

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

MUNICIPAL DOCKET
REGULAR MEETING OF FEBRUARY 6, 2024
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. January 16, 2024 Regular
 - 2. PLANNING & DEVELOPMENT COMMISSION
 - a. January 25, 2024 Regular
 - b. Appeal – Steve McNally; Certificate of Resubdivision, Alan Simmons, 6005, 6011 & 6015 Daugherty Road, Planning Commission Meeting 01/11/24
- VIII. APPROVE DOCKET OF CLAIMS NUMBER(S):
 - 1. 020624
- IX. UNFINISHED BUSINESS
- X. NEW BUSINESS
 - 1. Special Event App – LB Community Development; Snow Wonderland
 - 2. Special Event App, Fee & Ins. Waiver Request – Batman’s Animal Rescue Foundation; Dog Days of Winter
 - 3. Resignation – Library Board; Christine McCummins
 - 4. Appoint School Board Trustee
 - 5. Appoint Gulf Regional Planning Commission Board Member
 - 6. Grant Award & Agreement – MS Library Commission; Children’s Development
 - 7. Grant Application – HUD; Gateway Project
 - 8. Grant Application – NRCSS; Nicholson Ave. Drainage
 - 9. Ordinance 668 – Cemetery Amendment
 - 10. Ordinance 669 – Sidewalk Amendment
 - 11. Special Event Policy Revisions – Alderman Frazer
 - 12. Harbor Signage Discussion – Alderman Brown
 - 13. Striping on Jeff Davis Ave. – Alderman Brown
 - 14. Removal of 2 Pecan Trees on Leisha Drive
 - 15. Slab at St. Patrick’s Park – Alderman Bennett
 - 16. Contract Amendment – Long Beach Improvements; Andercorp, LLC
- XI. DEPARTMENTAL BUSINESS
 - 1. MAYOR’S OFFICE
 - 2. PERSONNEL
 - a. Fire Dept – Resignation (1); New Hire (1); Part-Time Hire (7)
 - 3. CITY CLERK
 - a. Award Newspaper Publication 2024
 - 4. FIRE DEPARTMENT
 - 5. POLICE DEPARTMENT
 - a. Commercial Security Agreement – All Safe Technologies; Camera System
 - 6. ENGINEERING
 - a. Award – N Lang Lift Station Improvements; LJ Construction
 - b. 2024 TIP Funding Request
 - c. Clower/Kuyrkendall Lift Station Improvements
 - 7. PUBLIC WORKS
 - 8. RECREATION
 - 9. BUILDING OFFICE
 - 10. MUNICIPAL COURT
 - 11. HARBOR
 - 12. COMMUNITY AFFAIRS
 - 13. DERELICT PROPERTIES
 - a. Schedule Public Hearing – 320 E Beach Blvd; Assessed to Baywatch Suites, Inc.
 - b. Schedule Public Hearing – 0 Old Savannah Dr; Assessed to NCH Construction LLC
 - c. Schedule Public Hearing – 212 White Harbor Rd; Assessed to Sarah Barnes
 - d. Schedule Public Hearing – 203 James Dr; Assessed to James M. Cockrell
 - e. Schedule Public Hearing – 21088 Pineville Rd; Assessed to John & Mary Bissell
- XII. REPORT FROM CITY ATTORNEY
- XIII. ADJOURN (OR) RECESS

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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 first Tuesday in February, 2024, 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.

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, Bernie Parker, Angie Johnson, 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.

Alderman Frazer made motion seconded by Alderman McGoey and unanimously carried to approve the Regular minutes of the Mayor and Board of Aldermen dated January 16, 2024, as submitted.

Alderman McGoey made motion seconded by Alderman McCaffrey and unanimously carried to approve the Regular minutes of the Planning & Development Commission dated January 25, 2024, as submitted.

There came on for discussion the following Appeal – Steve McNally; Certificate of Resubdivision submitted by Alan Simmons for 6005, 6011 and 6015 Daugherty Road on Planning Commission Meeting dated 01/11/24, whereupon Mayor Bass recognized City Attorney Steve Simpson. Attorney Simpson apprised the Board of a property dispute between Mr. Steve McNally and Mr. Alan Simmons for 6011 Daugherty Road that is currently in litigation at Harrison County Chancery Court. Upon the recommendation of City Attorney Steve Simpson, Alderman Bennett made motion seconded by Alderman McGoey to amend the minutes of the Mayor and Board of Aldermen meeting dated January 16, 2024 to approve the minutes of the Planning & Development Commission dated January 11, 2024 with the exception of New Business item #1 Certificate of Resubdivision – 6005, 6011 and 6015 Daugherty Road, Tax Parcels 0511H-03-006.000, 0511H-03-007.000, and 0511H-03-008.000 submitted by Alan J. Simmons and to issue a stop work order for the building currently being erected by Mr. Simmons on 6011 Daugherty Road. After further discussion and input from both Mr.

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Simmons and Mr. Owen McNally, counsel for Steve McNally, Alderman Brown offered a substitute motion seconded by Alderman McGoey to amend the minutes of the Mayor and Board of Aldermen meeting dated January 16, 2024 to approve the minutes of the Planning & Development Commission dated January 11, 2024 with the exception of New Business item #1 Certificate of Resubdivision – 6005, 6011 and 6015 Daugherty Road, Tax Parcels 0511H-03-006.000, 0511H-03-007.000, and 0511H-03-008.000 submitted by Alan J. Simmons until the Chancery Court rules on the property dispute case and note for the record that Mr. Simmons wishes to complete the erection of the building on 6011 Daugherty Road with the understanding that this action is at his financial risk and peril. The question being put to a roll call vote, the result was as follows:

Alderman Donald Frazer	voted	Aye
Alderman Patrick Bennett	voted	Aye
Alderman Bernie Parker	voted	Aye
Alderman Angie Johnson	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Pete McGoey	voted	Aye

The question having received the affirmative vote of all of the Aldermen present and voting, the Mayor declared the motion carried.

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January 18, 2024

APPEAL REQUEST



To: Mr. Frank Olaivar, Chairman of the Planning and Development Commission (as per section 3 for appeals) or Ms. Stacy Dahl as directed by Mr. Olaivar, Chairman of the Planning and Development Commission

From: Steve McNally

I am writing this letter to file an appeal to the Mayor and Board of Aldermen of the City of Long Beach, MS. related to the Planning and Development Commission granting a request by Mr. Simmons for a Certificate of Resubdivision for three lots on Daugherty Road on Jan 11, 2024.

Reason 1:

Ownership of one of the parcels, 6011 Daugherty Road, is currently in dispute with a pending lawsuit in Chancery Court with Judge Persons. Mr. Pat Sheehan attorney at law is my legal representative in this dispute related to a tax sale purchase by Mr. Simmons. I am asserting that the tax sale is void because I am the successor in interest from the prior owner. If someone were to look up this parcel on the Harrison County GIS map, they would find Stephen McNally listed as the owner on the Land roll information. I include a letter from Patrick A. Sheehan with this letter.

Reason 2:

There is current litigation between myself and Mr. Simmons and AJS Properties. Mr. Simmons' property surface (6005 Daugherty) is now 70% impervious* and has been elevated one foot by him for his 16,000 sq ft. parking lot. This change to his property has created an excessive flow of water from his property to mine. I have photos and video to document this that I would like to make available. The Long Beach Storm Water Management Ordinance should in my opinion have prevented this by addressing the consequences of construction, paving and elevation during the building of Mr. Simmons new business, but it has not, forcing me to seek assistance in court. My concern with the resubdivision is the increased size of the parcel will naturally make the % of impervious surface less, but it will not change the reality of the water flow. It might give the appearance that Mr. Simmons was complying without correcting the continuing problem.

My property value and use is being destroyed. Failing to enforce current standards lends the impression that the city is favoring Mr. Simmons. My strongest visual shows water from Mr. Simmons' properties surrounding my barn on all four sides denying me access to the construction materials and tools stored in the barn.

I have always planned to build a subdivision on the 11 acres that is being flooded by Mr. Simmons. There are two subdivisions plots dated 1988 and 12/23/2023 and we are evaluating the costs of this project now. I cannot build this subdivision when one third of this property continues to be flooded with surface water by Mr. Simmons.

In addition to the visuals, I commissioned an engineering study with Mr. Duke Levi PE. Mr. Gundlach and Mr. Simpson were provided with a copy of Mr. Tully Rhodes PE's report* documenting

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this on May 20, 2022. This supports my claims, and I would be appreciative if you would consider these facts before passing the resubdivision.

Mr. Simmons continues to add more impervious surface areas to his properties and this occurred as recently as January 9, 2024. As mentioned above an up dated engineering study is in the works and should be completed in the near future.

Sincerely,


Steve McNally

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429 Porter Avenue
Ocean Springs, MS 39564
Tel: 228-875-0572
Fax: 228-875-0895

Sheehan & Ramsey

Attorneys
Patrick A. Sheehan
Michael T. Ramsey
Drew Jones

January 11, 2024

Planning & Development Commission
201 Jeff Davis Avenue
Long Beach, MS 39560

RE: Certificate of Re-subdivision – 6005, 6011 and 6025 Daugherty Road
Tax Parcels: 0511H-03-006.000;
0511H-03-007.000;
0511H-03-008.000;
Agenda for January 11, 2024

Dear Commissioners:


This letter is in support of the objection of my client, Stephen McNally to the proposed re-subdivision before the commission as to Parcel No. 0511H-03-008.000 (6015 Daugherty Road). The ownership of Parcel No. 0511H-03-008.000 is in dispute, which is the subject matter of a lawsuit now pending in the Chancery Court of Harrison County, First Judicial District, in Case Number 24CH1:21-cv-00180-JP.

In that suit Mr. McNally has challenged the validity of a tax sale through which Alan J. Simmons claims title to Parcel No. 0511H-03-008.000. Mr. McNally has asserted that that tax sale is void and that he, as the successor in interest to the prior owner is the legal owner of said parcel. Mr. McNally is shown as the owner of Parcel No. 0511H-03-008.000 in the Landroll published by the County (copy attached). Mr. McNally objects to inclusion of Parcel No. 0511H-03-008.000 in the proposed re-subdivision.

The Chancery Court has the matter under advisement, and we would request that the re-subdivision request from Mr. Simmons be denied or tabled pending resolution of title to the property by the Court.

Very truly yours,

SHEEHAN & RAMSEY, PLLC



PATRICK A. SHEEHAN

/drl
Enclosures

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Steve McNally
20073 Commission Road
Long Beach MS 39560

January 11, 2024

Planning and Development Commission
201 Jeff Davis Avenue
Long Beach MS 39560

Members of the Commission:

AJS Properties, and Alan Simmons undertook development of a metal storage building and approximately 16,000 sq ft parking lot at 6005 Daugherty Road in the last two years. Due to this development the impervious surface area of 6005 Daugherty Rd increased from 7% to 70% as defined in the City of Long Beach Unified Land Use Ordinance. The Storm Water Management Ordinance currently applies to 6005 Daugherty Rd. Mr. Tully Rhodes, P.E. was retained in a civil lawsuit filed against AJS Properties and Mr. Simmons. Mr. Rhodes determined AJS Properties and Alan Simmons are wrongfully discharging surface water from 6005 Daugherty to my property.

Mr. Simmons request to combine the three properties is intended to avoid enforcement of the Long Beach Storm Water Management Ordinance. This is evident as he is seeking to merge only three of the four contiguous properties at the 6005 Daugherty Property. The fourth property that he owns is a large metal building, a large parking lot and driveway. It is also the most similar property in character and use to 6005 Daugherty Rd, and is also owned by AJS Properties, not Mr. Simmons personally, but it likely has an impervious surface area which would defeat the purpose of his petition, which is an extension of ongoing litigation related to Mr. Simmons wrongful disposal of his surface waters.

As stated in the Hon. Patrick Sheehan's letter, Mr. Simmon's request should be denied as he does not have clear ownership of all three parcels. This is a minimum threshold. The Commission should not disturb the status quo while lawsuits are pending. The grant of Mr. Simmons request will delay resolution, complicate the issues, and increase costs.

If the Commission is unpersuaded, and looks favorably upon Mr. Simmons petition for merger, I request the Commission grant conditional approval upon Mr. Simmon's production of a drainage plan prepared by a professional engineer that controls his surface water as set out in the Stormwater Management Ordinance and upon inclusion of all contiguous parcels owned by Mr. Simmons or AJS Properties. An additional public hearing for comment and consideration of the drainage plan and its proposed methods and structures of preventing harm to neighboring properties would be necessary to comply with due process.


Steve McNally

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1/11/24, 8:20 AM

Harrison County Online Services and Information

2022 Landroll Information				
MCNALLY STEPHEN 20073 COMMISSION RD LONG BEACH, MS 39560 Physical Street Address: 6011 DAUGHERTY RD				
Parcel #:	PPIN	Tax District	Homestead Exp.	Judicial Dist.
0511H-03-008.000	36930	3L		1
Supervisor District:		Subdivision:		
3				
Exemption Code				
Non-Exempt				
Section	Township	Range		
03	08	12		
Instrument Number(s)				
2021-0013284-D-J1, 2021-0013283-D-J1, 2021-0013282-D-J1, 2021-0003374-D-J1, 2013-0004713-D-J1, 2013-0004586-D-J1, 2010-0007175-D-J1, 1575/0493, 1511/0309, 1312/0267, 0861/0567				
Acres	Land Value	Improvements	Total Value	Assessed Value
0	18000	0	18000	2700 0 / 2700
Legal Description				
105 X 191 W OF DAUGHERTY RD IN THE W1/2 OF SE1/4 SEC 3-8-12				

harrison2.co.harrison.ms.us/realproperty/results.asp?ppin=36830&year=2022

1/2

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**IN THE CHANCERY COURT OF HARRISON COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT**

ALAN J. SIMMONS

PLAINTIFF

vs.

