayor put the question to a roll call vote and the result was as follows:

<u>Alderman Frazer</u>	Voted: <u>Aye</u>
<u>Alderman Bennett</u>	Voted: <u>Aye</u>
<u>Alderman Parker</u>	Voted: <u>Aye</u>
<u>Alderman Johnson</u>	Voted: <u>Absent, not voting</u>
<u>Alderman McCaffrey</u>	Voted: <u>Aye</u>
<u>Alderman Brown</u>	Voted: <u>Aye</u>
<u>Alderman McGoey</u>	Voted: <u>Aye</u>

The motion having received the affirmative vote of all members present, the declared the motion carried and the resolution adopted, this the 21st day of November, 2023.

George Urban
(Signature)

ATTEST:

Stacy Dale
(SEAL)



Minutes of November 21, 2023
Mayor and Board of Aldermen

111549
002-0071034-002

TO BE COMPLETED BY INSURANCE AGENT

CERTIFICATION OF INSURANCE PROTECTION ON FINANCED EQUIPMENT

This is to certify that the policies enumerated below have been issued to the Named Insured (Lessee).

City of Long Beach, Mississippi
201 Jeff Davis Ave
Long Beach, MS 39560

Description of Property Financed to above Named Insured by Lessor named below (Lessor) includes the following:

One (1) 2023 Ford Explorer Police AWD SUV (VIN: 1FMSK8AB0PGB62268) , One (1) 2023 Ford Explorer Police AWD SUV (VIN: 1FMSK8AB3PGB62572)

Lessee shall maintain:
ALL RISK PROPERTY INSURANCE covering all risk of physical loss to each item of equipment described above for the actual value of such item(s). Including Cadence Equipment Finance, a division of Cadence Bank (Lessor) as LOSS PAYEE, and an endorsement or certificate issued to Lessor stating that payment of any loss will be made to Cadence Equipment Finance, a division of Cadence Bank and the Lessee.

Policy Number _____
Insurance Company _____
Policy Period Effective Date _____ Expiration Date _____
Amount of Insurance _____ Deductible (if any) 5,000 (MAX)

The above policy(s) will not be altered or cancelled by the insurer without ten (10) days prior written notice to: Cadence Equipment Finance, a division of Cadence Bank
1222 Rogers Ave.
Fort Smith, AR 72901

This Certificate of Insurance Protection will serve as evidence of required coverage by the Lessee until certificates and/or endorsements are issued directly to Cadence Equipment Finance, a division of Cadence Bank. Please forward to CEF via email: CEFinfo@cadencebank.com or fax: 800-322-1611

Name and address of AUTHORIZED REPRESENTATIVE

(SIGNATURE OF INSURANCE REPRESENTATIVE) DATE PHONE

Minutes of November 21, 2023 Mayor and Board of Aldermen

CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 11/20/2023																																				
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.																																						
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).																																						
PRODUCER Brown & Brown of Louisiana, LLC 1105 30th Ave, Ste 300 West Gulfport MS 39501 INSURED City of Long Beach P O Box 929 Long Beach MS 39560	CONTACT NAME: Bridget Schexnaider CRM PHONE (A/C, No, Ext): (228) 864-1550 FAX (A/C, No): E-MAIL ADDRESS: Bridget.Schexnaider@bbrown.com	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: The Charter Oak Fire Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B: The Phoenix Insurance Company</td> <td></td> </tr> <tr> <td>INSURER C: BITCO General Insurance Corporation</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: The Charter Oak Fire Insurance Company		INSURER B: The Phoenix Insurance Company		INSURER C: BITCO General Insurance Corporation		INSURER D:		INSURER E:		INSURER F:																							
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INSURER E:																																						
INSURER F:																																						
COVERAGES		CERTIFICATE NUMBER: CL2392581759 REVISION NUMBER:																																				
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.																																						
INSR LTR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">TYPE OF INSURANCE</th> <th style="text-align: center;">ADDL INSR</th> <th style="text-align: center;">SUBR WVD</th> <th style="text-align: center;">POLICY NUMBER</th> <th style="text-align: center;">POLICY EFF (MM/DD/YYYY)</th> <th style="text-align: center;">POLICY EXP (MM/DD/YYYY)</th> <th style="text-align: center;">LIMITS</th> </tr> <tr> <td> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: </td> <td></td> <td></td> <td style="text-align: center;">ZLP16N331323PC</td> <td style="text-align: center;">10/01/2023</td> <td style="text-align: center;">10/01/2024</td> <td> EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$ </td> </tr> <tr> <td> <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY </td> <td></td> <td></td> <td style="text-align: center;">BA2C41405523PUB</td> <td style="text-align: center;">10/01/2023</td> <td style="text-align: center;">10/01/2024</td> <td> COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ </td> </tr> <tr> <td> <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ </td> <td></td> <td></td> <td></td> <td></td> <td></td> <td> EACH OCCURRENCE \$ AGGREGATE \$ \$ </td> </tr> <tr> <td> <input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below </td> <td style="text-align: center;">Y/N</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">WC3721568</td> <td style="text-align: center;">10/01/2023</td> <td style="text-align: center;">10/01/2024</td> <td> <input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 </td> </tr> </table>	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ZLP16N331323PC	10/01/2023	10/01/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			BA2C41405523PUB	10/01/2023	10/01/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC3721568	10/01/2023	10/01/2024	<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000	DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)	
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CERTIFICATE HOLDER		CANCELLATION																																				
Cadence Equipment Finance, a division of Cadence Bank 1222 Rogers Ave. Fort Smith AR 72801		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 																																				

ACORD 25 (2016/03)

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Minutes of November 21, 2023 Mayor and Board of Aldermen

AGENCY CUSTOMER ID: 00231652

LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page ____ of ____

AGENCY Brown & Brown of Louisiana, LLC		NAMED INSURED City of Long Beach	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 **FORM TITLE:** Certificate of Liability Insurance: Notes

Certificate Holder is included as Loss Payee on units referenced below:

- 2023 Ford Police Interceptor
VIN: 1FM5K8AB0PGB62268, OCN \$44,995
- 2023 Ford Police Interceptor
VIN: 1FM5K8AB3PGB62572, OCN \$44,995

both units having Physical Damage Comprehensive & Collision deductibles of \$1,000/\$1,000 each.

