

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland Civic Center, 335 Coleman Avenue, Waveland, MS. at 6:30 p.m. on May 18, 2011 to take action on the following matters of city business.

Present at the meeting were Aldermen Stahler, Geoffrey, Lafontaine and Kidd.

Also present were Mayor Garcia, City Attorney Gary Yarborough and City Clerk Lisa Planchard.

PUBLIC COMMENTS

Re: Ms. Debbie Smith came before the Board to thank Alderman Kidd for his help with an issue today. She then questioned Alderman Stahler about her service to the citizens of Ward 1. Alderman Stahler explained that she had been working with Public Works Director/Recovery Manager Brent Anderson on different issues and has been not only working for the people of Ward 1, but the entire City. Mayor Garcia defended Alderman Stahler and explained that Alderman Stahler serves on the Solid Waste Board among other committees and consults with the Mayor often regarding issues; she works very hard doing a lot of work for the entire City.

MAYOR'S REPORT

Re: Mayor Garcia said while at the Association of Floodplain Manager's Conference in Natchez, MS., he met with Mr. Bill Patrick, Director of Mitigation Planning Bureau, Office of Mitigation for MEMA in reference to the city's Hazard Mitigation Plan that will expire in 2012. Mr. Patrick recommended that the city start the process for updating its plan and apply for a pre-planning grant and submit the application so that the City's plan does not expire because of the time it takes to prepare the plan. This item will be placed on the June meeting agenda for action. This will be a 75% grant award with a 25% local match that can be matched with in-kind service. The Mayor again followed up this conversation on May 17, 2011 with a telephone call to Mr. Patrick for the authorization to move forward with the pre-grant application and he agreed.

Hazard Mitigation Grant Program (HMGP) funds are made available after a Presidential disaster declaration. Examples are the funding in the Police department for over \$1,000,000 as the 361 shelter; Siren and generator grants that the city recently opened, and the bids on and the drainage and acquisition projects that we are currently working on. The Mayor said that we don't need the plan to expire; this would put all of the funds in jeopardy.

The City also receives credit points of 182 pts for preparing, adopting, implementing, evaluating and updating the City's Hazard Mitigation and floodplain management plan through the National Flood Insurance Community Rating System Section 510.

He said that he and Gary (City Attorney Yarborough) met with Mr. Jamie Miller, Deputy Chief of Staff for Congressmen Steven Palazzo, Mr. Win Ellington, Field representative for Senator Thad Cochran, and Ms. Jennifer Schmidt, Southern Regional Director for Senator Roger Wicker at his office in reference to the pending PW appeals in Washington D.C. The attorney that is handing these appeals in Washington, Mr. Ernest Abbott, asked if we could meet with members of the Waveland Congressional delegation, which we did on May 5, 2011. Gary Yarborough and Mr. Abbott will be representing our appeal soon in Washington.

The Mayor said on Thursday, May 11, 2011, Alderman Lili Stahler, Mrs. Lisa Planchard and he attended the Hardee's ribbon cutting. The Regional Manager told us that the second day they were open (that Tuesday) the restaurant set a new national one day sales record at the Waveland store.

Mayor Garcia also said on Thursday afternoon Mrs. Fayard, Mrs. Planchard and he represented the City at the 1-10 MS. State Welcome Center for National Tourism Day. He said that he could not go earlier in the day, as he was tied up with meeting with FEMA/MEMA. However earlier that day, Alderman Stahler attended. During the meeting with FEMA/MEMA, City Clerk Planchard, the Mayor and Comptroller Tom

Worrel discussed getting the PW's processes completed. We would like to see the City get the reimbursements they are entitled to.

Mr. Joey Boudin advised the Mayor that over 100 children took part in the Children's Coastal Conservation Fishing Rodeo held on the Garfield Ladner Memorial Pier. Mr. Owen Johnson is on the agenda, if he is here this evening, to give us an update on the day.

The Waveland Civic Association and Co-sponsor with the City of Waveland will hold the Special Needs Kids Fishing Rodeo June 4, 2011 at the Garfield Ladner Pier from 8 a.m. to 12 noon. There will also be hamburgers, hotdogs and drinks for the children at no charge to them or their guardians. The children will be given a trophy and certificate for their participation. The Waveland Fire Department will provide rides on their train and will have a fire truck on display.