CAUSE NO. 21-180-(1)

**ATTORNEY GENERAL LYNN FITCH;
DISTRICT ATTORNEY, CROSBY PARKER;
HARRISON COUNTY, MISSISSIPPI;
DYER ENTERPRISES, LLC; JACKIE OWENS;
AND ANY AND ALL PERSONS OR ENTITIES
HAVING OR CLAIMING A LEGAL OR EQUITABLE
CLAIM OR INTEREST IN THE FOLLOWING
DESCRIBED PROPERTY PREVIOUSLY SOLD
ON OR ABOUT AUGUST 30, 2010
FOR DELINQUENT 2009 HARRISON COUNTY
PROPERTY TAXES:**

DEFENDANTS

LIS PENDENS NOTICE

TO THE CLERK OF THE CHANCERY COURT OF HARRISON COUNTY, MISSISSIPPI

I.

YOU ARE HEREBY notified that, on the 25th day of January, 2021, a Complaint was filed in the Chancery Court of Harrison County, Mississippi, First Judicial District in the above styled and numbered cause, seeking confirmation of a tax title to the following described real property located in the First Judicial District of Harrison County; *VIZ*:

Commencing at the SE corner of the SW ¼ of the SE ¼ of Section 3, Township 8 South, Range 12 West, Harrison County, Mississippi, and running thence North along the East line of the forty acre tract 312.5 feet, running thence West 218 feet to the Point of Beginning, continuing thence West 198 feet, running thence North 105 feet, running thence East 198 feet, running thence South 105 feet to the Point of Beginning.

Tax Parcel No. 0511H-03-008.000.

INDEX: T8S-R12W, Section 3, SW1/4 of SE1/4

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J.P.L. 1st JUDICIAL DISTRICT
Instrument 2022-0026830-G-J1
Filed/Recorded 10/26/2022 10:03:01 A
Total Fees 26.00
3 Pages Recorded

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On March 8, 2021 a judgment was entered in favor of the Plaintiff. On September 8, 2021, a *Motion to Vacate* the judgment was under Rule 60(b) Mississippi Rules of Civil Procedure.

The following are the names of the parties to said action:

- a) Alan J. Simmons, Plaintiff,
- b) Attorney General Lynn Fitch; District Attorney, Crosby Parker; Harrison County, Mississippi; Dyer Enterprises, LLC; Jackie Owens – Defendants,
- c) Steven McNally, interested party and Movant in Rule 60(b) *Motion to Vacate Judgment*

II.

The nature of the suit as it relates to the above described real property is that it seeks to vacate a Judgment Confirming Title in the Plaintiff, and vesting title in the Movant.

PLEASE enter this Notice in the *Lis Pendens* records, pursuant to §11-47-3 of the Mississippi Code.

RESPECTFULLY SUBMITTED, this the 25th day of October, 2022.

STEPHEN MCNALLY

/s/ Patrick A. Sheehan
Patrick A. Sheehan

Sheehan & Ramsey, PLLC
429 Porter Avenue
Ocean Springs, MS 39564
(228) 875-0572 / (228) 875-0895
MS Bar No. 6747



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STATE OF MISSISSIPPI
COUTNY OF JACKSON

I hereby certify on this day before a Notary Public duly authorized to take acknowledgements in the aforesaid state and county, personally appeared before me, Patrick A. Sheehan, known to me to be the person who executed the attached Lis Pendens Notice, and he acknowledged before me that, being informed of the contents of the same, he voluntarily executed said notice on the date and year therein stated.

WITNESS MY SIGNATURE AND OFFICIAL SEAL OF OFFICE, this the 25th day of October, 2022.



Donald Langlais
NOTARY PUBLIC

Alderman McGoey made motion seconded by Alderman Brown and unanimously carried to approve payment of invoices listed in Docket of Claims number 020624.

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Alderman Johnson made motion seconded by Alderman Brown and unanimously carried to approve the following Special Event Application submitted by Long Beach Community Development Association for Snow Wonderland (Sea Santa Sail-a-Bratton):

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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: 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: Long Beach Community Develop

Organization Address: PO Box 1352

Organization Agent: Sheida Jones Title: President LBCDA

Phone: 228-380-6851 Home _____ Cell 228-380-6851 During Event

Agent's Address: 11 Partridge Place

Agent's E-Mail Address: slaj0657@aol.com

Event Name: Sea Santa Sail-a-bration (Snow Wonderland)

Please give a brief description of the proposed special event:

This is a continuation of sea Santa sail-a-bration.
The snow & globe could not be used because the
back of the town green was flooded.

Event Day (s) & Date (s): 17 February 2024 Event Time (s): 5-7 or 8

Set-Up Date & Time: 4:00 pm Tear-Down Date & Time: 8:00 pm +

Event Location: Harper Mc Caughon Town Green

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

How many years has this event occurred? 10 Sea Santa
Sail-a-bration

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: N/A 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
-not at this time

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's

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.)

N/A

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.

1/12/24
Date

Shelita Jones
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: Snow Wonderland Feb 17 2:00 - 5:00

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

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LONGBEA-04 JBENNETT

CERTIFICATE OF LIABILITY INSURANCE

DATE (MMDDYYYY)
7/18/2023

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 Maury, Donnelly & Parr, Inc. 24 Commerce St. Baltimore, MD 21202	CONTACT PHONE: (410) 685-4625 FAX: (410) 685-3071 ADDRESS:
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INSURED Long Beach Community Development Association PO Box 1332 Long Beach, MS 39560	INSURER(S) AFFORDING COVERAGE INSURER A: American Casualty Co. of Reading, PA NAIC # 20427 INSURER B: Transportation Insurance Company 20494 INSURER C: Great American Insurance Company# 16691 INSURER D: INSURER E: INSURER F:
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COVERAGES **CERTIFICATE NUMBER:** **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.

OVER LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY EFF. DATE (MMDDYYYY)	POLICY EXP. DATE (MMDDYYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER- <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> SPC <input type="checkbox"/> LOC OTHER:	X	6018273475	6/10/2023	6/10/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPXOP AGG. \$ 2,000,000
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/>					COMBINED SINGLE LIMIT (EA accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	X	6020158506	6/10/2023	6/10/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICERS/EMPLOYEES EXCLUDED (See Schedule A for details) If yes, describe under DESCRIPTION OF OPERATIONS below:	Y/N	N/A			E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Directors and Office		EPP4915871	6/10/2023	6/10/2024	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule A, may be attached if more space is required)
 City of Long Beach is listed as an additional insured

CERTIFICATE HOLDER City of Long Beach PO Box 929 Long Beach, MS 39560	CANCELLATION 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
---	--

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Minutes of February 6, 2024
Mayor and Board of Aldermen

12:00 to
Setup
2:00 - 5:00
February 17, 2024
Saturday
5:00pm - 8:00pm
Snow Wonderland
(Sea-Santa Sail-a-Bration)
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):
Long Beach Community Development Association
Telephone Number: 228-387-6851
Home Work Cell
Street Address: 11 Partridge Place
City: Long Beach State: Ms Zip: 39560
Type of Event: Snow Wonderland (continuation of Sea-Santa Sail-a-Bration)
Start Time: 5:00pm 2:00pm
Closing Time: 8:00pm 5:00pm

It is agreed between the City of Long Beach and the permit fee that the named facility is reserved on
17 February 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-fly.

Signature Shelda Jones Date: 1/12/24

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

PLEASE REVIEW THE POLICY AND RETAIN FOR YOUR RECORDS

Minutes of February 6, 2024
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 Ashley Jones, 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 17th day of January, 2024.

Authorized Signature Ashley Jones

Witness [Signature]

Minutes of February 6, 2024 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 be approved 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 Recreation Department.

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

Initial 

Minutes of February 6, 2024
Mayor and Board of Aldermen

Request exception to fees!

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 

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

Alderman Brown made motion seconded by Alderman Johnson and unanimously carried to approve the following Special Event Application submitted by Batman's LBMS Animal Rescue Foundation for Dog Days of Winter and waive all applicable fees:



501c3 Nonprofit Organization Event Fee and Insurance Waiver

Request For

The Dog Days of Winter Event 2024

January 29, 2024

Mayor Bass and Board of Aldermen:

Batman's LBMS Animal Rescue Foundation is a 501c3 Nonprofit Organization in the State of Mississippi. We are formally requesting for an Event Fee and Insurance Waiver for our Fundraising Event the Dog Days of Winter February 17, 2024, from 2pm to 5pm. The event is being held in partnership with SeaSail-a-bration's Winter Wonderland event at Harper McCaughan Town Green. Since Batman's event is a fundraiser only, of which consists of, a silent auction, bake sale, nail trims for fur babies and 2 veterinarians will be onsite to offer free rabies vaccinations and microchips to the community. In return for a small donation to Batman we consider our fundraiser event to be "Low Hazard". All proceeds raised during this event will be earmarked for the LB Police Departments Animal Rescue Dog Building Renovation Project. We humbly request your consideration of the waivers, in our effort to better our community.

Your support is greatly appreciated.

Wendy B Wagner

Founder/President

Batman's Foundation

EIN Number: 84-4279881

Address: 210 S Island View Ave

City, State: Long Beach, MS Zip Code 39560

Minutes of February 6, 2024
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: 1/29/24 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: Batmans LBMS Animal Rescue Foundation

Organization Address: 2105/stand View Ave Long Beach MS

Organization Agent: Wendy Wagner Title: Owner/Member

Phone: 2283461854 Home _____ Cell During Event

Agent's Address: Same as above

Agent's E-Mail Address: BatmansLBMSAnimalRescue@icloud.com

Event Name: Dog Days of Winter

Please give a brief description of the proposed special event:

In partnership w/ Sea Sail celebrations Winter Wonderland Batman was invited to fundraise for LB Dog Building Fund ^{See} Attached _{File}

Event Day (s) & Date (s): 2/17/2024 Event Time (s): 2-5 pm

Set-Up Date & Time: 12:30 - 2 Tear-Down Date & Time: 5pm - 6pm

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

Minutes of February 6, 2024 Mayor and Board of Aldermen

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: N/A Through Date/Time: N/A

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:

N/A

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? N/A Until N/A

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? 50

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

Minutes of February 6, 2024
Mayor and Board of Aldermen

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

NA

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

fundraising Silent Auction +
Bake Sale only

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.

1/29/24
Date

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

Minutes of February 6, 2024
Mayor and Board of Aldermen

Event Title: Dog Days of Winter

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 February 6, 2024
Mayor and Board of Aldermen



Presents



Come join in on the fun as we partner with

SeaSanta Sail-a-bration's

WINTER WONDERLAND

Event on February 17, 2024, from 2-5pm at

Harper McCaughan Town Green 301 Jeff Davis Avenue, Long Beach, MS 39560

Come out and give your dog a mani-pedi. Then head on over to get your dog a rabies vaccination and/or chipped while enjoying baked goods with coffee or hot chocolate!

All Sale Proceeds and Donations Received will Go Directly to Batman's Dog Building Renovation Fund!

A Pet Winter Costume Contest!

A Bake Sale!

Hot Chocolate and Coffee for Sale!

Just look at what we have to offer with a small in-kind donation!

A Silent Auction!

Onsite Microchipping!
(LIMIT 50)

Onsite Rabies Vaccinations!
(LIMIT 500)

Onsite Nail Trims!

Minutes of February 6, 2024
 Mayor and Board of Aldermen



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
 02/02/2024

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 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 Forealte Sports, Inc. DBA: Eventsured 3553 West Chester Pike #418 Newtown Square, PA 19073	CONTACT NAME: Eventsured Customer Service PHONE (A/C, No., Ext): 888-882-5902 FAX (A/C, No.): E-MAIL ADDRESS: info@eventsured.com																				
	<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A:</td> <td>Houston Casualty Company</td> <td>42374</td> </tr> <tr> <td>INSURER B:</td> <td></td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Houston Casualty Company	42374	INSURER B:			INSURER C:			INSURER D:			INSURER E:			INSURER F:	
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INSURER C:																					
INSURER D:																					
INSURER E:																					
INSURER F:																					
INSURED Batman's LBMS Animal Rescue Foundation Wendy Wagner 210 S Island View Ave Long Beach, MS 39560																					

COVERAGES **CERTIFICATE NUMBER:** TM329440 **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	TYPE OF INSURANCE	ADDITIONAL INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENT. AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	Y	H23SE00155/TM329440	02/17/2024 12:01AM	02/18/2024 2:01AM	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 100,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/PROP AGG \$ 1,000,000 DEDUCTIBLE \$ 0
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS HIRED AUTOS SCHEDULED AUTOS NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	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				WC STATUTORY LIMITS: OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insureds must be venue managers or municipalities and are added with respect to our insureds operations only. Waiver of Subrogation (WOS) and Primary & Non-Contributory (PNC) wording applies only when coverage is purchased by the insured, required by written contract and as indicated below. This coverage is with respect to the Dog Show to be held on 02/17/2024 - 02/17/2024 with 1500 attendees at Harper McCaughan Town Green Pavilion 101-199 E 3rd St Long Beach, MS 39560. Additional Insureds include: Harper McCaughan Town Green Pavilion 101-199 E 3rd St Long Beach, MS 39560; City of Long Beach, MS.

CERTIFICATE HOLDER Harper McCaughan Town Green Pavilion 101-199 E 3rd St Long Beach MS, 39560	CANCELLATION 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
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Minutes of February 6, 2024
Mayor and Board of Aldermen

Alderman Parker made motion seconded by Alderman Brown and unanimously carried to accept the following Library Board resignation from Christine McCummins:

Christine L. McCummins
20553 Johnson Rd
Long Beach, MS 39560

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

I am writing to formally notify you that I am resigning my position on the Library Board of Trustees effective immediately.

While I was grateful for the opportunity my responsibilities have changed, and I can no longer adequately serve the board.

Thank you so much for the opportunity to serve Long Beach and the Long Beach Library.

Sincerely,

Christine L. McCummins

Alderman Bennett recused himself from the meeting.

Alderman Brown made motion seconded by Alderman Parker and unanimously carried to re-appoint Thomas Carpenter as a Trustee to the Board of Trustees of the Long Beach School District for a five-year term ending 2/28/2029.

Alderman Bennett returned to the meeting at this time.

Alderman Parker made motion seconded by Alderman Brown and unanimously carried to appoint Mayor George Bass as the City of Long Beach's representative on the Gulf Regional Planning Commission for a three-year term ending 02/28/2027.