ACORD 101 (2008/01)

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Minutes of November 21, 2023
Mayor and Board of Aldermen

Title Guarantee Letter

City of Long Beach, Mississippi
201 Jeff Davis Ave
Long Beach, MS 39560

RE: City of Long Beach, MS

To whom it may concern,

This letter guarantees that upon receipt of \$ 89,990.00, per invoice no(s)
PO 00240011-00 FY 2024 PO 00240011-00 FY 2024
issued to purchase the following titled vehicles/trailers:

- One (1) 2023 Ford Explorer Police AWD SUV (VIN: 1FM5K8AB0PGB62268)
- One (1) 2023 Ford Explorer Police AWD SUV (VIN: 1FM5K8AB3PGB62572)

We will mail priority/overnight our MSO/Title (whichever is applicable) prior to closing or when the titles requested are in our possession due to : Cadence Bank Equipment Finance

Cadence Equipment Finance
1222 Rogers Ave
Fort Smith, AR 72901

Mailing address as listed above

Authorized By:


Representative of: LONG BEACH, MS.

Return to:

Julie Crabtree
Via fax: 800-322-1611
Email: julie.crabtree@cadencebank.com

Minutes of November 21, 2023 Mayor and Board of Aldermen

Form 8038-GC
(Rev. October 2021)
Department of the Treasury
Internal Revenue Service

**Information Return for Small Tax-Exempt
Governmental Bond Issues, Leases, and Installment Sales**
▶ Under Internal Revenue Code section 149(e)
**Caution: If the issue price of the issue is \$100,000 or more, use Form 8038-G.
▶ Go to www.irs.gov/Form8038GC for instructions and the latest information.**

OMB No. 1545-0047

Part I Reporting Authority Check box if Amended Return

1 Issuer's name
City of Long Beach, Mississippi

2 Issuer's employer identification number (EIN)
64-6000637

3 Number and street (or P.O. box if mail isn't delivered to street address)
201 Jeff Davis Ave

4 City, town, or post office, state, and ZIP code
Long Beach, MS 39560

5 Report number (For IRS Use Only)

6 Name and title of officer or other employee of issuer or designated contact person whom the IRS may call for more information

7 Telephone number of officer or legal representative

Part II Description of Obligations Check one box: Single issue Consolidated return

8a Issue price of obligation(s) (see instructions)	8a 89,990.00
b Issue date (single issue) or calendar date (consolidated). Enter date in MM/DD/YYYY format (for example, 01/01/2009) (see instructions) ▶	
9 Amount of the reported obligation(s) on line 8a that is:	
a For leases for vehicles	9a
b For leases for office equipment	9b
c For leases for real property	9c
d For leases for other (see instructions)	9d
e For bank loans for vehicles	9e
f For bank loans for office equipment	9f
g For bank loans for real property	9g
h For bank loans for other (see instructions)	9h
i Used to refund prior issue(s)	9i
j Representing a loan from the proceeds of another tax-exempt obligation (for example, bond bank)	9j
k Other	9k

10 If the issuer has designated any issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check this box

11 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check this box (see instructions)

12 Vendor's or bank's name:

13 Vendor's or bank's employer identification number:

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person(s) that I have authorized above.

Signature and Consent

[Signature] **11-22-23**
Signature of issuer's authorized representative Date Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name Preparer's signature Date Check if self-employed PTIN

Firm's name ▶ Firm's EIN ▶
Firm's address ▶ Phone no.

Future Developments
For the latest information about developments related to Form 8038-GC and its instructions, such as legislation enacted after they were published, go to www.irs.gov/Form8038GC.

General Instructions
Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form
Form 8038-GC is used by the issuers of tax-exempt governmental obligations to provide the IRS with the information required by section 149(e) and to monitor the requirements of sections 141 through 150.

Who Must File
Issuers of tax-exempt governmental obligations with issue prices of less than \$100,000 must file Form 8038-GC.
Issuers of a tax-exempt governmental obligation with an issue price of \$100,000 or more must file Form 8038-G, Information Return for Tax-Exempt Governmental Bonds.
Filing a separate return for a single issue. Issuers have the option to file a separate Form 8038-GC for any tax-exempt governmental obligation with an issue price of less than \$100,000.
An issuer of a tax-exempt bond used to finance construction expenditures must file a separate Form 8038-GC for each issue to give notice to the IRS that an election was made to pay a penalty in lieu of arbitrage rebate. See the Instructions for line 11, later.

Filing a consolidated return for multiple issues. For all tax-exempt governmental obligations with issue prices of less than \$100,000 that aren't reported on a separate Form 8038-GC, an issuer must file a consolidated information return including all such issues issued within the calendar year.
Thus, an issuer may file a separate Form 8038-GC for each of a number of small issues and report the remainder of small issues issued during the calendar year on one consolidated Form 8038-GC. However, if the issue is a construction issue, a separate Form 8038-GC must be filed to give the IRS notice of the election to pay a penalty in lieu of arbitrage rebate.

For Paperwork Reduction Act Notice, see instructions. Cat. No. 84108B Form **8038-GC** (Rev. 10-2021)

Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to accept the October 2023 Revenue/Expense Report, as submitted.