Mayor Garcia said that he passed out the PRP Fact Sheets (Preferred Risk Policy). This is the updated sheet that he received in New Orleans. The Mayor discussed the adoption of the flood rates as it pertains to citizens' mortgages and disaster assistance. The City went from 20% of Waveland being in a special flood hazard to over 90% of the City being in a special flood hazard area after Katrina. The Mayor explained the insurance rates as they related to previous flood rates. He said a lot of our residents have noticed their rates have increased. FEMA has come out with a new directive that said buildings that have been moved from high risk flood zones labeled with (a) or (b) on the flood insurance maps due to the map revision dated on or after October 1, 2008 through and before January 1, 2011 are eligible for a PRP for 2 years between January 1, 2011 and December 31, 2012. The policies that are issued as a standard rate policy are converted to a standard rate policy following after, or on October 1, 2008 can be converted to a lower cost PRP for two years beginning on a first year of renewal effective on or after January 1, 2011. Buildings meeting these same conditions that were not previously insured may be insured as a new business PRP after January 1, 2011. During the same period new map revisions on or after January 1, 2011 are eligible for the lower costs PRP. If the property is a repetitive loss property, the property will not qualify for the better rates. He said that provides property owners more time to save or updates mitigate flood control standards.

He said that Fire Chief Mike Smith has now taken over this position (floodplain manager) for the City of Waveland.

The Mayor reminded everyone of Bay High's Graduation at the Joe McCullough stadium on Thursday night.

Thursday, the Chamber After Hours will be a part of the soft opening at the new Barnacle Bill's Water Park. The Park is schedule to open on Memorial Day. The Mayor said again that he would like to thank the Lady family for their investment in the Community.

The 2011 National Flood Insurance Program CRS Weighting Forum has been scheduled for June 5-9, 2011 in Philadelphia, Pennsylvania. The Mayor said, "I have been invited by FEMA headquarters to participate. The purpose of the forum is to bring together a cross section of experts, in a facilitated environment, to provide input to the CRS Task Force on the relative importance of CRS activities in achieving the goals of the CRS. The core purpose of the 2011 CR5 weighting review is to evaluate the relative importance of CRS activities in meeting CR5 goals and adjust the current CRS point weighting structure accordingly, and provide recommendations to FEMA to the extent possible using consensus decision-making.

ALDERMEN'S COMMENTS

Re: Alderman Stahler mentioned that the City of Gulfport went from an 8 rating to a 6 and they are excited, but the City of Waveland has been at a 5 for years. Mayor Garcia explained the path that the City took to become a class 5 City pertaining to flood insurance ratings. He said that the City became a class 5- 2 weeks prior to Hurricane Katrina. He said he had a challenge as Fire Chief because the rating bureau came to

remove the City's Class 5 rating thereafter. There were many man hours spent re-building that class 5 rating, which was awarded on October 5, 2006. Alderman Stahler thanked Mayor Garcia for his hard work on this. She did want everyone to know that the City of Gulfport was so proud of their rating, but the City of Waveland had always been a Class 5. Mayor Garcia said the new ratings would not be released until June. D'Iberville went to a class 5 and Gautier went to a class 7. The City of Waveland was the first class 6 and the first class 5 after a major storm event. The Mayor shared a story with audience members about the FEMA requirement of elevations certificates. The day of the evaluation, FEMA asked for a copy of the elevation certificates. The day of the request, Mayor Garcia (then Fire Chief) went to City Hall with them and Assistant Fire Chief Mike Smith to burn the CD of the elevations certificates. They then put them in the mail. The package did not arrive until 8 months later. There used to be credit given for holding on to the elevation certificates in the computer, however with so many not doing this, it is no longer recognized. The Mayor said he would fight to get this back because Waveland has been a perfect example of why we need to maintain these records.

Re: Alderman Stahler said that she gave a list to Fire Chief Mike of the most critical areas for clean-up for Ward 1. She said that Chief Smith asked Alderman Stahler to tell the other Board members to turn in their lists as well. He and his staff are working on a procedure for clean-up.