Minutes of February 6, 2024 Mayor and Board of Aldermen

Alderman Parker made motion seconded by Alderman Brown and unanimously carried to approve the following Subgrant Award and Agreement from the Mississippi Library Commission for Collection Development 2024 – Children’s Development, and authorize the Mayor to execute same:



IMLS LSTA Funds SUBGRANT AWARD AND AGREEMENT



Starting Date of Subgrant Agreement: 07/01/2023 Closing Date of Subgrant Agreement: 5/31/2024

This agreement is made between the Mississippi Library Commission (MLC) and the Library/Library System named below which shall hereby be known/referred to as the Subgrantee.

SUBGRANTEE: Long Beach Public Library
209 Jeff Davis Avenue
Long Beach, MS 39560

This Subgrant Agreement is made for the following project and amounts:

SUBGRANT: Project Number: **FIA24-25-1** Project Title: **Collection Development 2024 - Children's Development**
Program: **Information Access** Subgrant Award: **\$1,010.92**

Dear Denise,

Congratulations on your LSTA Funds Subgrant award. LSTA funding is being awarded as subgrants to allow funding for libraries to determine what services are best needed in their communities and provide funds for the resources to meet those needs. To accept this subgrant, print out a copy of this award letter and agreement form, sign it, scan it, and then email the scanned copy to grantsprog@mic.lib.ms.us.

This subgrant is made available through the Institute of Museum and Library Services (IMLS), a federal grant-making agency. Federal regulations require a grant file be retained until January 2032, a minimum of three (3) years after the Library Commission submits its final expenditure report. By signing and returning this agreement, you acknowledge that this project is subject to a compliance audit which means a grant folder must be kept at your library, properly labeled with the project number and should contain (at the least):

- Grant application
- Signed copy of the Subgrant Award and Agreement
- Invoices or other payment documentation
- All reimbursement requests and related correspondence (including any emails with MLC which affect the grant)
- Evaluations
- MLC Grant Manual

Important Dates:

- Subgrant funds open July 1, 2023 and close May 31, 2024.
- Application opens July 1, 2023 and closes May 1, 2024.
- Subgrant reimbursement requests received (and approved) by the 10th of each month will be processed for payment in that month. Those received after the 10th (and approved) will process the next month.
- Final date to submit all reimbursement requests is June 10, 2024.

By the Authorized Official for Subgrantee signing below, Subgrantee agrees to accept the award listed above and understands and agrees to adhere to all deadlines listed herein and further agrees and certifies compliance with the points listed above, as well as all information set forth in MLC’s LSTA Program Manual, the Subgrantee’s IMLS LSTA Funds Subgrant Application, and all applicable federal regulations.

Jennifer Lena
Mississippi Library Commission, LSTA Coordinator

January 12, 2024
Date

George Brown
Authorized Official for Subgrantee

2-7-24
Date

Minutes of February 6, 2024 Mayor and Board of Aldermen

Alderman Brown made motion seconded by Alderman Parker and unanimously carried to approve the following Application for Federal Assistance SF-424 with US Department of Housing and Urban Development (HUD) for the Gateway project, and authorize the Mayor to execute same:

OMB Number 4040-0004
Expiration Date: 11/30/2025

Application for Federal Assistance SF-424			
* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s)	
<input type="checkbox"/> Preapplication	<input checked="" type="checkbox"/> New	<input type="text"/>	
<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Continuation	* Other (Specify):	
<input type="checkbox"/> Changed/Corrected Application	<input type="checkbox"/> Revision	<input type="text"/>	
* 3. Date Received:	4. Applicant Identifier:		
<input type="text"/>	<input type="text"/>		
5a. Federal Entity Identifier:		5b. Federal Award Identifier:	
<input type="text" value="B-22-CP-MS-0530"/>		<input type="text"/>	
State Use Only:			
6. Date Received by State: <input type="text"/>		7. State Application Identifier: <input type="text"/>	
8. APPLICANT INFORMATION:			
* a. Legal Name: <input type="text" value="City of Long Beach"/>			
* b. Employer/Taxpayer Identification Number (EIN/TIN):		* c. UEI:	
<input type="text" value="64-6000637"/>		<input type="text" value="V3P3M7MCNMX8"/>	
d. Address:			
* Street1:	<input type="text" value="P.O. Box 929"/>		
Street2:	<input type="text"/>		
* City:	<input type="text" value="Long Beach"/>		
County/Parish:	<input type="text"/>		
* State:	<input type="text" value="MS"/>		
Province:	<input type="text"/>		
* Country:	<input type="text" value="USA: UNITED STATES"/>		
* Zip / Postal Code:	<input type="text" value="39560"/>		
e. Organizational Unit:			
Department Name:		Division Name:	
<input type="text" value="City Clerk's Office"/>		<input type="text"/>	
f. Name and contact information of person to be contacted on matters involving this application:			
Prefix:	<input type="text"/>	* First Name:	<input type="text" value="Kini"/>
Middle Name:	<input type="text"/>		
* Last Name:	<input type="text" value="Gonsoulin"/>		
Suffix:	<input type="text"/>		
Title: <input type="text" value="Deputy City clerk"/>			
Organizational Affiliation: <input type="text"/>			
* Telephone Number: <input type="text" value="228-863-1556"/>		Fax Number: <input type="text"/>	
* Email: <input type="text" value="kini@cityoflongbeachms.com"/>			

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

Application for Federal Assistance SF-424	
* 9. Type of Applicant 1: Select Applicant Type:	<div style="border: 1px solid black; background-color: yellow; padding: 2px;">C. City Government</div>
Type of Applicant 2: Select Applicant Type:	<input style="width: 100%;" type="text"/>
Type of Applicant 3: Select Applicant Type:	<input style="width: 100%;" type="text"/>
* Other (specify):	<input style="width: 100%;" type="text"/>
* 10. Name of Federal Agency:	<div style="border: 1px solid black; background-color: yellow; padding: 2px;">US Department of Housing and Urban Development</div>
11. Catalog of Federal Domestic Assistance Number:	<input style="width: 100%;" type="text" value="14.251"/> CFDA Title: <div style="border: 1px solid black; padding: 2px;">Economic Development Initiative, Community Project Funding, Miscellaneous Grants</div>
* 12. Funding Opportunity Number:	<div style="border: 1px solid black; background-color: yellow; padding: 2px;">FY2022</div>
* Title:	<div style="border: 1px solid black; background-color: yellow; padding: 2px;">CPF</div>
13. Competition Identification Number:	<input style="width: 100%;" type="text"/>
Title:	<input style="width: 100%;" type="text"/>
14. Areas Affected by Project (Cities, Counties, States, etc.):	<div style="border: 1px solid black; padding: 2px; display: flex; align-items: center;"> Hwy 90 & Jeff Davis Ave, Long Beach, MS Add Attachment Delete Attachment View Attachment </div>
* 15. Descriptive Title of Applicant's Project:	<div style="border: 1px solid black; background-color: yellow; padding: 2px;">Gateway Project - Improvements to intersections of Hwy 90 and Jeff Davis Ave. North of Harbor</div>
Attach supporting documents as specified in agency instructions.	
<div style="display: flex; justify-content: space-between;"> Add Attachments Delete Attachments View Attachments </div>	

Minutes of February 6, 2024 Mayor and Board of Aldermen

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant <input style="width: 50px;" type="text" value="4"/>	* b. Program/Project <input style="width: 50px;" type="text" value="4"/>
Attach an additional list of Program/Project Congressional Districts if needed.	
<input style="width: 100%; height: 20px;" type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> 	
17. Proposed Project:	
* a. Start Date: <input style="width: 50px;" type="text" value="03/01/2024"/>	* b. End Date: <input style="width: 50px;" type="text" value="08/31/2030"/>
18. Estimated Funding (\$):	
* a. Federal	<input style="width: 100%; height: 20px;" type="text" value="4,300,000.00"/>
* b. Applicant	<input style="width: 100%; height: 20px;" type="text"/>
* c. State	<input style="width: 100%; height: 20px;" type="text"/>
* d. Local	<input style="width: 100%; height: 20px;" type="text"/>
* e. Other	<input style="width: 100%; height: 20px;" type="text"/>
* f. Program Income	<input style="width: 100%; height: 20px;" type="text"/>
* g. TOTAL	<input style="width: 100%; height: 20px;" type="text"/>
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input style="width: 50px;" type="text"/>	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
<input style="width: 100%; height: 20px;" type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> 	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: <input style="width: 50px;" type="text"/>	* First Name: <input style="width: 100%; height: 20px;" type="text" value="George"/>
Middle Name: <input style="width: 100%; height: 20px;" type="text" value="L."/>	
* Last Name: <input style="width: 100%; height: 20px;" type="text" value="Bass"/>	
Suffix: <input style="width: 100%; height: 20px;" type="text"/>	
* Title: <input style="width: 100%; height: 20px;" type="text" value="Mayor"/>	
* Telephone Number: <input style="width: 50%; height: 20px;" type="text" value="228-863-1556"/>	Fax Number: <input style="width: 50%; height: 20px;" type="text"/>
* Email: <input style="width: 100%; height: 20px;" type="text" value="mayor@cityoflongbeachms.com"/>	
* Signature of Authorized Representative:	* Date Signed: <input style="width: 50px;" type="text" value="2-7-24"/>

Minutes of February 6, 2024 Mayor and Board of Aldermen

Standard Form 1199A
(Rev. February 2020)
Prescribed by Treasury Department
Treasury Dept. Cir. 1078

OMB No. 1530-0006

DIRECT DEPOSIT SIGN-UP FORM

DIRECTIONS

- To sign up for Direct Deposit, the payee is to read the back of this form and fill in the information requested in Sections 1 and 2. Then take or mail this form to the financial institution. The financial institution will verify the information in Sections 1 and 2, and will complete Section 3. The completed form will be returned to the Government agency identified below.
- A separate form must be completed for each type of payment to be sent by Direct Deposit.
- The claim number and type of payment are printed on Government checks. (See the sample check on the back of this form.) This information is also stated on beneficiary/annuitant award letters and other documents from the Government agency.
- Payees must keep the Government agency informed of any address changes in order to receive important information about benefits and to remain qualified for payments.

SECTION 1 (TO BE COMPLETED BY PAYEE)

A NAME OF PAYEE (last, first, middle initial) City of Long Beach		D TYPE OF DEPOSITOR ACCOUNT <input checked="" type="checkbox"/> CHECKING <input type="checkbox"/> SAVINGS	
ADDRESS (street, route, P.O. Box, APO/FPO) P.O. Box 929		E DEPOSITOR ACCOUNT NUMBER 10016454	
CITY Long Beach	STATE MS	ZIP CODE 39560	F TYPE OF PAYMENT (Check only one) <input type="checkbox"/> Social Security <input type="checkbox"/> Supplemental Security Income <input type="checkbox"/> Railroad Retirement <input type="checkbox"/> Civil Service Retirement (OPM) <input type="checkbox"/> VA Compensation or Pension <input type="checkbox"/> Fed. Salary/Mil. Civilian Pay <input type="checkbox"/> Mil. Active <input type="checkbox"/> Mil. Retiree <input type="checkbox"/> Mil. Survivor <input checked="" type="checkbox"/> Other CPF-Grant
TELEPHONE NUMBER AREA CODE 228-863-1556			
B NAME OF PERSON(S) ENTITLED TO PAYMENT B-22-CP-MS-0530		G THIS BOX FOR ALLOTMENT OF PAYMENT ONLY (if applicable)	
C CLAIM OR PAYROLL ID NUMBER Prefix 64-6000637 Suffix		TYPE	AMOUNT
PAYEE JOINT PAYEE CERTIFICATION I certify that I am entitled to the payment identified above, and that I have read and understood the back of this form. In signing this form, I authorize my payment to be sent to the financial institution named below to be deposited to the designated account.		JOINT ACCOUNT HOLDERS' CERTIFICATION I certify that I have read and understood the back of this form, including the SPECIAL NOTICE TO JOINT ACCOUNT HOLDERS.	
SIGNATURE	DATE	SIGNATURE	DATE
SIGNATURE	DATE	SIGNATURE	DATE

SECTION 2 (TO BE COMPLETED BY PAYEE OR FINANCIAL INSTITUTION)

GOVERNMENT AGENCY NAME HUD/Office of CPD	GOVERNMENT AGENCY ADDRESS 451-7th Street, Washington, DC 20410
--	--

SECTION 3 (TO BE COMPLETED BY FINANCIAL INSTITUTION)

NAME AND ADDRESS OF FINANCIAL INSTITUTION HANCOCK WHITNEY BANK 2510 14TH STREET GULFPORT, MS 39501	ROUTING NUMBER 065503681	CHECK DIGIT
	DEPOSITOR ACCOUNT TITLE CITY OF LONG BEACH GENERAL ACCOUNT	
FINANCIAL INSTITUTION CERTIFICATION I confirm the identity of the above-named payee(s) and the account number and title. As representative of the above-named financial institution, I certify that the financial institution agrees to receive and deposit the payment identified above in accordance with 31 CFR Parts 240, 209, and 210.		
PRINT OR TYPE REPRESENTATIVE'S NAME REX LEBERT	SIGNATURE OF REPRESENTATIVE <i>Rex Lebert</i>	TELEPHONE NUMBER 228-563-5706
		DATE 1/22/2024

Financial institutions should refer to the GREEN BOOK for further instructions.
THE FINANCIAL INSTITUTION SHOULD MAIL THE COMPLETED FORM TO THE GOVERNMENT AGENCY IDENTIFIED ABOVE.