Minutes of November 21, 2023 Mayor and Board of Aldermen

Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to approve the following Change Order with J.E. Borries, Inc. for the Southeastern Shoreline Bulkhead and authorize the Mayor to execute same:



overstreeteng.com
161 Lameuse St. Suite 203
Biloxi, MS 39530
228.967.7137

November 17, 2023

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

**RE: Change Order No. 2
Long Beach Harbor – Southeastern Shoreline Bulkhead**

Ladies and Gentlemen:

Per the request of the City at an Oct. 31 meeting with the Contractor, we have attached a proposed change order for the installation of two (2) test piles for the Eastern Bulkhead in the Long Beach Harbor. The Contractor is still obtaining pricing & cost information for the installation of five (5) further test piles for the Inner Quay and the Southern Bulkhead projects, but that information is not yet available at this time. It seemed appropriate to submit this information speedily for your review and approval. As anticipated, the cost for these additional test piles is significantly higher than we would normally pay for pile installation; however, the increased cost is due to the separate mobilization and preparation of the test pile installation site, all of which is costly and time-consuming work which is not currently in the Contractor's scope of work.

As noted in our minutes of the Oct. 31 meeting, Overstreet will also require the services of a geotechnical engineering subconsultant (Southern Earth Sciences) for this work, but we don't yet have an estimate of the costs for their services. We hope to obtain that information soon and should have it ready for City review at the next Board meeting.

If the City chooses to approve this change order at this time, the casting and curing of the test piles can proceed while coordination with the geotechnical subconsultant can be finalized, eliminating or minimizing any delay in the performance of the actual work. As has been noted previously, the grant funds for this project are already completed obligated for the original contract amount, so these additional costs will need to be covered by other funding, such as Tidelands or other sources, per the advice of the City's construction manager.

Sincerely,

David Ball, P.E.

DB:1076
Attachment

Biloxi | Long Beach | Pascagoula | Daphne

O:\1076 - LB Harbor - SE Shoreline Bulkhead\90 CONSTRUCTION\20231117 1076 Recommend CO2.docx Page 1/1

Minutes of November 21, 2023 Mayor and Board of Aldermen

Change Order

No. 2

Date of Issuance: 11/17/2023 Effective Date: 11/21/2023

Project:	Owner: <u>City of Long Beach</u>	Owner's Contract No.:
Contract:	<u>LB Harbor SE Shoreline Bulkhead</u>	Date of Contract: <u>11/1/2022</u>
Contractor:	<u>J.E. Borries, Inc.</u>	Engineer's Project No.: <u>1076</u>

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

Description:

1. Per the City's request, provide pay items needed for installation of (2) additional test pile for the Eastern Bulkhead project, with restrikes, and coordination with the 3rd-party geotechnical engineer.
2. Additional contract time and the remainder of the needed test piles for the test pile program will need to be included in a future change order.

Attachments: (List documents supporting change):

1. Contractor's request.

CHANGE IN CONTRACT PRICE:

Original Contract Price: \$2,523,098.00

(Increase) in Contract Price from previous Change Orders No. n/a to No. 1 \$21,099.00

Contract Price prior to this Change Order: \$2,544,197.00

(Increase) in Contract Price due to this Change Order: \$68,595.00

Revised Contract Price incorporating this Change Order: \$2,612,792.00

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working Days Calendar days

Substantial completion (days or date): 12/19/2023

Ready for final payment (days or date): _____

Change in Contract Time from previous Change Orders No. n/a to No. 1

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): 12/19/2023

Ready for final payment (days or date): _____

Change in Contract Time due to this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

Contract Times incorporating this Change Order:

Substantial completion (days or date): 12/19/2023

Ready for final payment (days or date): _____

RECOMMENDED:
(ENGINEER)

By: _____

Date: 11/17/2023

ACCEPTED:
(CONTRACTOR)

By: _____

Date: _____

ACCEPTED:
(OWNER)

By: _____

Date: 11-22-23

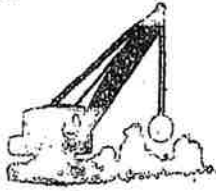
Minutes of November 21, 2023
Mayor and Board of Aldermen

