

**PORT COMMISSION MINUTES  
JANUARY 18, 2018**

Be it remembered that a regular meeting of the Port Commission of the City of Long Beach, Mississippi, was begun and held at the City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, on Thursday, January 18, 2018, at 5:00 o'clock p.m., it being the time, date, and place fixed for holding said meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: President Phil Kies, Vice President Susan Nicolais, Secretary Don Deschenes, Commissioners Walt Rode, Barney Hill, Junior Husband, Brandon Boggess, Brian Currie, Russell Jones, Harbormaster Bill Angley, Attorney Steve Simpson, and City Clerk Stacey Dahl.

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

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Commissioner Kies called the meeting to order; whereupon there were no amendments or comments to the agenda.

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Commissioner Deschenes made motion seconded by Commissioner Jones and unanimously carried to approve minutes of the Port Commission as follows:

- Regular Minutes dated December 21, 2017, as submitted.

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Commissioner Husband, preliminarily absent the meeting, arrived.

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The Commission recognized Mr. Justin Roland, Bait Shop Lessee, with his request to Assign the Bait Shop Lease to Mr. Julius Gritzman. After considerable discussion and input from Attorney Simpson, Commissioner Hill made motion seconded by Commissioner Nicolais and unanimously carried to approve **ADDENDUM TO LEASE AGREEMENT BETWEEN THE LONG BEACH PORT COMMISSION AND JUSTIN ROLAND** and **ASSIGNMENT BY AND BETWEEN JUSTIN ROLAND (ASSIGNOR), AN JULIUS GRITZMAN (ASSIGNEE)**, as follows:

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**ADDENDUM TO LEASE AGREEMENT  
BETWEEN THE LONG BEACH PORT  
COMMISSION AND JUSTIN ROLAND**

CAME BEFORE the Long Beach Port Commission (hereinafter referred to as "Lessor") at its regular meeting on January 18, 2018, the request of Justin Roland (hereinafter referred to as "Lessee") to amend the Lease Agreement dated September 29, 2014 currently in effect to allow Lessee to assign his leasehold rights and obligations, as more fully set forth in the Lease, and the Commission, a quorum having been established pursuant to Section 19 of the Lease Agreement, upon a proper motion and second, discussed the request for amendment to the Lease Agreement and upon a vote determined to amend Section Five of the Lease Agreement as follows:

Section Five of the Lease is deleted and substituted as set forth below:

SECTION FIVE  
SUBLETTING

LESSEE shall have the right to assign this Lease Agreement only upon written application to the Long Beach Port Commission who shall place the request upon the agenda at the next regular meeting following the request and upon proper motion and vote, record its consent or denial of the assignment request.

All other terms and conditions, rights and obligations of the parties contained within the Lease Agreement remain in full force and effect.

This modification shall be executed by the Lessor and Lessee and attached to the

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Lease Agreement as if fully incorporated therein.

**Lessor: LONG BEACH PORT COMMISSION**

By: \_\_\_\_\_  
Phil Kies, President

Date of Execution: \_\_\_\_\_

**Lessee: JUSTIN ROLAND**

\_\_\_\_\_

Date of Execution: \_\_\_\_\_

**CITY OF LONG BEACH**

By: \_\_\_\_\_  
George Bass, Mayor

Date of Execution: \_\_\_\_\_

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Assignment

Justin Roland of 4500 Washington Avenue, Gulfport, Mississippi, 39507 (the "Assignor") assigns the entirety of the Assignor's contractual rights and obligations under the contract dated September 29, 2014 for lease for the purpose of operating a marine related business consisting of fishing supplies and fuel sales with Long Beach Port Commission of PO Box 929, Long Beach, Mississippi, 39560, which is attached hereto as Schedule "A", to Julius Gritzman of 3061 Red Bud Drive, Kiln, Mississippi, 39556 (the "Assignee").

In consideration thereof, the Assignor acknowledges receipt of valuable consideration in an amount to be negotiated from the Assignee.

The Assignor warrants and covenants the following with regard to the contractual rights which the Assignor has assigned:

1. that they are still owing to the Assignor over and above all claims for set-off or otherwise;
2. that the Assignor has the right to assign the contract;
3. that the Assignor will not, after this Assignment takes effect, receive and accept the assigned contractual rights;
4. that the Assignor will not do any act which may prevent or hinder the Assignee from enforcing the assigned contractual rights; and
5. that the Assignor has not done or knowingly permitted any act, deed or thing by which the contractual rights can be impeached or affected in any manner.

The Assignor directs Long Beach Port Commission to complete the contractual obligations, which would otherwise be owed to the Assignor but which have been transferred as indicated herein, with the Assignee.

It is agreed that this Assignment will enure to the benefit of and be binding upon the parties to this Assignment, their heirs, executors, administrators, successors and assigns, respectively.

This Agreement will be construed in accordance with and governed by the laws of the State of Mississippi.

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SIGNED, SEALED, AND DELIVERED

this 19th day of January, 2018 in the presence of:

Stacey Dahl  
A NOTARY PUBLIC IN AND FOR  
the State of Mississippi



Justin Roland  
Justin Roland

SIGNED, SEALED, AND DELIVERED

this 19th day of January, 2018 in the presence of:

Stacey Dahl  
A NOTARY PUBLIC IN AND FOR  
the State of Mississippi



Julius Gritzman  
Julius Gritzman

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The Commission recognized Harbormaster Bill Angley for his report, as follows:

**Harbor Master Report**

**January 18, 2018**

- David Ball, Griff Skellie and Myself have started a damage estimate list for Hurricane Nate. Since the low tides from weather myself and David Ball did a walk through to look at structure and sub structure
- Jim Simpson is drafting new berthing agreement to include protocol for storms and evacuations along with an Ordinance
- JLB property has safety issues 2 holes in ground I have cones on and dumpster has been picked up and enclosure needs to be repaired
- Already quoting repairs for damages
- Quoting for diver to inspect every slip to include boat launch and transient pier
- We are 2 boat slips above 35' from having a waiting list
- Waiting for thaw out to see what repairs we will need
- Doors are rusting on the frames to point the doors can not be secured quoting repairs since the frames are metal and a replacement is 1500 or more
- Working with lawyer to proceed further with removal of derelict vessels.
- Live Aboard (Welch, Smith, Lundin, Dawson, James, Mc Donald)
- October 148 of 218
- November 151 of 218
- December 158 of 218
- January 157 of 218

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There was no action required or taken regarding the aforesaid Harbormaster's report.

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There being no further business to come before the Port Commission at this time, Commissioner Deschenes made motion seconded by Commissioner

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Bogges and unanimously carried to adjourn until the next regular meeting in due course.

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APPROVED:

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PHIL KIES, PRESIDENT

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DATE

ATTEST:

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STACEY DAHL, CITY CLERK