GOVERNMENT AGENCY COPY


1199-207

Minutes of February 6, 2024
Mayor and Board of Aldermen

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
0348-0046

1. * Type of Federal Action:			2. * Status of Federal Action:			3. * Report Type:						
<input type="checkbox"/> a. contract	<input checked="" type="checkbox"/> b. grant	<input type="checkbox"/> c. cooperative agreement	<input type="checkbox"/> d. loan	<input type="checkbox"/> e. loan guarantee	<input type="checkbox"/> f. loan insurance	<input type="checkbox"/> a. bid/offer/application	<input checked="" type="checkbox"/> b. Initial award	<input type="checkbox"/> c. post-award	<input checked="" type="checkbox"/> a. initial filing	<input type="checkbox"/> b. material change		
4. Name and Address of Reporting Entity:												
<input checked="" type="checkbox"/> Prime <input type="checkbox"/> SubAwardee												
* Name: City of Long Beach												
* Street 1: P.O. Box 929						* Street 2:						
* City: Long Beach						* State: MS		* Zip: 39560				
Congressional District, if known: 4												
5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:												
6. * Federal Department/Agency:						7. * Federal Program Name/Description:						
U.S. Department of Housing and Urban Development						Economic Development Initiative: Community Project Funding - Miscellaneous Grants						
						CFDA Number, if applicable: 14.251						
8. Federal Action Number, if known:						9. Award Amount, if known:						
						\$ 4,300,000.00						
10. a. Name and Address of Lobbying Registrant:												
Prefix: * First Name: N/A Middle Name:												
* Last Name: Suffix:												
* Street 1: * Street 2:												
* City: * State: * Zip:												
b. Individual Performing Services (including address if different from No. 10a)												
Prefix: * First Name: N/A Middle Name:												
* Last Name: Suffix:												
* Street 1: * Street 2:												
* City: * State: * Zip:												
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the Itr above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.												
* Signature: 												
* Name: Prefix: * First Name: George Middle Name: L.												
* Last Name: Bass Suffix:												
Title: Mayor				Telephone No: 228-863-1556				Date: Completed on submission to Grants.gov				
Federal Use Only:						Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)						

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

**FY 2022 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-22-CP-MS-0530**

Grantee Name: City of Long Beach
Grantee Address: 201 Jeff Davis Ave. Long Beach, MS 39560
Grantee's Unique Entity Identifier (UEI):
Grantee's Employer Identification Number (EIN)
Federal Award Identification Number (FAIN) B-22-CP-MS-0530
Assistance Listing Number and Name 14.251 Economic Development Initiative,
 Community Project Funding, and Miscellaneous Grants
Period of Performance/Budget Period Start Date Date of grant obligation
Period of Performance/Budget Period End Date August 31, 2030

This Grant Agreement between the Department of Housing and Urban Development (HUD) and City of Long Beach (the Grantee) is made pursuant to the authority of the Consolidated Appropriations Act, 2022 (Public Law 117-103); and the Explanatory Statement for Division L of that Act, which was printed in the House section of the Congressional Record on March 9, 2022 (Explanatory Statement); and superseding provisions of the Consolidated Appropriations Act, 2023 (Public Law 117-328).

In reliance upon and in consideration of the mutual representations and obligations under this Grant Agreement, HUD and the Grantee agree as follows:

ARTICLE I. Definitions

The definitions at 2 CFR 200.1 apply to this Grant Agreement, except where this Grant Agreement specifically states otherwise.

Budget period is defined in 2 CFR 200.1 and begins and ends on the dates specified above for the Period of Performance/Budget Period Start Date and Period of Performance/Budget Period End Date.

Period of Performance is defined in 2 CFR 200.1 and begins and ends on the dates specified above for the Period of Performance/Budget Period Start Date and Period of Performance/Budget Period End Date.

ARTICLE II. Total Grant Amount

Subject to the provisions of the Grant Agreement, HUD will make grant funds in the amount of \$4,300,000 available to the Grantee.

ARTICLE III. Award-Specific Requirements

A. Federal Award Description. The Grantee must use the Federal funds provided under this Grant Agreement (Grant Funds) to carry out the Grantee's "Project." Unless changed in accordance with Article III, section C of this Grant Agreement, the Grantee's Project shall be as described in the Project Narrative that is approved by HUD as of the date that HUD signs this Grant Agreement. For reference, HUD will attach this approved Project Narrative as Appendix 1 to the Grant Agreement on the date that HUD signs this Grant Agreement.

Minutes of February 6, 2024 Mayor and Board of Aldermen

FY 2022 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-22-CP-MS-0530

B. Approved Budget. The Grantee must use the Grant Funds as provided by the Approved Budget. Unless changed in accordance with Article III, section C of this Grant Agreement, the Approved Budget shall be the line-item budget that is approved by HUD as of the date that HUD signs this Grant Agreement. For reference, HUD will attach this approved line-item budget as Appendix 2 to this Grant Agreement on the date that HUD signs this Grant Agreement.

C. Project and Budget Changes. All changes to the Grantee's Project or Approved Budget must be made in accordance with 2 CFR 200.308 and this Grant Agreement. To request HUD's approval for a change in the Project or Approved Budget, the Grantee must submit a formal letter to the Director of HUD's Office of Economic Development - Congressional Grants Division through the assigned Grant Officer. The letter must be submitted by email to the assigned Grant Officer and must provide justification for the change. The email submitting the letter must also include a revised project narrative or revised line-item budget, as applicable, that includes the requested change. The Grantee is prohibited from making project or budget changes that would conflict with the Applicable Appropriations Act Conditions described in Article III, section D of this Grant Agreement. The assigned Grant Officer for this grant is provided in the Award Letter for this grant and found on HUD's website. The HUD Office of Economic Development - Congressional Grants Division will notify the Grantee in writing, by email, whether HUD approves or disapproves the change. Before the Grantee expends Grant Funds in accordance with any change approved by HUD or otherwise allowed by 2 CFR 200.308, the Grantee must update its grant information in Disaster Recovery Grant Reporting (DRGR) to reflect that change.

D. Applicable Appropriations Act Conditions. The conditions that apply to the Grant Funds as provided by the Consolidated Appropriations Act, 2022, the Explanatory Statement, and the Consolidated Appropriations Act, 2023 are hereby incorporated and made part of this Grant Agreement. In the event of a conflict between those conditions, the conditions provided by the later Act will govern. The Grant Funds are not subject to the Community Development Block Grants regulations at 24 CFR part 570 or Title I of the Housing and Community Development Act of 1974.

E. In accordance with 2 CFR 200.307(b), costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the grant. As authorized under 2 CFR 200.307(e)(2), program income may be treated as an addition to the Federal award, provided that the Grantee uses that income for allowable costs under this Grant Agreement. In accordance with 2 CFR 200.307(b), costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the grant. Any program income that cannot be expended on allowable costs under this Grant Agreement must be paid to HUD before closeout of the grant, unless otherwise specified by an applicable Federal statute.

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FY 2022 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-22-CP-MS-0530

F. The Grantee must use the Grant Funds only for costs (including indirect costs) that meet the applicable requirements in 2 CFR part 200 (including appendices). The Grantee's indirect cost rate information is as provided in Appendix 3 to this Grant Agreement. Unless the Grantee is an Institution of Higher Education, the Grantee must immediately notify HUD upon any change in the Grantee's indirect cost rate during the Period of Performance, so that HUD can amend the Grant Agreement to reflect the change if necessary. Consistent with 2 CFR part 200, Appendix III (C.7), if the Grantee is an Institution of Higher Education and has a negotiated rate in effect on the date this Grant Agreement is signed by HUD, the Grantee may use only that rate for its indirect costs during the Period of Performance.

G. The Grantee must comply with any specific award conditions that HUD may attach to this Grant Agreement as provided by 2 CFR 200.208. If applicable, these conditions will be listed or added as Appendix 5 to this Grant Agreement.

H. The Grantee is responsible for managing the Project and ensuring the proper use of the Grant Funds. The Grantee is also responsible for ensuring the completion of the Project, the grant closeout, and compliance with all applicable federal requirements. The Grantee may subaward all or a portion of its funds to one or more subrecipients, as identified in the Project Narrative (Appendix 1) or as may be approved by HUD in accordance with 2 CFR 200.308. All subawards made with funding under this Grant Agreement are subject to the subaward requirements under 2 CFR art 200, including 2 CFR 200.332, and other requirements provided by this Grant Agreement. The Grantee is responsible for ensuring each subrecipient complies with all requirements under this Grant Agreement, including the general federal requirements in Article IV. A subaward may be made to a for-profit entity only if HUD expressly approves that subaward, and the for-profit entity is made subject to the same Federal requirements that apply to all other subrecipients, including the requirements 2 CFR part 200 provides for a "non-Federal entity" that receives a subaward.

ARTICLE IV. General Federal Requirements

A. If the Grantee is a unit of general local government, a State, an Indian Tribe, or an Alaskan Native Village, the Grantee is the Responsible Entity (as defined in 24 CFR part 58) and agrees to assume all of the responsibilities for environmental review and decision-making and action, as specified and required in regulations issued by the Secretary pursuant to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 and published in 24 CFR art 58.

B. If the Grantee is a housing authority, redevelopment agency, academic institution, hospital or other non-profit organization, the Grantee shall request the unit of general local government, Indian Tribe or Alaskan Native Village, within which the Project is located and which exercises land use responsibility, to act as Responsible Entity and assume all of the responsibilities for environmental review and decision-making and action as specified in paragraph A above, and the Grantee shall carry out all of the responsibilities of a grantee under 24 CFR art 58.

Minutes of February 6, 2024 Mayor and Board of Aldermen

FY 2022 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-22-CP-MS-0530

C. After Grantee's receipt of the Letter of Invitation for this grant, neither the Grantee nor any of its contractors, subrecipients and other funding and development partners may undertake, or commit or expend Grant Funds or local funds for, project activities (other than for planning, management, development and administration activities), unless a contract requiring those activities was already executed prior to the Letter of Invitation, until one of the following occurs: (i) the Responsible Entity has completed the environmental review procedures required by 24 CFR part 58, and HUD has approved the environmental certification and given a release of funds; (ii) the Responsible Entity has determined and documented in its environmental review record that the activities are exempt under 24 CFR 58.34 or are categorically excluded and not subject to compliance with environmental laws under 24 CFR 58.35(b); or (iii) HUD has performed an environmental review under 24 CFR part 50 and has notified Grantee in writing of environmental approval of the activities.

D. Following completion of the environmental review process, the Grantee (recipient) shall exercise oversight, monitoring, and enforcement as necessary to assure that decisions and mitigation measures adopted through the environmental review process are carried out during project development and implementation.

E. The Grantee must comply with the generally applicable HUD and CPD requirements in 24 CFR part 5, subpart A, including all applicable fair housing, and civil rights requirements. If the Grantee is a Tribe or a Tribally Designated Housing Entity (TDHE) as established under 24 CFR 1000.206, the Grantee must comply with the nondiscrimination requirements in 24 CFR 1000.12 in lieu of the nondiscrimination requirements in 24 CFR 5.105(a). The Grantee must report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of the Grantee's Project, consistent with the instructions and forms provided by HUD in order to carry out its responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987 (e.g. HUD-27061).

F. The Grantee must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 CFR part 200, as may be amended from time to time. If 2 CFR part 200 is amended to replace or renumber sections of part 200 that are cited specifically in this Grant Agreement, the part 200 requirements as renumbered or replaced by the amendments will govern the obligations of HUD and the Grantee after those amendment become effective.

G. The Grantee must comply with the Award Term in Appendix A to 2 CFR part 25 ("System for Award Management and Universal Identifier Requirements") and the Award Term in Appendix A to 2 CFR part 170 ("Reporting Subawards and Executive Compensation"), which are hereby incorporated into and made part of this Grant Agreement.

H. If the Total Grant Amount, as provided in Article II of this Grant Agreement, is greater than \$500,000, the Grantee must comply with the Award Term and Condition for Grantee Integrity and Performance Matters in Appendix 4 to this Grant Agreement.

Minutes of February 6, 2024 Mayor and Board of Aldermen

FY 2022 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-22-CP-MS-0530

I. Unless the Grantee is exempt from the Byrd Amendment as explained below, the Grantee must comply with the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment) and 24 CFR part 87, which prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, loan, or cooperative agreement. The Grantee must include in its award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements), the requirements for the certification required by Appendix A to 24 CFR part 87 and for disclosure using Standard Form- LLL (SF-LLL), "Disclosure of Lobbying Activities." In addition, the Grantee must obtain the executed certification required by Appendix A and an SF-LLL from all covered persons. "Person" is as defined by 24 CFR part 87. Federally recognized Indian tribes and TDHEs established by Federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment. State-recognized Indian tribes and TDHEs established only under state law must comply with this requirement.

J. The Grantee must comply with drug-free workplace requirements in Subpart B of 2 CFR part 2429, which adopts the governmentwide implementation (2 CFR part 182) of sections 5152-5158 of the Drug-Free Workplace Act of 1988, Pub. L. 100-690, Title V, Subtitle D (41 U.S.C. 701-707).

K. The Grantee must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) as implemented by regulations at 49 CFR part 24. The URA applies to acquisitions of real property and relocation occurring as a direct result of the acquisition, rehabilitation, or demolition of real property for Federal or Federally funded programs or projects. Real property acquisition that receives Federal financial assistance for a program or project, as defined in 49 CFR 24.2, must comply with the acquisition requirements contained in 49 CFR part 24, subpart B. Unless otherwise specified in law, the relocation requirements of the URA and its implementing regulations at 49 CFR part 24, cover any displaced person who moves from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD financial assistance

L. If Grant Funds are used for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead- based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead- based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

M. The Grantee must comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u, and HUD's regulations at 24 CFR part 75, as applicable, including the reporting requirements in 24 CFR 75.25. Grants made to Tribes and TDHEs are subject to Indian Preference requirements in Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307(b)). As stated in 24 CFR 75.3(c), grants to Tribes and TDHEs are subject to Indian Preference requirements in lieu of Section 3. Grantees that are not exempt from Section 3 must submit annual reports of Section 3

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**FY 2022 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-22-CP-MS-0530**

accomplishment Performance Measures in DRGR in January of the calendar year. This report reflects Section 3 accomplishments for the previous calendar year.

N. The Grantee must not use any Grant Funds to support any Federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Public use includes use of funds for mass transit, railroad, airport, seaport, or highway projects, and utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and waste water-related infrastructure), other structures designated for use by the general public or with other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118). Public use does not include economic development that primarily benefits private entities.

O. The Grantee must not use any Grant Funds to maintain or establish a computer network that does not block the viewing, downloading, and exchanging of pornography. This requirement does not limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

P. The Grantee must administer its Grant Funds in accordance with the Conflict of Interest requirements set forth in Appendix 6 of this Grant Agreement.