ATTACHMENT TO CHANGE ORDER NUMBER **2** PROJECT NO. **1076**

NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	TOTAL CONTRACT QUANTITY	TOTAL CONTRACT AMOUNT
	BASE BID							
1-A	MOBILIZATION	1 L.S.	\$ 110,000.00	\$ 110,000.00		\$ -	1	\$ 110,000.00
2-A	DEMOLITION & REMOVAL OF EXISTING OBSTRUCTIONS	1 L.S.	\$ 150,000.00	\$ 150,000.00		\$ -	1	\$ 150,000.00
2-B	REMOVE EXISTING TIMBER PIER	1 L.S.	\$ 20,000.00	\$ 20,000.00		\$ -	1	\$ 20,000.00
2-C	REMOVE AND REPLACE EXISTING RIP-RAP	1 L.S.	\$ 162,000.00	\$ 162,000.00		\$ -	1	\$ 162,000.00
3-A	10" PRECAST CONCRETE SHEET PILES	9715 S.F.	\$ 92.00	\$ 893,780.00		\$ -	9,715	\$ 893,780.00
3-B	REMOVAL OF BURIED DEBRIS	200 C.Y.	\$ 100.00	\$ 20,000.00		\$ -	200	\$ 20,000.00
3-C	16"x16" PRECAST CONCRETE BULKHEAD PILING	3353 L.F.	\$ 153.00	\$ 513,009.00		\$ -	3,353	\$ 513,009.00
3-D	18"x18" PRECAST CONCRETE BULKHEAD PILING (WITH ADDITIONAL DRIVING)	35 L.F.	\$ 250.00	\$ 8,750.00		\$ -	35	\$ 8,750.00
3-E	16"x16" PRECAST CONCRETE BULKHEAD PILING (WITHOUT ADDITIONAL DRIVING)	35 L.F.	\$ 200.00	\$ 7,000.00		\$ -	35	\$ 7,000.00
4-A	CAST IN PLACE CONCRETE PILE CAP	188 C.Y.	\$ 1,593.00	\$ 299,484.00		\$ -	188	\$ 299,484.00
4-B	CAST IN PLACE STEM WALL	38 C.Y.	\$ 1,225.00	\$ 46,550.00		\$ -	38	\$ 46,550.00
5-A	CLEAN SAND FILL, AH, LVM	2000 C.Y.	\$ 35.00	\$ 70,000.00		\$ -	2,000	\$ 70,000.00
5-B	RIP RAP, LVM	385 C.Y.	\$ 170.00	\$ 65,450.00		\$ -	385	\$ 65,450.00
310-A	15" REINFORCED CONCRETE PIPE	72 L.F.	\$ 170.00	\$ 12,240.00		\$ -	72	\$ 12,240.00
320-A	CATCH BASIN, SS-2 TYPE	2 L.F.A.	\$ 9,000.00	\$ 18,000.00		\$ -	2	\$ 18,000.00
500-B	BORROW EXCAVATION, AH, LVM, CLASS B-3	205 C.Y.	\$ 35.00	\$ 7,175.00		\$ -	205	\$ 7,175.00
500-C	GEOTEXTILE FABRIC, TYPE V	135 S.Y.	\$ 10.00	\$ 1,350.00		\$ -	135	\$ 1,350.00
510-A	8" CRUSHED LIMESTONE ROAD BASE	505 S.Y.	\$ 49.00	\$ 24,745.00		\$ -	505	\$ 24,745.00
510-B	2" HOT BITUMINOUSPAVEMENT, SURFACE COURSE (5T-12.5 MM MIX)	505 S.Y.	\$ 36.00	\$ 18,180.00		\$ -	505	\$ 18,180.00
510-C	REINFORCED CONCRETE PAVEMENT	605 S.Y.	\$ 120.00	\$ 72,600.00		\$ -	605	\$ 72,600.00
510-D	CONCRETE CURB AND GUTTER INSTALLATION OR RESTORATION	200 L.F.	\$ 56.00	\$ 11,200.00		\$ -	200	\$ 11,200.00
CO1-1	REMOBILIZATION FOR ADDITL TEST PILE	1 L.S.	\$ 5,436.00	\$ 5,436.00		\$ -	1	\$ 5,436.00
CO1-2	SUPPORT PILE DRIVING ANALYZING TEST FOR ADDITL TEST PILE	1 L.S.	\$ 6,356.00	\$ 6,356.00		\$ -	1	\$ 6,356.00
CO1-3	PILE CUT-OFF AND DRILLING DOWEL HOLES	1 L.S.	\$ 892.00	\$ 892.00		\$ -	1	\$ 892.00
CO1-4	ADDITIONAL RESTRIKE (UP TO 72 HOURS AFTER PDA TEST)	D DAY	\$ 4,200.00	\$ -		\$ -	0	\$ -
CO1-5	ADDITIONAL RESTRIKE STAND-BY (MORE THAN 72 HOURS AFTER PDA TEST)	D DAY	\$ 2,364.00	\$ -		\$ -	0	\$ -
CO2-1	EASTERN BULKHEAD - ADDITIONAL TEST PILE INSTALL & RESTRIKE	D EA.	\$ 34,297.50	\$ -		\$ 68,595.00	2	\$ 68,595.00
TOTAL CHANGE ORDER AMOUNTS				\$ 2,584,197.00		\$ 68,595.00		\$ 2,652,792.00

EJCDC No. C-941 (2002 Edition)
Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the
Associated General Contractors of America and the Construction Specifications Institute

**Minutes of November 21, 2023
Mayor and Board of Aldermen**



J.E. BORRIES, INC.
16701 HWY 57
VANCLAVE, MS 39685
PHONE: (228) 628-4947
FAX: (228) 628-2251

November 16, 2023

Overstreet & Associates

161 Lameuse Street

Biloxi, MS 39530

ATTN: Mr. David Ball, P.E.

REF: Testing of 14" Prestressed Piles for Long Beach Harbor Eastern Bulkhead

Gentlemen,

J.E. Borries, Inc. proposes to Perform Test Piles in Advance of New Construction at the Long Beach Harbor, Presently at Two Locations on the Proposed Eastern Bulkhead including Assisting Owner Furnished Dynamic Testing Engineer :

- Furnish 2 Each 14" Square Prestressed Test Piles X 65' Long with Jet Tubes
- Survey Locate, Clean Template Area of Rip-Rap & Debris, Deposit on Adjacent Sloped Bank Area
- Set Templates which will Adequately Support the Pile During Installation
- Advance the Pile to an Approximate Tip by Jetting as Directed by the Engineer, Presently assumed to be 20 Feet above Target Tip Elevation
- Assist the Owner's Soils Engineer in Attaching the Dynamic Test Sensors
- Drive as Directed by the Engineer, Assist Soils Engineer in Removal of Sensors and Wait for Restrikes as Directed
- Upon Conclusion of Wait Time, Reset Hammer, Assist with placing Dynamic

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

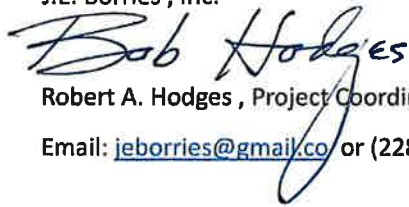
Sensors , Restrike the Pile as Directed , Assist in Sensor Removal
-Upon Results , At Engineer's Direction Remove Test Pile Templates

Cost for these procedures is **\$34,297.50 X 2 Locations = 68,595.00**

Please do not hesitate to call should you have questions .

Thank You ,

J.E. Borries , Inc.



Robert A. Hodges , Project Coordinator

Email: jeborries@gmail.com or (228)669-2626

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

Alderman McCaffrey made motion seconded by Alderman Parker and unanimously carried to approve the following Change Order with DNA Underground for the Trautman Basin Pump Station Improvements, and authorize the Mayor to execute same:



overstreeteng.com
161 Lameuse St. Suite 203
Biloxi, MS 39530
228.967.7137

November 15, 2023

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

**RE: Proposed Change Order 3
Trautman Basin Pump Station Improvements**

Ladies and Gentlemen:

We have attached a proposed change order for the referenced project to add guide rail systems for each pump per Public Works request. Since the design & bid process for this project, Public Works has expressed a desire to install guide rails on all pump stations to facilitate simpler maintenance of the stations. This Change order would result in a net increase of \$13,500.00 to the current contract amount.

We recommend the approval of this change order, which also includes an 18-calendar day contract time adjustment for material supply delays, and the installation of the guide rail systems.

Sincerely,

David Ball, P.E.

DB:1106
Attachment

Minutes of November 21, 2023 Mayor and Board of Aldermen

Change Order
No. 3

Date of Issuance: 11/9/2023 Effective Date: 11/21/2023

Project:	Owner:	City of Long Beach	Owner's Contract No.:
Contract:	Trautman Basin Wastewater Improvements		Date of Contract:
Contractor:	DNA Underground		Engineer's Project No.:
			1106

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

Description:

1. Add a pay item for installation of a guide rail system for each pump, per a request by Public Works.
2. Addition of 18 calendar days to contract time, in recognition of events outside of Contractor's control which caused delays in material supply and performance of the work, as well as the additional scope of work.

Attachments: (List documents supporting change):

- 1 Contractor's request

CHANGE IN CONTRACT PRICE:

Original Contract Price:
\$976,900.00

(Increase) in Contract Price from previous Change Orders No. 1 to No. 2
\$75,530.00

Contract Price prior to this Change Order:
\$1,052,430.00

(Increase) in Contract Price due to this Change Order:
\$13,500.00

Revised Contract Price incorporating this Change Order:
\$1,065,930.00

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working Days 210 Calendar days
Substantial completion (days or date): 12/29/2023
Ready for final payment (days or date): _____

Change In Contract Time from previous Change Orders No. 1 to No. 2
Substantial completion (days or date): 30
Ready for final payment (days or date): _____

Contract Times prior to this Change Order:
Substantial completion (days or date): 1/28/2024
Ready for final payment (days or date): _____

(Increase) in Contract Time due to this Change Order:
Substantial completion (days or date): 18
Ready for final payment (days or date): _____

Contract Times incorporating this Change Order:
Substantial completion (days or date): 2/15/2024
Ready for final payment (days or date): _____

RECOMMENDED:
(ENGINEER)

By: 

Date: 11/13/2023

ACCEPTED:
(CONTRACTOR)

By: 

Date: 11/15/23

ACCEPTED:
(OWNER)

By: 