Q. The Grantee must comply with the governmentwide debarment and suspension requirements in 2 CFR part 180 as incorporated and supplemented by HUD's regulations at 2 CFR part 2424.

R. The Grantee must comply with the award term and condition regarding trafficking in persons in Appendix 7 of this Grant Agreement.

S. The assurances and certifications the Grantee has made and submitted to HUD are incorporated by this reference and made part of this Grant Agreement.

ARTICLE V. Drawdown Requirements

A. The Grantee may not draw down Grant Funds until HUD has received and approved any certifications and disclosures required by 24 CFR 87.100 concerning lobbying, if applicable.

B. The Grantee must use HUD's Disaster Recovery Grant Reporting (DRGR) system to draw down Grant Funds and report to HUD on activities.

C. The Grantee must enter activity and budget information in DRGR that is consistent with the Project and Approved Budget as described in Article III, sections A and B of this Grant Agreement and complies with HUD's instructions for entering information in DRGR found in

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FY 2022 COMMUNITY PROJECT FUNDING
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the document titled "Grant Award Instructions" that accompanies the Grant Agreement. The Grantee must only enter activities in DRGR that are described in the Approved Budget.

D. The Grantee must expend all Grant Funds in accordance with the activity and budget information in DRGR.

E. Each drawdown of Grant Funds constitutes a representation by the Grantee that the funds will be used in accordance with this Grant Agreement.

F. The Grantee must use DRGR to track the use of program income and must report the receipt and use of program income in the reports the Grantee submits to HUD under Article VI of this Grant Agreement. The Grantee must expend program income before drawing down Grant Funds through DRGR.

G. Notwithstanding any other provision of this grant agreement, HUD will not be responsible for payment of any Grant Funds after the date Treasury closes the account in accordance with 31 U.S.C. § 1552. Because Treasury may close the account up to one week before the September 30 date specified by 31 U.S.C. § 1552, the grantee is advised to make its final request for payment under the grant no later than September 15, 2030.

ARTICLE VI. Program-Specific Reporting Requirements

In addition to the general reporting requirements that apply under other provisions of this Agreement, the following program-specific reporting requirements apply to the Grantee:

A. The Grantee must submit a performance report in DRGR on a semi-annual basis and must include a completed Federal financial report as an attachment to each performance report in DRGR. Performance reports shall consist of a narrative of work accomplished during the reporting period. During the Period of Performance, the Grantee must submit these reports in DRGR no later than 30 calendar days after the end of the 6-month reporting period. The first of these reporting periods begins on the first of January or June (whichever occurs first) after the date this Grant Agreement is signed by HUD.

B. The performance report must contain the information required for reporting program performance under 2 CFR 200.329(c)(2) and (d), including a comparison of actual accomplishments to the objectives of the Project as described in Article III, section A of this Grant Agreement; the reasons why established goals were not met, if appropriate; and additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

C. Financial reports must be submitted using DRGR or such future collections HUD may require and as approved by OMB and listed on the Grants.gov website (<https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>).

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D. The performance and financial reports will undergo review and approval by HUD. If a report submission is insufficient, HUD will reject the report in DRGR and identify the corrections the Grantee must make.

E. No drawdown of funds will be allowed through DRGR while the Grantee has an overdue performance or financial report.

F. The Grantee must report and account for all property acquired or improved with Grant Funds as provided by 2 CFR part 200 using the applicable common forms approved by OMB and provided on the Grants.gov website (<https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>). This reporting obligation includes submitting status reports on real property at least annually as provided by 2 CFR 200.330, accounting for real and personal property acquired or improved with Grant Funds as part of Project Closeout, and promptly submitting requests for disposition instructions as provided by 2 CFR 200.311(c), 200.313(e), and 200.314(a).

ARTICLE VII. Project Closeout

A. The grant will be closed out in accordance with 2 CFR part 200, as may be amended from time to time, except as otherwise specified in this Grant Agreement.

B. The Grantee must submit to HUD a written request to closeout the grant no later than 30 calendar days after the Grantee has drawn down all Grant Funds and completed the Project as described in Article III, section A of this Grant Agreement. HUD will then send the Closeout Agreement and Closeout Certification to the Grantee.

C. At HUD's option, the Grantee may delay initiation of project closeout until the resolution of any findings as a result of the review of semi-annual activity reports in DRGR. If HUD exercises this option, the Grantee must promptly resolve the findings.

D. The Grantee recognizes that the closeout process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any HUD review, including reasonable requests for on-site inspection of property acquired or improved with Grant Funds. E. No

1. A Certification of Project Completion.
2. A Grant Closeout Agreement.
3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability requirements of 2 CFR part 200, subpart E); a certification of the costs; and the amounts and sources of other project funds.

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4. A final performance report providing a comparison of actual accomplishments with the objectives of the Project as described in Article III, section A of this Grant Agreement, the reasons for slippage if established objectives were not met and additional pertinent information including explanation of significant cost overruns.
5. A final property report, if specifically requested by HUD at the time of closeout.

ARTICLE VIII. Default

A default under this Grant Agreement shall consist of any use of Grant Funds for a purpose other than as authorized by this Grant Agreement, any noncompliance with statutory, regulatory, or other requirements applicable to the Grant Funds, any other material breach of this Grant Agreement, or any material misrepresentation in the Grantee's submissions to HUD in anticipation of this award. If the Grantee fails to comply with the terms and conditions of the Grant Agreement, HUD may adjust specific conditions of this Grant Agreement as described in 2 CFR part 200, as may be amended from time to time. If HUD determines that noncompliance cannot be remedied by imposing additional conditions, HUD may take one or more of the remedies for noncompliance described in 2 CFR part 200, as may be amended from time to time. HUD may also terminate all or a part of this award as provided by 2 CFR 200.340 and other applicable provisions of 2 CFR part 200, as may be amended from time to time. Nothing in this Grant Agreement shall be construed as creating or justifying any claim against the Federal government or the Grantee by any third party.

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ARTICLE IX. HUD Contact Information

Except where this Grant Agreement specifically states otherwise, all requests, submissions, and reports the Grantee is required to make to HUD under this Grant Agreement must be made in writing via email to CPFGGrants@hud.gov.

This agreement is hereby executed on behalf of the Grantee and HUD as follows:

GRANTEE

City of Long Beach

(Name of Organization)

BY: 
(Signature of Authorized Official)

George L. Bass, Mayor
(Typed Name and Title of Authorized Official)

2/7/2024
(Date)

HUD

BY: _____
Robin J. Keegan,
Deputy Assistant Secretary for Economic Development

(Date)

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APPENDIX 1 – Project Narrative

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APPENDIX 2 – Approved Budget

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APPENDIX 3 – Grantee’s Indirect Cost Rate Information

Subject to the applicable requirements in 2 CFR part 200 (including its appendices), the Grantee will use an indirect cost rate as represented by the Grantee below:

- ? The Grantee will not use an indirect cost rate to charge its indirect costs to the grant.
- ? The Grantee will use the indirect cost rate(s) identified in the table below to charge its indirect costs to the grant.

Agency/Dept./Major Function	Indirect cost rate	Direct Cost Base
	%	
	%	

[PLEASE NOTE: The grantee must check one of the two boxes above. If the second box is checked, the corresponding table must be filled out as described below.

The table must include each indirect cost rate that will be used to calculate the Grantee’s indirect costs under the grant. The table must also specify the type of direct cost base to which each included rate applies (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rate information for subrecipients.

For government entities, enter each agency or department that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR 200.414), and the type of direct cost base to which the rate will be applied.

For nonprofit organizations that use the Simplified Allocation Method for indirect costs or elects to use the de minimis rate of 10% of Modified Total Direct Costs in accordance with 2 CFR 200.414, enter the applicable indirect cost rate and type of direct cost base in the first row of the table.

For nonprofit organizations that use the Multiple Allocation Base Method, enter each major function of the organization for which a rate was developed and will be used under the grant, the indirect cost rate applicable to that major function, and the type of direct cost base to which the rate will be applied.]

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APPENDIX 4 – Award Term and Condition for Grantee Integrity and Performance Matters

Reporting of Matters Related to Grantee Integrity and Performance

1. General Reporting Requirement

If the total value of the Grantee's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then during that period of time the Grantee must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings About Which Grantee Must Report

During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must submit the information required about each proceeding that:

- a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
- b. Reached its final disposition during the most recent five-year period; and
- c. Is one of the following:
 - (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;
 - (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - (3) An administrative proceeding, as defined in paragraph 5. of this award term and condition, that resulted in a finding of fault and liability and the Grantee's payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
 - (4) Any other criminal, civil, or administrative proceeding if:
 - (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;

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(ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the Grantee's part; and

(iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures

During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. The Grantee does not need to submit the information a second time under assistance awards that the Grantee received if the Grantee already provided the information through SAM because the Grantee was required to do so under Federal procurement contracts that the Grantee was awarded.

4. Reporting Frequency

During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must report proceedings information through SAM for the most recent five-year period, either to report new information about any proceeding(s) that the Grantee has not reported previously or affirm that there is no new information to report. If the Grantee has Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000, the Grantee must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions

For purposes of this award term and condition:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—

(1) Only the Federal share of the funding under any Federal award with a cost share or match requirement; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

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APPENDIX 5 – Specific Award Conditions
NONE.

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APPENDIX 6 – Conflict of Interest Requirements

1. *Conflicts Subject to Procurement Regulations.* When procuring property or services, the grantee and its subrecipients shall comply with the applicable conflict-of-interest rules in 2 CFR 200.317 and 2 CFR 200.318(c). In all cases not governed by 2 CFR 200.317 and 2 CFR 200.318(c), the Grantee and its subrecipients must follow the requirements contained in paragraphs 2-5 below.

2. *General prohibition.* No person who is an employee, agent, consultant, officer, or elected or appointed official of the Grantee or subrecipient and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have a financial interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), sibling (including a stepsibling), grandparent, grandchild, and in-laws of a covered person.

3. *Exceptions.* HUD may grant an exception to the general prohibition in paragraph (ii) upon the Grantee's written request and satisfaction of the threshold requirements in paragraph (iv), if HUD determines the exception will further the Federal purpose of the award and the effective and efficient administration of the Grantee's project, taking into account the cumulative effects of the factors in paragraph (v).

4. *Threshold requirements for exceptions.* HUD will consider an exception only after the Grantee has provided the following documentation:

a. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how that disclosure was made; and

b. An opinion of the Grantee's attorney that the interest for which the exception is sought would not violate state or local law.

5. *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the Grantee has satisfactorily met the threshold requirements in paragraph (iii), HUD will consider the cumulative effect of the following factors, where applicable:

a. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;

b. Whether an opportunity was provided for open competitive bidding or negotiation;

c. Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception

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will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;

d. Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process regarding the assisted activity in question;

e. Whether the interest or benefit was present before the affected person was in a position as described in paragraph (ii);

f. Whether undue hardship will result either to the Grantee or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and

g. Any other relevant considerations.

6. *Disclosure of potential conflicts of interest.* The Grantee must disclose in writing to HUD any potential conflict of interest.

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APPENDIX 7 – Award Term and Condition Regarding Trafficking in Persons

The following award term and condition, which is required by 2 CFR part 175, applies as written:

a. Provisions applicable to a grantee that is a private entity.

1. You as the grantee, your employees, subrecipients under this award, and subrecipients' employees may not—

- i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
- ii. Procure a commercial sex act during the period of time that the award is in effect; or
- iii. Use forced labor in the performance of the award or subawards under the award.

2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:

- i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
- ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—

A. Associated with performance under this award; or

B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by HUD at 2 CFR 2424.

b. Provision applicable to a grantee other than a private entity.

We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

- 1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
- 2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either:

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i. Associated with performance under this award; or

ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by HUD at 2 CFR 2424.

c. Provisions applicable to any grantee.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.

2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:

i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and

ii. Is in addition to all other remedies for noncompliance that are available to us under this award.

3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. Definitions. For purposes of this award term:

1. "Employee" means either:

i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or

ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

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3. "Private entity":

i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

ii. Includes:

A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

B. A for-profit organization.

4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

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ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.


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Prescribed by OMB Circular A-102

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| <p>11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.</p> <p>12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.</p> <p>13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.</p> <p>14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.</p> <p>15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of</p> | <p>Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).</p> <p>16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.</p> <p>17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).</p> <p>18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."</p> <p>19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.</p> <p>20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.</p> |
|---|---|

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	Mayor
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Long Beach	2/7/24

SF-424D (Rev. 7-97) Back

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DETAILED PROJECT NARRATIVE

LONG BEACH GATEWAY HARBOR

Project Purpose:

The Long Beach Harbor and downtown are currently fragmented entities. The anticipated scope of this project will tie the two together by establishing an identity along Beach Boulevard with architectural, landscape, and lighting enhancements as well as walkways that will provide continuous pedestrian connections throughout.

Project Description:

The project entails the demolition of debris, existing asphalt, curbs, and sidewalk hardscapes. Civil engineering improvements will be made to enhance rainwater runoff management. The site will be leveled to the required grade. Concrete foundations will be laid in preparation for associated structures, and various structures will undergo electrical and mechanical rough-in. An open air tower will consist of a steel structure with precast accents, wood framing, lighting, and a metal roof. Handicap access is planned for various parts of the project. Hardscape enhancements will include new sidewalks, seating areas, seat walls, and concrete hardscapes. MEP rough-in will include provision for food trucks to park in designated locations on the hardscape. Curbs and gutters will be installed to delineate the parking lot, followed by the resurfacing and striping of the asphalt. Landscaping improvements will feature various shade trees and areas dedicated to plant growth for erosion control. Several streetlights will also be installed to ensure security and provide illumination for nighttime public access. Five pavilions will be included as an alternate pricing if the budget will allow.

Cost Description:

The total project cost is estimated at \$4,300,000 and is not dependent on other or additional funds to complete the scope for this grant agreement. The accompanying budget includes a 10% project contingency, \$273,008.36 in design fees, and \$406,662.88 in construction management / administration fees.