Date: 11-22-23

Minutes of November 21, 2023
Mayor and Board of Aldermen

PROJECT NO. 1106

3

ATTACHMENT TO CHANGE ORDER NUMBER

NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	REVISED CONTRACT QUANTITY	REVISED CONTRACT AMOUNT
BASE BID								
10-A	MOBILIZATION	100%	\$75,000.00	\$75,000.00	0%	\$0.00	100%	\$75,000.00
200-A	8" SEWER FORCE MAIN	2,400 LF	\$42.00	\$100,800.00	0	\$0.00	2,400	\$100,800.00
200-B	DUCTILE IRON FITTINGS	1.25 TON	\$10,000.00	\$12,500.00	0	\$0.00	1.25	\$12,500.00
200-C	CONNECT FORCE MAIN TO EXISTING SEWER MANHOLE	1 EA	\$8,000.00	\$8,000.00	0	\$0.00	1	\$8,000.00
201-A	MOBILIZATION FOR HOD	3 EA	\$2,000.00	\$6,000.00	0	\$0.00	3	\$6,000.00
201-B	10" HDPE FORCE MAIN (HOD METHOD)	780 LF	\$125.00	\$97,500.00	0	\$0.00	780	\$97,500.00
210-A	PUMP STATION - STRUCTURAL COMPONENTS	100%	\$140,000.00	\$140,000.00	0%	\$0.00	100%	\$140,000.00
210-B	PUMP STATION - ELECTRICAL COMPONENTS	100%	\$15,000.00	\$15,000.00	0%	\$0.00	100%	\$15,000.00
210-C	PUMP STATION - MECHANICAL COMPONENTS	100%	\$125,000.00	\$125,000.00	0%	\$0.00	100%	\$125,000.00
210-D	PUMP STATION - SITE WORK	100%	\$25,000.00	\$25,000.00	0%	\$0.00	100%	\$25,000.00
220-A	CONVERT EXISTING PUMP STATION	100%	\$12,000.00	\$12,000.00	0%	\$0.00	100%	\$12,000.00
220-B	CONVERT EXISTING GRINDER STATION	100%	\$11,000.00	\$11,000.00	0%	\$0.00	100%	\$11,000.00
230-A	8" GRAVITY SEWER PIPE	73 LF	\$80.00	\$5,840.00	0	\$0.00	73	\$5,840.00
230-B	12" GRAVITY SEWER PIPE	68 LF	\$75.00	\$5,100.00	0	\$0.00	68	\$5,100.00
230-C	CONNECT TO EXISTING SEWER MANHOLE	2 EA	\$5,000.00	\$10,000.00	0	\$0.00	2	\$10,000.00
500-A	PIPE BEDDING/PIPE FOUNDATION MATERIAL	150 CY	\$85.00	\$12,750.00	0	\$0.00	150	\$12,750.00
500-B	SELECT SANDY BACKFILL	1,000 CY	\$16.00	\$16,000.00	0	\$0.00	1,000	\$16,000.00
500-C	GEOTEXTILE FABRIC	500 SY	\$4.00	\$2,000.00	0	\$0.00	500	\$2,000.00
510-A	8" LIMESTONE ROAD BASE	350 SY	\$30.00	\$10,500.00	0	\$0.00	350	\$10,500.00
510-B	HOT BITUMINOUS PAVEMENT SURFACE COURSE (12.5 MM MIN)	40 TON	\$300.00	\$12,000.00	0	\$0.00	40	\$12,000.00
510-C	HOT BITUMINOUS PAVEMENT BASE COURSE (19 MM MIN)	100 TON	\$80.00	\$8,000.00	0	\$0.00	100	\$8,000.00
510-D	SAWCUT JOINT	900 LF	\$3.00	\$2,700.00	0	\$0.00	900	\$2,700.00
510-E	VEGETATIVE COVER	2,400 SY	\$3.00	\$7,200.00	0	\$0.00	2,400	\$7,200.00
510-F	SOLID SOO	50 SY	\$15.00	\$750.00	0	\$0.00	50	\$750.00
510-G	CONCRETE DRIVE RESTORATION	20 SY	\$75.00	\$1,500.00	0	\$0.00	20	\$1,500.00
510-H	GRANULAR CURB & GUTTER RESTORATION	80 LF	\$60.00	\$4,800.00	0	\$0.00	80	\$4,800.00
510-I	MISCELLANEOUS RESTORATION	100%	\$8,000.00	\$8,000.00	0%	\$0.00	100%	\$8,000.00
510-J	ADJUST 8" WATER MAIN	0% LF	\$10,000.00	\$0.00	0%	\$0.00	0%	\$0.00
520-A	MAINTENANCE OF TRAFFIC	100%	\$25,000.00	\$25,000.00	0%	\$0.00	100%	\$25,000.00
530-A	STORMWATER MANAGEMENT	100%	\$12,000.00	\$12,000.00	0%	\$0.00	100%	\$12,000.00
CO1-1	REROUTE OF 8" AND 6" WATER MAINS	100%	\$65,000.00	\$65,000.00	0%	\$0.00	100%	\$65,000.00
CO1-2	ADDITIONAL UTILITY LOCATION SERVICES	15 HR	\$500.00	\$7,500.00	0	\$0.00	15	\$7,500.00
CO2-1	ADDITIONAL LINE STOP REQUIRED FOR EXIST. WATER MAIN RELOCATE	100%	\$6,750.00	\$6,750.00	0%	\$0.00	100%	\$6,750.00
CO3-1	INSTALLATION OF GUIDE RAIL SYSTEM	0% LF	\$13,500.00	\$0.00	100%	\$13,500.00	100%	\$13,500.00
				\$875,380.00				\$875,380.00
TOTAL BASE BID				\$875,380.00		\$13,500.00		\$888,880.00
ALTERNATE BID 1: PINEVILLE RD & RAILROAD INTERSECTION IMPROVEMENTS								
310-A	15" HDPE CULVERT	104 LF	\$50.00	\$5,200.00	0	\$0.00	104	\$5,200.00
320-A	CONNECT TO EXISTING DRAINAGE STRUCTURE	1 EA	\$5,000.00	\$5,000.00	0	\$0.00	1	\$5,000.00
320-B	NEW DRAINAGE STRUCTURE (55-2 TYPE)	1 EA	\$10,000.00	\$10,000.00	0	\$0.00	1	\$10,000.00
500-A	PIPE BEDDING/PIPE FOUNDATION MATERIAL	15 CY	\$85.00	\$1,275.00	0	\$0.00	15	\$1,275.00
500-B	SELECT SANDY BACKFILL	50 CY	\$16.00	\$800.00	0	\$0.00	50	\$800.00
510-A	8" LIMESTONE ROAD BASE	165 SY	\$30.00	\$4,950.00	0	\$0.00	165	\$4,950.00
510-B	HOT BITUMINOUS PAVEMENT SURFACE COURSE (12.5 MM MIN)	155 TON	\$300.00	\$46,500.00	0	\$0.00	155	\$46,500.00
510-C	HOT BITUMINOUS PAVEMENT BASE COURSE (19 MM MIN)	45 TON	\$300.00	\$13,500.00	0	\$0.00	45	\$13,500.00
510-E	MILL EXISTING ASPHALT PAVEMENT	380 SY	\$20.00	\$7,600.00	0	\$0.00	380	\$7,600.00
510-F	VEGETATIVE COVER	530 SY	\$3.00	\$1,590.00	0	\$0.00	530	\$1,590.00

E/C/D/C No. C-841 (2002 Edition)
Prepared by the Engineers Joint Contract Documents Committee and endorsed by the
Associated General Contractors of America and the Construction Specifications Institute

Minutes of November 21, 2023
Mayor and Board of Aldermen

		CURRENT CONTRACT	UNIT	CURRENT CONTRACT	EXTENSION	REVISED CONTRACT	REVISED CONTRACT
510-J	CONCRETE CURB & GUTTER RESTORATION	450 LF	\$60.00	\$27,000.00	\$0.00	450	\$27,000.00
510-L	MISCELLANEOUS DEMOLITION	100% LS	\$15,000.00	\$15,000.00	\$0.00	100%	\$15,000.00
510-M	MISCELLANEOUS SITE GRADING	100% LS	\$10,000.00	\$10,000.00	\$0.00	100%	\$10,000.00
510-N	INSTALL NEW TRAFFIC POLE & MODIFY EXIST. TRAFFIC SIGNALS	13% LS	\$93,500.00	\$9,355.00	\$0.00	13%	\$4,355.00
511-A	THERMOPLASTIC CONT. YELLOW	1,220 LF	\$8.00	\$9,760.00	\$0.00	1,220	\$9,760.00
511-B	THERMOPLASTIC CONT. WHITE	540 LF	\$8.00	\$4,320.00	\$0.00	540	\$4,320.00
511-C	THERMOPLASTIC DETAIL (ANY COLOR)	850 LF	\$10.00	\$8,500.00	\$0.00	850	\$8,500.00
511-D	THERMOPLASTIC LEGEND (ANY COLOR)	270 5F	\$10.00	\$2,700.00	\$0.00	270	\$2,700.00
TOTAL ALTERNATE BID				\$177,050.00	\$0.00		\$177,050.00

EJCDC No. C-641 (2004 Edition)
Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the
Associated General Contractors of America and the Construction Specifications Institute

Minutes of November 21, 2023
Mayor and Board of Aldermen



Change Order Request 003 – Installation of Pump Base and Guide Rails

Date: November 8, 2023
Attention: David Ball PE
Company: Overstreet & Associates
Location: City of Long Beach Trautman Lift Station

Scope of Work

To install two each, pump mounting bases and guide rail systems for the proposed wet well submersible pumps. An alternate pump was submitted and approved; the original pump was delayed due to supply chain issues.

Pricing

Total Lump Sum Price \$13,500.00

DNA requests an 18-day time extension for this work and reserves the right to request additional days if needed. Please see time extension breakdown.

Supply Chain Delay	10/14/23 to 11/30/23	15 days
Pump Base and Guide Rail Installation		3 days

Tom Rice

**DNA Underground, LLC.
16101 South Swan Road
Gulfport, MS 39503**

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

Alderman McGoey made motion seconded by Alderman Parker and unanimously carried to approve the following Change Order with Bottom 2 Top for N. Jeff Davis Avenue Extension, and authorize the Mayor to execute same:



overstreeteng.com
161 Lameuse St. Suite 203
Biloxi, MS 39530
228.967.7137

November 14, 2023

City of Long Beach
P.O. Box 929
Long Beach, MS 39560

**RE: Proposed Change Order 1
Long Beach N. Jeff Davis Avenue Extension**

Ladies and Gentlemen:

We have attached the first proposed change order for the referenced project for your official review and acceptance. Previously, on Nov. 9, the Board took informal action to approve this change order to allow the modifications to move forward without delay. This Change order would result in a net increase of \$10,403.10 to the current contract amount. A ratification via official Board action is now in order. If you have any questions, please advise.

Sincerely,



David Ball, P.E.

DB:1181
Attachment

Biloxi | Long Beach | Pascagoula | Daphne

O:\docs\1181 LB - N. Jeff Davis Ave. Ext\90 CONSTRUCTION\H-CO'S\2023\114 Recommend CO1.docx Page 1/1

Minutes of November 21, 2023 Mayor and Board of Aldermen

Change Order
No. 1

Date of issuance: 11/13/2023 Effective Date: 11/21/2023

Project:	Owner: <u>City of Long Beach</u>	Owner's Contract No.:
Contract:	<u>Long Beach N. Jeff Davis Avenue Extension</u>	Date of Contract: <u>7/18/2023</u>
Contractor:	<u>Bottom 2 Top</u>	Engineer's Project No.: <u>1181</u>

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

Description:

1. Per the request of the City, additional asphalt and curb and gutter work have been added to visually connect the Quarles House project to the N. Jeff Davis Extension project. This includes additional maintenance of traffic, sawcutting, milling, and various quantity adjustments.

Attachments: (List documents supporting change):

1 Contractor's request.

CHANGE IN CONTRACT PRICE:

Original Contract Price:
\$206,470.91

(Decrease) in Contract Price from previous Change Orders No. n/a to No. n/a
\$0.00

Contract Price prior to this Change Order:
\$206,470.91

(Increase) in Contract Price due to this Change Order:
\$10,403.10

Revised Contract Price incorporating this Change Order:
\$216,874.01

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working Days Calendar days 120
Substantial completion (days or date): 12/11/2023
Ready for final payment (days or date): _____


Change in Contract Time from previous Change Orders No. n/a to No. n/a
Substantial completion (days or date): _____
Ready for final payment (days or date): _____

Contract Times prior to this Change Order:
Substantial completion (days or date): 12/11/2023
Ready for final payment (days or date): _____

Change in Contract Time due to this Change Order:
Substantial completion (days or date): _____
Ready for final payment (days or date): _____

Contract Times incorporating this Change Order:
Substantial completion (days or date): 12/11/2023
Ready for final payment (days or date): _____

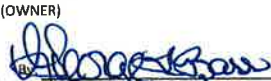
RECOMMENDED:
(ENGINEER)

By: 
Date: 11/13/2023

ACCEPTED:
(CONTRACTOR)

By: Joseph R Ruffeo Jr.
Date: 11/14/2023

ACCEPTED:
(OWNER)