Project Benefits:

"By improving the connection between the Long Beach Small Craft Harbor and Jeff Davis Avenue, the "Main Street" of Long Beach, this project will enhance public access to coastal areas and will be a much needed economic "shot in the arm". The project aims to create an inviting and enticing entrance into Long Beach along the Beach Boulevard corridor, designed to pull tourists into the area and connect them with the charming area businesses and harbor which are terrific assets for the City of Long Beach.

This project improves the scenic drive on Beach Boulevard and provides a family friendly, waterfront destination with recreational and educational opportunities, attracting tourists to the area and enhancing the overall attractiveness of the community and region.

Minutes of February 6, 2024 Mayor and Board of Aldermen

Improved walkways, lighting and landscape will enhance the overall aesthetic of the beach and boulevard corridor to make people want to stop and stay. The intent of this plan is to make people want to eat, shop, and dine while they are in Long Beach as opposed to going elsewhere.

Landmarks such as the tower will create focal points from major North-South streets in the town, and visually tie the two sides of the boulevard together. Entry markers will notify auto drivers when they are entering into the core of Long Beach.

Building a seat wall and adding mobile vendor shelters will provide a place for area restaurants to park food trucks providing a great option for fresh food while enjoying the harbor.

Signage to include environmental and educational information and artwork will make the area conducive to locals, families, and tourists.

The project will also add sidewalks, ADA enhancements, site furnishings, curb and gutter, and beautiful shade trees, shrubs, and grasses.

Creating constant activity along the corridor is critical to the vibrancy of this area. Having vendor opportunities on the beach, and places to see and be seen will be the success of the implementation of this plan.

Section 3 HUD Requirements:

In alignment with Section 3 of the HUD requirements, the City of Long Beach is committed to prioritizing training, employment, and contracting opportunities for low- and very low-income individuals, particularly those who are recipients of government housing assistance, during the development and construction of this project. This project, which aims to enhance public access, is not only designed to benefit the general public but also to stimulate Long Beach's economy by actively including and supporting the participation of Section 3 qualified workers and businesses.

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**CITY OF LONG BEACH -
THE GATEWAY PROJECT - PHASE II HUD
PRELIMINARY ESTIMATE**

ITEM NO.	DESCRIPTION	UNIT	TOTAL QUANTITY		
				UNIT PRICE	CPF GRANT AMOUNT
GENERAL					
100	Mobilization	LS	1	\$ 185,000.00	\$ 185,000.00
101	Unforeseen Conditions (ALLOWANCE)	LS	1	\$ 55,000.00	\$ 55,000.00
SUB-TOTAL GENERAL					\$ 240,000.00

CIVIL SITE WORK					
200	Civil Site Work	LS	1	\$ 410,000.00	\$ 410,000.00
201	Rip Rap	CY	25	\$ 200.00	\$ 5,000.00
SUB-TOTAL CIVIL SITE WORK					\$ 410,000.00

ARCHITECTURAL					
300	Pavilion Foundations (16' x 16')	EA	4	\$ 10,000.00	\$ 40,000.00
301	Pavilion Foundation (22' x 22')	EA	1	\$ 20,000.00	\$ 20,000.00
302	Tower	EA	1	\$ 750,000.00	\$ 750,000.00
SUB-TOTAL ARCHITECTURAL					\$ 810,000.00

HARDSCAPE					
400	Concrete Sidewalks	SY	1,460	\$ 160.00	\$ 233,600.00
401	Concrete Banding	LF	1,000	\$ 25.00	\$ 25,000.00
402	CIP Wall at Plaza	LF	164	\$ 579.77	\$ 95,082.28
403	CIP Wall at Sidewalk	LF	1,120	\$ 720.00	\$ 806,400.00
404	CIP Pre-Cast Cheek Wall	LF	10	\$ 744.54	\$ 7,445.40
405	Steps from Plaza (Decorative Concrete - Integral Color)	SY	20	\$ 761.75	\$ 15,235.00
406	Steps from Sidewalk (Standard Broom Finish)	SY	60	\$ 1,395.59	\$ 83,735.40
407	Decorative Concrete Hardscape	SY	1,070	\$ 185.00	\$ 197,950.00
408	Handrails	LF	90	\$ 70.76	\$ 6,368.40
410	ADA Pavers at Intersections	SF	65	\$ 30.04	\$ 1,952.60
411	Stainless Bollards	EA	3	\$ 2,500.00	\$ 7,500.00
411	Showers	EA	4	\$ 3,000.00	\$ 12,000.00
SUB-TOTAL HARDSCAPE					\$ 1,492,269.08

LANDSCAPE					
500	Shade Trees	EA	32	\$ 905.00	\$ 28,960.00
501	Wash Palm Trees	EA	23	\$ 1,000.00	\$ 23,000.00
502	Sabal Palms	EA	65	\$ 750.00	\$ 48,750.00
503	Landscape Areas	SF	31,200	\$ 5.50	\$ 171,600.00
504	Irrigation	LS	1	\$ 80,000.00	\$ 80,000.00
505	Beach Sand	CY	200	\$ 40.00	\$ 8,000.00

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Long Beach Corridor - Phase 1

Bid Proposal

Page 2 of 2

SUB-TOTAL LANDSCAPE	\$	352,310.00
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ELECTRICAL						
600	Electrical & Lighting (Site)	LS	1	\$	18,000.00	18,000.00
601	Food Truck Hook ups (Rough-In Only)	EA	4	\$	650.00	2,600.00
602	RV Pedestals (Plumbing Sleeve Only)	EA	10	\$	650.00	6,500.00
603	Double Streetlight	Ea	6	\$	7,500.00	45,000.00
604	Single Streetlight	Ea	12	\$	4,000.00	48,000.00
SUB-TOTAL ELECTRICAL					\$	72,100.00

ADMIN AND DESIGN						
700	Design Fees	LS	1	\$	273,008.36	273,008.36
701	AnderCorp	LS	1	\$	405,520.83	405,520.83
SUB-TOTAL ELECTRICAL					\$	678,529.19

BASE BID	\$	4,055,208.27
5% CONTINGENCY	\$	202,760.41
PROJECT TOTAL INCLUDING A/E & CM FEES	\$	4,257,968.68
BASE BID OF CONSTRUCTION VALUE ONLY	\$	3,579,439.49

ALTERNATES						
ALT 1	Pavillon (16' x 16')	EA	4	\$	65,000.00	260,000.00
ALT 2	Grand Pavillon (22' x 22')	EA	1	\$	105,000.00	105,000.00
ALT 3	Single Pedestrian Light at Promenade	Ea	10	\$	12,000.00	120,000.00
ALT 4	Site Furnishings (Allowance)	LS	1	\$	75,000.00	75,000.00
ALT 5	One Year Maintenance	LS	1	\$	85,000.00	85,000.00
ALTERNATE TOTALS					\$	643,000.00

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

Alderman Brown made motion seconded by Alderman Parker and unanimously carried to approve the following Application for Federal Assistance SF-242 with USDA Natural Resources Conservation Service (NRCS) for Nicholson Avenue drainage, and authorize the Mayor to execute same:


OMB Number: 4040-0004
Expiration Date: 11/30/2025

Application for Federal Assistance SF-424	
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application * If Revision, select appropriate letter(s): <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation * Other (Specify) <input type="checkbox"/> Revision
*3. Date Received:	4. Applicant Identifier:
5a. Federal Entity Identifier:	*5b. Federal Award Identifier:
State Use Only:	
6. Date Received by State:	7. State Application Identifier:
8. APPLICANT INFORMATION:	
*a. Legal Name: City of Long Beach	
*b. Employer/Taxpayer Identification Number (EIN/TIN): 64-6000637	*c. UEI: V3P3M7MCNMX8
d. Address:	
*Street 1: P.O. Box 929	_____
Street 2:	_____
*City: Long Beach	_____
County/Parish:	_____
*State: MS	_____
*Province:	_____
*Country: USA: United States	_____
*Zip / Postal Code	_____
e. Organizational Unit:	
Department Name: City Clerk's Office	Division Name:
f. Name and contact information of person to be contacted on matters involving this application:	
Prefix: _____	*First Name: <u>Kini</u>
Middle Name: _____	
*Last Name: <u>Gonsoulin</u>	_____
Suffix: _____	
Title: Deputy City Clerk/Comptroller	
Organizational Affiliation:	
*Telephone Number: 228-863-1556	Fax Number:
*Email: kini@cityoflongbeachms.com	

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

<p>Application for Federal Assistance SF-424</p> <p>*9. Type of Applicant 1: Select Applicant Type: C: City or Township Government</p> <p>Type of Applicant 2: Select Applicant Type: Pick an applicant type</p> <p>Type of Applicant 3: Select Applicant Type: Pick an applicant type</p> <p>*Other (Specify)</p>
<p>*10. Name of Federal Agency: USDA Natural Resources Conservation Service</p>
<p>11. Catalog of Federal Domestic Assistance Number: 10.923</p> <p>CFDA Title: EWP</p>
<p>*12. Funding Opportunity Number: N/A</p> <p>*Title: N/A</p>
<p>13. Competition Identification Number: N/A</p> <p>Title: N/A</p>
<p>14. Areas Affected by Project (Cities, Counties, States, etc.): Nicholson Avenue, Long Beach, Mississippi</p>
<p>*15. Descriptive Title of Applicant's Project: protect sewer lift station and culvert with grouted rock riprap</p>
<p>Attach supporting documents as specified in agency instructions.</p>

Minutes of February 6, 2024 Mayor and Board of Aldermen

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
*a. Applicant: 4	*b. Program/Project: 4
Attach an additional list of Program/Project Congressional Districts if needed.	
17. Proposed Project:	
*a. Start Date: 06/01/2024	*b. End Date: 12/31/2024
18. Estimated Funding (\$):	
*a. Federal	\$ 43,125
*b. Applicant	\$ 14,375
*c. State	\$ 0
*d. Local	\$ 0
*e. Other	\$ 0
*f. Program Income	\$ 0
*g. TOTAL	\$ 57,500
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on _____. <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
*20. Is the Applicant Delinquent On Any Federal Debt?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", explain:	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001) <input checked="" type="checkbox"/> ** I AGREE ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: _____	*First Name: George _____
Middle Name: L. _____	
*Last Name: Bass _____	
Suffix: _____	
*Title: Mayor	
*Telephone Number: 228-8631556	Fax Number: _____
* Email: mayor@cityoflongbeachms.com	
*Signature of Authorized Representative: 	*Date Signed: 2-7-24

Minutes of February 6, 2024 Mayor and Board of Aldermen

Applicant Contact(s) Information, to be completed by the applicant.

- 1. Applicant Organization Name City of Long Beach
- 2. Unique Official Project Title Nicholson Ave. Drainage
For project tracking prior to assignment of identifying number and limited to 40 characters
- 3. Applicant Unique Entity Identifier (UEI) V3P3M7MCNMX8

Individuals who will be designated as person(s) responsible on behalf of the applicant's organization.
See instructions for description for these roles.

Complete boxes 4 - 7. To ensure adequate internal controls, a minimum of two different people must be identified.

4. Administrative Contact

Name Kini Gonsoulin Phone 228-863-1556
Title Comptroller/Deputy City Clerk Email kini@cityoflongbeachms.com

5. Program Contact

Name Jeff Ballweber Phone 601-927-0883
Title Director of Special Projects Email jballweber@pickeringfirm.com

6. Program Director

Name _____ Phone _____
Title _____ Email _____

7. Signatory Official

Name George L. Bass Phone 228-863-1556
Title Mayor Email mayor@cityoflongbeachms.com

8. Key Personnel:

This section must list key personnel by name, title, role, and responsibilities, including specific tasks and subtasks designated to them in the project proposal. If none, enter "NONE" below.

Changes in key personnel will require prior approval. Direct questions about key personnel to your agency contact.

none

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[View Burden Statement](#)

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.



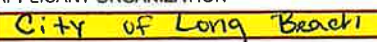

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Prescribed by OMB Circular A-102

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- 11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
- 12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- 13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
- 14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- 15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
- 16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- 17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
- 18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
- 19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
- 20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE 
APPLICANT ORGANIZATION 	DATE SUBMITTED 

SF-424D (Rev. 7-97) Back

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

ORDINANCE NO. 668

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NUMBER 471, 578 AND 588 ESTABLISHING GENERAL RULES AND REGULATIONS OF THE OPERATION OF MUNICIPAL CEMETERIES WITHIN THE CITY OF LONG BEACH, MISSISSIPPI; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, having made due investigation therefore, do now find, determine, adjudicate and declare that it is necessary and proper to adopt the following ordinance governing and relating to the operation of municipal cemeteries within the city limits of the City of Long Beach, Mississippi; now therefore,

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

ARTICLE 1. PLATS REQUIRED

There shall be kept by the City Clerk, a plat of each city cemetery, and he/she shall, by and within consent of the Mayor upon application of any person entitled to purchase, convey by deed any of the lots on sale, and not lots shall be sold except in platted additions.

ARTICLE 2. SALE OF LOTS AND INTERMENT SITE

- a) **“Lot and “interment site” defined.** All cemetery property shall be sold by lots or interment sites. For purposes of this section, the term “lot” shall consist of four (4) interment sites; and the term “interment site” shall mean a burial space for one (1) person which shall measure ten (10) feet long and five (5) feet wide.
- b) **Price; option to purchase additional sites.** The price of each interment site shall be fifteen hundred (\$1500.00). The purchase of single interment sites shall be confined to the southwest and northeast corners of the 1989 Extension of the Long Beach Cemetery and more particularly described as Lots 367, 368, 369, 370, 371, 372, 183, 184, 201, 202, 203 and 204. Single plots may be sold at the discretion of the City Clerk and upon the availability of a single plot. Multiple interment sites shall be sold throughout the remainder of the cemetery requiring the purchase of a minimum of two (2) interment sites, maximum of eight (8) interment sites and sold in sites of two (2).
- c) **Disposition of moneys; record of sales.** The money for the purchase of lots for interment shall be paid to the City Clerk, who shall keep a record of such sales.

ARTICLE 3. SIGNING AND CONDITIONS OF DEEDS

Deeds shall be signed and acknowledged by the Mayor and City Clerk and shall contain the condition that unless the purchaser shall observe and obey all the regulations of the Mayor and Board of Aldermen concerning the cemetery, now in force or hereafter enacted, the title of such lots shall revert to the City.

ARTICLE 4. USE OF CEMETERIES; EXERCISE OF INTERMENT RIGHTS.

The use of city cemeteries and the exercise of interment rights therein shall be subject to the following conditions and restrictions:

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(a) **Financial interest in lots, transfer of lots.** No person shall be interested directly or indirectly in the purchase of any lot in any city cemetery, unless such person shows proof that he/she is a citizen of the city, and the purchase of any lot in any city cemetery is for such person or his family's own use unless permission to the contrary, in writing, is obtained from the Mayor and Board of Aldermen. No person shall dispose of a cemetery lot or any part of it without first reporting to the City Clerk the name of the party to whom such transfer is proposed to be made, and receiving the city's assent thereto.

(b) **Deed, payment required** No interment sites may be used until deed to the interment right has been executed and delivered by the city. No deed for an interment right shall be executed or delivered until the price therefore has been paid in cash in accordance with the provisions of this article.

(c) **Plants, shrubbery.** No additional growing plants, shrubs or flowers will be permitted, on interment sites or elsewhere in the cemeteries, so as to hamper or prevent necessary maintenance and care. Containers for flowers designed to be set on the headstone are allowed provided, however, that the location and setting of such containers shall be performed under the supervision of the foreman.

(d) **Headstones, markers.** Headstones extending above the ground shall be allowed on interment sites, however, the placement of such headstones, markers or plaques shall be done under the supervision of the foreman; provided there shall be one (1) headstone per site. Above ground foot stones, statues, ornaments, any type of slab, coping, or other material used to cover, encompass or adorn an interment site are prohibited.

(e) **Plant, flower containers.** The city shall not be responsible for clay pots, glass containers, flower stands or other items placed in the cemeteries. All flower vases shall be mounted or secured to the headstone.

(f) **Persons eligible for burial.**

(1) Only members of the immediate family of each owner of burial sites or persons related to such owner within the third degree as computed under the civil laws may be interred unless by express consent of the city.

(2) Except as provided below, no more than one (1) casket per interment lot shall be interred without the express written consent of the city regardless of the type or size of vaults or caskets.

(g) **Cremated Remains.**

(1) All cremated remains interred in a municipal cemetery shall be placed in a container designated for in ground burial: a cremation vault made of concrete, metal, plastic or fiberglass; or an urn of bronze, stainless steel or cultured marble, cardboard, tin, ceramic or glass containers.

(2) No more than four (4) persons per interment lot shall be interred in any interment lot, all of which must be in containers as provided above.

(3) In cases of cremated remains, each such interment shall be treated as a single interment and pay all applicable fees as provided herein.

(h) **Sale by owner.** An owner may sell property owned by him in the cemeteries only with the consent of the city. No such sale may be made for a sum greater than the price currently charged by the city.

(i) **Vehicles.** It shall be unlawful for any person to drive any type of vehicle in a city cemetery except on paved or designated areas.

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

ARTICLE 5. FENCES.

No fence of any kind shall be permitted around cemetery lots or interment sites.

ARTICLE 6. ENTERING CEMETERIES AT NIGHT PROHIBITED.

It shall be unlawful for any person to enter or go within the enclosure of any city cemetery during the hours of nighttime, that is, between dusk and daylight.

ARTICLE 7. BURIAL REQUIRED INSIDE CEMETERIES.

The bodies of deceased persons shall not be buried at any other place within the city limits except in some duly established and regularly operated cemetery, and the digging of graves in the city-owned cemeteries shall only be done by authorized employees of the city or other persons designated by the city to accomplish same.

ARTICLE 8. CITY EMPLOYEES TO DIG AND FILL GRAVES, WHEN MATERIAL, LABOR AND EQUIPMENT TO BE FURNISHED BY CONTRACTOR.

It shall be the duty of the employees of the city, or its designee, on application of the person interested, accompanied by a permit from the health officer, on payment of proper fees, to dig and fill graves in the city cemeteries. However, when concrete, steel or other metal vaults or similar casket containers are used, the contractor or other persons responsible for its use shall furnish material, labor and equipment necessary for raising, placing in position and lowering such vault or container; and where the work to be performed is interrupted by a funeral or other necessary delay, said labor and equipment shall remain immediately available to complete the work without delaying the city's employees or its designee in the contemplation of its duties.

ARTICLE 9. DISINTERMENT PERMIT REQUIRED FEE.

No disinterment or transfer of bodies from one (1) lot to another or out of the city cemetery shall be made without first obtaining a written permit from the health officer, which may be granted by him to the funeral director. For the services of opening and filling such graves, the city shall receive from the funeral director, or persons granted authority by permit, the fee of seven hundred fifty (\$750.00).

ARTICLE 10. CHARGES FOR BURIAL AND PERPETUAL MAINTENANCE.

(a) **Generally.** Cemetery charges for burial and perpetual maintenance for all persons shall be as follows:

Weekdays	\$750.00
Cremation	\$250.00 First Right
	\$400.00 Second Right
	\$400.00 Third Right
	\$400.00 Fourth Right

(b) **Overtime charges.** Per all work done after 3:30 p.m. in addition to the fees herein provided, there shall be an overtime fee for one hundred (\$100.00) per hour or any part thereof for work performed after 3:30 p.m.

(c) **Burial Schedule** There will be no burials on Saturdays, Sundays, Or Holidays.

Minutes of February 6, 2024 Mayor and Board of Aldermen

ARTICLE 11. AUTHORITY TO IMPROVE LOTS.

Lot owners may make improvements and additions to their own lots, but it must always be done under the supervision of the foreman, in strict conformity to the requirements of this article.

ARTICLE 12. EFFECTIVE DATE.

This Ordinance shall take effect and be in force thirty (30) days after its adoption, publication and enrollment thereof as provided by law.

The above and foregoing Ordinance No. 668 was introduced in writing by Alderman McGoey who moved its adoption. Alderman McCaffrey seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Bernie Parker	voted	Aye
Alderman Angie Johnson	voted	Aye
Alderman Tim McCaffrey	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Donald Frazer	voted	Aye
Alderman Pete McGoey	voted	Aye
Alderman Patrick Bennett	voted	Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 668 adopted and approved this, the 6th day of February, 2024.

APPROVED:


GEORGE L. BASS, MAYOR

ATTEST:


STACEY DAHL, CITY CLERK

CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Stacey Dahl, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #668 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 6th day of February, 2024, as the same appears of record in Ordinance Book #9, pages _____ inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 6th day of February, 2024.

-SEAL-




STACEY DAHL, CITY CLERK

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

ORDINANCE 669

AN ORDINANCE TO AMEND ORDINANCE NUMBER 587 AND 647,
WHICH REQUIRES AND REGULATES THE CONSTRUCTION
AND MAINTENANCE OF PUBLIC SIDEWALKS IN THE
CITY OF LONG BEACH, MISSISSIPPI, AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Board of Aldermen have determined that sidewalks provide an important and safe method of transportation; and

WHEREAS, the Mayor and Board of Aldermen have recognized that sidewalks are a necessary component of public transportation and public infrastructure; and

WHEREAS, sidewalks promote a healthier community by encouraging exercise and reducing pollution effects from vehicles; and

WHEREAS, the presence of sidewalks may ease traffic conditions within the city and also create a greater aesthetic appeal; and

WHEREAS, having heretofore adopted Ordinance number 587 and 647, the Mayor and Board of Aldermen do hereby find and declare that revisions to such ordinances are required and will better promote the health, safety and general welfare of the City as described below.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Long Beach Mississippi as follows:

SECTION 1. Ordinance number 587 and 647 are hereby amended by deleting Section 7 in Ordinance number 647 and adding the following new Section 8 :

Section 8. Variance

- (a)** In circumstances of extreme hardship, impossibility of construction, imprudence or other circumstances where relief from the requirements of sidewalk construction on a particular project may be found justified an application for a variance may be filed with the Building Official for consideration by the Planning Commission requesting relief from the requirement of construction of a sidewalk on a project. If, in the judgment of the Planning Commission and Board of Aldermen, such variance is found justified and granted upon the minutes of the Planning Commission and Board of Aldermen, the applicant shall not be required to construct the sidewalk.

Minutes of February 6, 2024 Mayor and Board of Aldermen

SECTION 2. EFFECTIVE DATE

This Ordinance take effect and be in force thirty (30) days after its adoption, publication and enrollment thereof as provided by law.

The above and foregoing Ordinance No. 669 was introduced in writing by Alderman McCaffrey who moved its adoption. Alderman Johnson seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Patrick Bennett	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Angie Johnson	voted	Aye
Alderman Bernie Parker	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Pete McGoey	voted	Aye
Alderman Donald Frazer	voted	Aye

The question having received the Affirmative vote of all of the Alderman present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 6th day of February, 2024.

APPROVED:


George Bass, Mayor

ATTEST:


Stacey Dahl, City Clerk

CERTIFICATE

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

I, the undersigned, Stacey Dahl, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #669 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 6th day of February, 2024, as the same appears of record in Ordinance Book #9, pages _____ inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 6th day of February, 2024.


STACEY DAILL, CITY CLERK



**Minutes of February 6, 2024
Mayor and Board of Aldermen**

There came on for discussion Special Event Policy Revisions, whereupon Alderman Brown made motion seconded by Alderman McCaffrey and unanimously carried to direct Deputy City Clerk Kini Gonsoulin to draft a revised Special Event Policy with the following changes requested by Alderman Frazer:

- Require applicant to get permission from the Long Beach School District if their event is on the School District’s property
- Give the Fire Chief and Police Chief the authority to cancel events in the event of inclement weather or danger
- Make changes to insurance requirements

There came on for discussion Harbor Signage, whereupon Alderman Brown made motion seconded by Alderman Parker and unanimously carried to move the bait shop’s sign from the west side of Cleveland Avenue to the east side after conferring with bait shop owner, Brandon Boggess.

There came on for discussion Striping on Jeff Davis Avenue, whereupon Alderman McGoey made motion seconded by Alderman Brown to have a Resolution drafted requesting the assistance of Harrison County in striping Jeff Davis Avenue including the center lines and crosswalks, striping the south side of the intersection of Cleveland and Hwy. 90, and sealing Jeff Davis Avenue.

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

There came on for discussion Removal of 2 Pecan Trees on Leisha Drive, whereupon Alderman McCaffrey made motion seconded by Alderman Parker and unanimously carried to remove the aforementioned trees per the following quote:



**Bobcat Tree Work
LLC**

Joey Wilson
Business Number 228-806-8063
 14940 Cable bridge rd
 Gulfport MS 39503
 2288068063
 bobcattreework.com
 bobcattreework@Gmail.com

ESTIMATE
 EST0199
 DATE
 01/29/2024
 TOTAL
 USD \$1,675.00

TO
City of Long Beach Public Works
 ☎ 228-863-0440
 📠 228-326-0984
 jan@cityoflongbeachms.com

DESCRIPTION	RATE	QTY	AMOUNT
Remove two pecan trees end of Leisha Drive	\$1,400.00	1	\$1,400.00
Grind both stumps	\$275.00	1	\$275.00
TOTAL			USD \$1,675.00

There came on for discussion Slab at St. Patrick's Park, whereupon Alderman Bennett made motion seconded by Alderman McGoey and unanimously carried to allow Lance Strayhan to make improvements to the aforementioned slab to include paint and purchasing a net to be able to utilize it as a pickleball court. All improvements are to be coordinated through Recreation Director Bob Paul.

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

Alderman Bennett made motion seconded by Alderman Parker and unanimously carried to approve the following Contract Amendment #1 with AnderCorp for Long Beach Improvements:

**AMENDMENT NUMBER 1 TO AGREEMENT BETWEEN
CITY OF LONG BEACH AND ANDERCORP, LLC**

LONG BEACH IMPROVEMENTS

It is agreed to undertake the following work in accordance with the provisions contained in the AIA C132-2019 Agreement dated September 1, 2023:

Description:

- 1. Per Section 11 of the Contract between AnderCorp, LLC (Construction Manager) and the City of Long Beach (Owner), compensation for construction phase services is based on a "per project" basis with prior authorization from the Owner.

Compensation:

- 1. Southeastern Bulkhead repairs. Construction value of \$2,774,003.00. AnderCorp's compensation will be adjusted to a not to exceed 2.5% General Conditions/reimbursable costs on the Cost of Construction plus 2.5% fee of the Cost of the Work in lieu of the fee structure proposed in the September 1st AIA C132-2019 Agreement.
- 2. Eastern Bulkhead repairs. Construction value of \$4,827,498.00. AnderCorp's compensation will be adjusted to a not to exceed 2.5% General Conditions/reimbursable costs on the Cost of Construction plus 2.5% fee of the Cost of the Work in lieu of the fee structure proposed in the September 1st AIA C132-2019 Agreement.
- 3. AnderCorp is authorized to proceed with full Construction Management services as stipulated in the original Agreement for the Gateway Phase II Project.
- 4. AnderCorp is authorized to proceed with full Construction Management services as stipulated in the original Agreement for the Southern Quay Project.

The Mayor gave an update on the city's contractor for paving, Land Shapers, and stated that paving projects would be moving forward.

The Mayor commended city employees that were involved in the Mardi Gras parade .

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

Alderman McGoey recused himself from the meeting.

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

Fire Dept:

- Resignation, Driver/Operator Jared Bass, effective February 5, 2024
- New Hire, Firefighter Recruit Gage Williams, FS-9-B, effective January 16, 2024
- Part-Time Hire, Firefighter Richard LeNormand, \$16.50 per hour, effective February 15, 2024
- Part-Time Hire, Firefighter Brad McGill, \$16.50 per hour, effective February 15, 2024
- Part-Time Hire, Firefighter Dane McGoey, \$16.50 per hour, effective February 15, 2024
- Part-Time Hire, Firefighter Josh McGoey, \$16.50 per hour, effective February 15, 2024
- Part-Time Hire, Firefighter Richard Scott, \$16.50 per hour, effective February 15, 2024
- Part-Time Hire, Firefighter Darren Koennen, \$16.50 per hour, effective February 16, 2024
- Part-Time Hire, Firefighter Chase Elsworth, \$16.50 per hour, effective February 15, 2024

Alderman McGoey returned to the meeting at this time.