By: 
Date: 11-22-23

Minutes of November 21, 2023 Mayor and Board of Aldermen

ATTACHMENT TO CHANGE ORDER NUMBER	1	PROJECT NO.	1181					
NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	TOTAL CONTRACT QUANTITY	TOTAL CONTRACT AMOUNT
BASE BID								
10-A	MOBILIZATION	1	L.S.	\$21,685.00	\$21,685.00		1	\$21,685.00
20-A	CLEARING AND GRUBBING	1	L.S.	\$10,000.00	\$10,000.00		1	\$10,000.00
200-A	REMOVAL OF EXISTING FORCE MAIN	135	L.F.	\$10.00	\$1,350.00		135	\$1,350.00
200-B	2" STEWER FORCE MAIN	165	L.F.	\$30.70	\$5,065.50		165	\$5,065.50
200-C	ADJUST SEWER MANHOLE	1	L.S.	\$825.00	\$825.00		1	\$825.00
201-A	ADJUST WATER SERVICE	1	EA	\$188.10	\$188.10		1	\$188.10
201-B	RELOCATE FIRE HYDRANT	1	L.S.	\$3,720.53	\$3,720.53		1	\$3,720.53
210-A	15" RCP CULVERT	185	L.F.	\$45.30	\$7,474.50		185	\$7,474.50
210-A	CURB INLET (TYPE 55-J), 3'-0" INLET	3	EA	\$2,930.00	\$8,790.00		3	\$8,790.00
400-A	REMOVAL OF PAVEMENT	723	S.Y.	\$8.00	\$5,800.00		723	\$5,800.00
400-B	REMOVAL OF CURB AND GUTTER	65	L.F.	\$18.00	\$1,170.00		65	\$1,170.00
400-C	REMOVAL OF FENCE	35	L.F.	\$12.08	\$422.80		35	\$422.80
500-A	EXCESS EXCAVATION, AH, PM	495	C.Y.	\$10.00	\$4,950.00		495	\$4,950.00
500-B	SPOOROW EXCAVATION, AH, LYM, CLASS B9	50	C.Y.	\$10.00	\$500.00		50	\$500.00
500-C	PIPE BEDDING/PIPE FOUNDATION MATERIAL (PM)	35	C.Y.	\$14.00	\$490.00		35	\$490.00
500-D	SELECT SANDY BACKFILL (FM)	50	C.Y.	\$14.00	\$700.00		50	\$700.00
500-E	GEOTEXTILE FABRIC	1,200	S.Y.	\$3.44	\$4,128.00		1,200	\$4,128.00
510-A	8" LIMESTONE ROAD BASE	1,000	S.Y.	\$25.70	\$25,700.00		1,000	\$25,700.00
510-B	HOT BITUMINOUS PAVEMENT (57-12.5 MM MB)	110	TON	\$274.31	\$30,174.10	10	\$2,743.10	\$32,917.20
510-C	CONCRETE DRIVEWAY INSTALLATION OR RESTORATION	150	S.Y.	\$77.00	\$11,550.00		150	\$11,550.00
510-D	CONCRETE CURB & GUTTER INSTALLATION OR RESTORATION	100	L.F.	\$17.60	\$1,760.00	150	\$2,640.00	\$4,400.00
510-E	CONCRETE ROLL-OVER CURB INSTALLATION	160	L.F.	\$17.60	\$2,816.00		160	\$2,816.00
510-F	8" LIMESTONE DRIVEWAY RESTORATION OR INSTALLATION	50	S.Y.	\$25.70	\$1,285.00		50	\$1,285.00
510-G	VEGETATIVE COVER	100	S.Y.	\$7.75	\$775.00		100	\$775.00
510-H	SOLID SO2	20	S.Y.	\$12.20	\$244.00		20	\$244.00
511-A	THERMOPLASTIC LEGEND (ANY COLOR)	40	S.Y.	\$11.50	\$460.00		40	\$460.00
511-B	TRAFFIC SIGNS	1	L.S.	\$2,700.18	\$2,700.18		1	\$2,700.18
530-A	MAINTENANCE OF TRAFFIC	1	L.S.	\$6,000.00	\$6,000.00		1	\$6,000.00
530-A	STORM WATER MANAGEMENT	1	L.S.	\$6,000.00	\$6,000.00		1	\$6,000.00
2811-A	8' CHAIN LINK FENCE WITH PRIVACY SLATS	270	L.F.	\$67.10	\$18,117.00		270	\$18,117.00
CO-1	MILL OUT	0	L.S.	\$1,020.00	\$0.00	1	\$1,020.00	\$1,020.00
CO-2	SAW CUT	0	L.F.	\$10.00	\$0.00	150	\$1,500.00	\$1,500.00
CO-3	TRAFFIC CONTROL	0	L.S.	\$2,500.00	\$0.00	1	\$2,500.00	\$2,500.00
TOTAL BASE BID					\$199,160.91		\$10,483.10	\$216,874.01
ALTERNATE BID 1 SCHEDULE								
200-C	LOCATE AND ABANDON FORCE MAIN IN-PLACE	135	L.F.	\$54.00	\$7,290.00		135	\$7,290.00
TOTAL CHANGE ORDER AMOUNTS					\$206,450.91		\$10,483.10	\$216,874.01

EJCDC No. C-841 (2002 Edition)
Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the Associated General Contractors of America and the Construction Specifications Institute.

Minutes of November 21, 2023
 Mayor and Board of Aldermen

Bottom 2 Top Construction LLC
 North Jeff Davis
 Contract -
 RFP # - 001
 Item- Mill Out and Saw Cut

	Unit	Unit Cost	Quantity	LABOR	MATERIAL	EQUIPMENT	Sub	TOTAL
SCOPE OF WORK								
Mill Out	LS	\$1,020.00	1.0				\$1,020	\$ 1,020.00
Saw Cut	LF	\$10.00	150.0	\$5		\$5		\$ 1,500.00
Traffic Control	LS	\$2,500.00	1.0	\$2,000.00		\$500		\$ 2,500.00
								\$ -

Base Total \$ 5,020.00

Subtotal \$ 5,020.00

Total \$ 5,020.00

ADD

Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to table Award – Eastern Bulkhead; W.C. Fore Trucking, Inc. until the next meeting on Tuesday, December 5, 2023.

Upon the request of Mayor Bass, Alderman Brown made motion seconded by Alderman Parker and unanimously carried to declare an Executive Session for the transaction of public business, to wit: To seek the legal advice and counsel of the City Attorney in regards to potential litigation.

**Minutes of November 21, 2023
Mayor and Board of Aldermen**

The question having received the affirmative voice vote of all of the Aldermen present and voting, the Mayor declared the motion carried, whereupon the Board entered into Executive Session

* * *

The Meeting resumed in Open Session, whereupon no action was taken.

The Mayor recognized the City Attorney for his report, whereupon no action was required or necessary.

There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman McGoey made motion seconded by Alderman McCaffrey and unanimously carried to adjourn until the next regular meeting in due course.

APPROVED:

Alderman Donald Frazer, At-Large

Alderman Patrick Bennett, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Angie Johnson, Ward 3

Alderman Timothy McCaffrey, Jr., Ward 4

Alderman Mike Brown, Ward 5

Alderman Pete L. McGoey, Ward 6

Date

ATTEST:

Kini Gonsoulin, Deputy City Clerk