Minutes of February 6, 2024
Mayor and Board of Aldermen

Based on the following recommendation of City Clerk Stacey Dahl, Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to award the 2024 newspaper publication to The Gazebo Gazette for weekly advertising and The Sun Herald for advertising requiring other than weekly:

City of Long Beach



January 31, 2024

RE: NOTICE TO QUALIFIED NEWSPAPERS

REF: § 21-39-3. Publishing contracts

In municipalities in which there is more than one newspaper qualified to publish legal notices, the governing authorities of such municipality shall enter into a contract for the publication of its proceedings, ordinances, resolutions, and other notices required to be published *only after inviting competitive bids from such newspapers*. Such contracts shall be let to the lowest bidder among them for a period of **not more than twelve months from the date of such contract**. It shall not be necessary, however, that the governing authorities of such municipality advertise its intention to accept such competitive bids but it shall be sufficient if notice thereof in writing be given to all of such newspapers by mail or delivery at least five days prior to the date on which said bids will be received, which said notice shall specify the date on which such bids will be received.

Mayor and Board of Aldermen:

In accordance with the above referenced State Statute, notice for competitive bids was published on January 5, 2024 and January 12, 2024. Bids were opened on January 31, 2024, at 10:00 a.m.

One bid was received as follows:

The Gazebo Gazette LLC
P.O. Box 767
Pass Christian, MS 39571
\$.12 per word for every legal and public notice

Based on the aforesaid bid, I recommend contracting The Gazebo Gazette as the City's weekly advertising agent and The Sun Herald for other legal advertisements that require other than weekly.

Thank you,


Stacey Dahl, City Clerk

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

Fire Chief Skellie gave a brief update on Fire Station #3, negotiations with ambulance services, and the City's FEMA appeal for Hurricane Zeta.

Minutes of February 6, 2024 Mayor and Board of Aldermen

At the request of City Attorney Steve Simpson, Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to table the Standard Commercial Security Agreement with All Safe Technologies, due to necessary changes.

Based on the following recommendation of City Engineer David Ball, Alderman McCaffrey made motion seconded by Alderman Brown and unanimously carried to award the N. Lang Avenue Lift Station Improvements to LJ Construction:



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

February 2, 2024

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

RE: N. Lang Ave. Lift Station Improvs.

Ladies and Gentlemen:

We received bids for the referenced project on January 30, 2024 and have attached a Certified Tabulation of the bids. Six bids were submitted, with the lowest three bids being within approximately 5%, indicating fairly competitive bidding. The lowest price was offered by LJ Construction, Inc. of Gulfport, MS. The City has contracted with LJ Construction several times in the past, with no major issues or concerns. We believe this project is well within their capabilities for satisfactory performance, and therefore, on the basis of the Bid Tabulation and the above information, we recommend award to LJ Construction, Inc. in the amount of \$155,191.

Sincerely,

David Ball, P.E.

DB:1300
Attachment

Minutes of February 6, 2024
Mayor and Board of Aldermen



CITY OF LONG BEACH
N. LANG PUMP STATION IMPROVEMENTS
Bid Date: Tuesday January 30, 2024 @ 10:00AM

PAY ITEM	DESCRIPTION	UNIT	QUANTITY	L. J. Construction Inc.		Marrapaglia Inc		DMA Underground, LLC		Gutting Construction, LLC		Bottom Top Contractors, LLC		Southern General Construction, LLC	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
10-A	DECELTIZATION	L.S	1	\$ 14,748.00	\$ 14,748.00	\$ 4,500.00	\$ 4,500.00	\$ 12,000.00	\$ 12,000.00	\$ 15,000.00	\$ 15,000.00	\$ 25,000.00	\$ 25,000.00	\$ 38,495.00	\$ 38,495.00
200-A	CASTLE IRON SEWER FORCE MAIN	L.F	40	\$ 69.50	\$ 2,780.00	\$ 83.25	\$ 3,410.00	\$ 710.00	\$ 28,400.00	\$ 170.00	\$ 6,800.00	\$ 2,800.00	\$ 7,100.00	\$ 2,862.00	\$ 3,652.00
200-B	DUCTILE IRON FITTINGS	TON	1	\$ 8,892.00	\$ 8,892.00	\$ 9,115.00	\$ 9,115.00	\$ 8,000.00	\$ 8,000.00	\$ 102.00	\$ 102.00	\$ 12,844.50	\$ 12,844.50	\$ 10,810.00	\$ 10,810.00
200-C	CONNECT FORCE MAIN TO EXISTING	EA	1	\$ 1,300.00	\$ 1,300.00	\$ 2,800.00	\$ 2,800.00	\$ 1,800.00	\$ 1,800.00	\$ 400.00	\$ 400.00	\$ 1,143.75	\$ 1,143.75	\$ 1,352.50	\$ 1,352.50
210-A	PUMP STATION - STRUCTURAL COMPONENTS	L.S	1	\$ 6,792.00	\$ 6,792.00	\$ 4,225.00	\$ 4,225.00	\$ 7,300.00	\$ 7,300.00	\$ 8,000.00	\$ 8,000.00	\$ 6,138.00	\$ 6,138.00	\$ 13,330.00	\$ 13,330.00
210-B	PUMP STATION - ELECTRICAL COMPONENTS	L.S	1	\$ 44,960.00	\$ 44,960.00	\$ 51,800.00	\$ 51,800.00	\$ 16,000.00	\$ 16,000.00	\$ 98,000.00	\$ 98,000.00	\$ 52,422.66	\$ 52,422.66	\$ 56,374.46	\$ 56,374.46
210-C	COMPONENTS	L.S	1	\$ 61,555.00	\$ 61,555.00	\$ 79,300.00	\$ 79,300.00	\$ 100,000.00	\$ 100,000.00	\$ 40,000.00	\$ 40,000.00	\$ 77,007.00	\$ 77,007.00	\$ 72,210.75	\$ 72,210.75
210-D	PIPE BEDDING / PIPE FOUNDATION	L.S	1	\$ 4,000.00	\$ 4,000.00	\$ 2,600.00	\$ 2,600.00	\$ 3,000.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00	\$ 3,304.00	\$ 3,304.00	\$ 2,292.50	\$ 2,292.50
500-A	SELECT BANDY BACKFILL	C.Y	10	\$ 75.00	\$ 750.00	\$ 121.50	\$ 1,215.00	\$ 110.00	\$ 1,100.00	\$ 150.00	\$ 1,500.00	\$ 86.99	\$ 869.90	\$ 17.07	\$ 170.70
500-B	GEOTEXTILE FABRIC	S.Y	10	\$ 20.00	\$ 200.00	\$ 24.15	\$ 241.50	\$ 18.00	\$ 180.00	\$ 120.00	\$ 1,200.00	\$ 10.77	\$ 107.70	\$ 15.93	\$ 159.30
510-A	MISCELLANEOUS SITE WORK	L.S	1	\$ 3,000.00	\$ 3,000.00	\$ 1,304.50	\$ 1,304.50	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 3,310.00	\$ 3,310.00	\$ 2,767.50	\$ 2,767.50
515-A	MAINTENANCE OF TRAFFIC	L.S	1	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00	\$ 2,360.00	\$ 2,360.00	\$ 1,875.00	\$ 1,875.00
515-A	STORMWATER MANAGEMENT	L.S	1	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,770.00	\$ 1,770.00	\$ 1,500.00	\$ 1,500.00
TOTAL BID				\$ 155,191.00	\$ 155,191.00	\$ 162,083.00	\$ 162,083.00	\$ 183,000.00	\$ 183,000.00	\$ 177,900.00	\$ 177,900.00	\$ 186,456.53	\$ 186,456.53	\$ 204,862.51	\$ 204,862.51

(*) - Engineer General Failure



David Ball
OVERSTREET AND ASSOCIATES, PLLC
Certificate No. MS 10546

* * * * *

Minutes of February 6, 2024 Mayor and Board of Aldermen

There came on for discussion 2024 TIP Funding Request, whereupon City Engineer David Ball provided the following:



**OVERSTREET
& ASSOCIATES**
CONSULTING ENGINEERS

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

February 2, 2024

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

RE: 2024 TIP Funding Request

Ladies and Gentlemen:

The application deadline for the next round of TIP (Transportation Improvement Program) funds is approaching with applications due to Gulf Regional Planning Commission (GRPC) in mid-March 2024. A reminder that TIP projects are for projects funded mainly by MDOT for roadwork & other transportation related initiatives. We recommend that the City consider the following projects for application or for modification (for those projects already in the TIP system):

1. Roundabout at Cleveland/Klondyke

Project Scope: Construction of a single-lane roundabout with roadway lighting and minimal drainage improvements at the intersection of Cleveland Avenue and Klondyke Road. The project will require property acquisition.

Approximate Project Costs: \$2,324,513

Design: \$193,000

Estimated ROW: \$200,138

Construction: \$1,931,375

2. Widening Cleveland Avenue

Project Scope: Widening of Cleveland Avenue to a 3-lane road and relocation of drainage infrastructure between the intersection of Klondyke Road and Railroad Street. The project will require property acquisition.

Approximate Project Costs: \$2,841,215

Design: \$235,565

Estimate ROW: \$250,000

Construction: \$2,355,650

3. Jeff Davis Avenue/West Railroad Street Intersection Improvements (Modify existing TIP)

Project Scope: Widening of West Railroad Street approximately 350' west from Jeff Davis Avenue/West Railroad Street intersection to include south bound turning lane and intersection modifications at Jeff Davis Avenue and West Railroad Street to accommodate the road widening.

Approximate Project Costs: \$794,682

Design: \$72,244

Construction: \$722,438

Biloxi | Long Beach | Pascagoula | Daphne

O:\0539\20240202 2024 TIP applications.docx Page 1/2

Minutes of February 6, 2024
Mayor and Board of Aldermen

4. **Pineville Road/Klondyke Road Intersection Improvements (Modify existing TIP)**

Project Scope: Realignment and installation of traffic signals at the intersection of Pineville Road and Klondyke Road. Other improvements include modifications to the drainage system and multi-use pathway. The project will also require property acquisition.

Approximate Project Costs: \$1,234,043

Design: \$111,280

Estimated ROW: \$25,000

Construction: \$1,097,763

5. **Pineville Road/West Railroad Street Intersection Improvements (Modify existing TIP)**

Project Scope: Construction of a single-lane roundabout with roadway lighting at the intersection of Pineville Road and West Railroad Street. Other improvements include drainage and sidewalk/multi-use pathway modifications. The project will also require property acquisition.

Approximate Project Costs: \$2,855,464

Design: \$245,952

Estimated ROW: \$150,000

Construction: \$2,459,513

We note that these projects each require the City to commit to a 20% local share for project funding; however, such a commitment is not required until the City/GRPC/MDOT are ready to activate any particular project within the approved TIP. Hence, we recommend that the City prepare and submit applications for each of these projects.

Sincerely,



David Ball, P.E.

DB:539

After further discussion, Alderman Brown made motion seconded by Alderman McCaffrey and unanimously carried to table this item until the next meeting on Tuesday, February 20, 2024.

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

There came on for discussion Clower/Kuyrkendall Lift Station Improvements, whereupon City Engineer David Ball provided the following:



**OVERSTREET
& ASSOCIATES**
CONSULTING ENGINEERS

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

February 2, 2024

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

RE: Clower / Kuyrkendall Lift Station Improvs.

Ladies and Gentlemen:

Due to the extensive amount of existing utilities within the right-of-way on Commission Rd., we are recommending that the City obtain an easement from the Long Beach School District to allow a force main route in a less obstructed area. Namely, we recommend a route through the large grassy area north of Commission Rd., but south of the Quarles Elem. fence, as indicated on the attached simple exhibit. The School District has indicated their willingness to grant such an easement, but do intend to convert that area to a parking area for school event parking in the future. Accordingly, they have requested that during construction the City could repair the force main trench in the easement area with limestone instead of normal backfill and grassing. This change would represent a low additional cost of approximately \$4000 to the project; however, we did consider other options for installation of the force main. Below is a table indicating the relative costs to construct the adjacent portion of the project utilizing three different options:

OPTION	COST
OBTAIN SCHOOL EASEMENT; RESTORE TRENCH WITH LIMESTONE ROAD BASE	\$22,000
DIRECTIONAL BORE FORCE MAIN ACROSS COMMISSION RD.	\$24,000
OPEN-CUT FORCE MAIN ALONG COMMISSION RD.	\$32,000

As indicated, although the School District's request does represent an additional project cost of approximately \$4000, constructing the force main in the proposed easement area is the lowest relative cost method to complete the needed construction for this project. Accordingly, we request your authority to continue working with the School District to obtain the described easement and to utilize limestone road base as the final trench backfill within the easement during construction.

Sincerely,

David Ball, P.E.

DB:1295
Attachment

Biloxi | Long Beach | Pascagoula | Daphne

O:\1295\20240202 School easement explan.docxPage 1/1

Minutes of February 6, 2024
Mayor and Board of Aldermen



After further discussion, Alderman McCaffrey made motion seconded by Alderman Parker and unanimously carried to approve the option recommended by Mr. Ball to obtain an easement from Long Beach School District and retrench the area with road base limestone.

Community Affairs Director Courtney Cuevas announced the annual March of the Mayors canned green bean drive.

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

Alderman McCaffrey made motion seconded by Alderman Parker and unanimously carried to schedule public hearings for the following properties on Tuesday, March 5, 2024, at 5:00 pm, Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not these properties situated in the City of Long Beach are in such a state of uncleanness as to constitute a menace to the public health and safety of the community:

- 320 E Beach Blvd & 200 Douglas St.; Assessed to Baywatch Suites, Inc.
- 0 Old Savannah Dr.; Assessed to NCH Construction, LLC
- 212 White Harbor Rd.; Assessed to Sarah Barnes
- 203 James Dr.; Assessed to James Cockrell
- 21088 Pineville Rd.; Assessed to John & Mary Bissell

At the request of City Attorney Steve Simpson, Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to direct Attorney Simpson to answer the Amended Joint Chapter 11 Plan Request as it pertains to opioid litigation.

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

**Minutes of February 6, 2024
Mayor and Board of Aldermen**

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