Re: Alderman Stahler said that Marilyn Arceneaux, President of the Arts, is working with Denise Breland, a homeowner on Nicholson Avenue for an Art contest on the sides of the walls at Nicholson Avenue and the Beach. It will be a contest for signage. There will be a monetary prize awarded. The City will not be involved; the award will be collected by citizens.

Re: Alderman Lafontaine asked about the Change Orders on the agenda, and questioned the bidding process, being concerned about the amount of change orders presented on the agenda.

Re: Alderman Lafontaine asked about road side vendors selling items out of 18 wheelers as people are heading into Waveland from the Slidell Area. Mayor Garcia said the trailers are being used for storage next to a store and asked Mr. Anderson to answer this question. Mr. Anderson said that the 18 wheelers mentioned are actually a part of a local business and he could not ask to have them removed. He said that he did ask the business owner to move the trailers to the back of his business because this business owner does not own a loading dock situation. Anderson noted that Wal-Mart has trailers in the back of its building at their loading dock; but he can't make this business owner move.

Re: Alderman Kidd asked Mr. Anderson if the businesses should be in a permanent structure. Mr. Anderson said he hauls items in and out of his store with the trucks.

Re: Alderman Kidd said that he had done a walk through at the Business Incubator and asked if the City had gotten a price on the square footage for the business Incubator. Mr. Anderson said that the Architect has the all of the information. Hopefully by the end of the week, he (Unabridged Architecture) would have answer. There are some other things that are involved. The electrical has been the biggest concern. Mayor Garcia said they did meet with the Grant Administrator last week and MDA has given the City a deadline. The majority of the day was discussion trying to get the information the Board has asked for; there will be a change order for the amount of things that will go into the Incubator. There is again, a deadline date. This is not only for the Incubator, but for the purchase of the property behind City Hall.

Re: Alderman Kidd asked about the oak tree by the Coleman Avenue Fire Department. Should it be barricaded off? Mr. Anderson said he can't take action on it because the Board refused action through their minutes. The tree will go back to the way it was before Hurricane Katrina. Mr. Yarborough said the only action that was brought before the Board was to tear the tree down. He said he believes Alderman Kidd is asking if the contractors are doing anything to protect the tree. Mr. Anderson said not necessarily; the request was to demo the tree or repair it and there was no action taken. Mr. Anderson said he can't put any funds out for the tree without Board approval. Alderman Kidd said he was looking at the tree; he wants to make sure there is no more harm to the tree by keeping so much equipment near it. He said it did take a beating after the Hurricane, as did a lot of trees. That is something that needs to be talked about. Mayor Garcia said that he asked Brent the same question and basically since the motion died for lack of action, the fill will go back in around the tree and the black top will go back just it did before Hurricane Katrina beside that Annex Building. Alderman Stahler said she thinks what Mark was asking was the possibility of putting some orange netting or something

around the tree. Mr. Anderson said they are not working in that area anymore. He can ask them to put the barrier around the tree. Mayor Garcia asked Brent (Mr. Anderson) if he would do this. Mr. Anderson concurred.

Re: Alderman Kidd said Opening Day for Baseball for little girls will be this weekend; there will be a lot of people around Central Avenue. He said he noticed that Phase III of the sidewalks has begun and it will be nice when this is done. Alderman Kidd said that he had been driving around the annexed area a lot in the past couple of weeks checking out the drainage. He said there were still some streets to complete, but the Contractor has been cleaning up after themselves.

Re: Alderman Lafontaine asked for extra patrol around the Bourgeois Park because of the increased numbers of children being out of school. Alderman Geoffrey asked if there were cones out there. Alderman Lafontaine said that he and Alderman Kidd have had to slow traffic down at the park. Mayor Garcia said that one of the complaints that we get in City Hall is the litter. He said that he and some Fire Fighters cleaned a street and you couldn't even tell that it was done. Another complaint is the profane loud music coming out of some of the cars and the Noise Ordinance needs to be enforced. The last item is the speeding around town. School is out there are lots of kids riding bikes. All of the preceding will be discussed in the weekly staff meeting.

MINUTES

Re: Meeting of May 3, 2011

Alderman Stahler moved, seconded by Alderman Lafontaine, to approve the minutes of the regular meeting of May 3, 2011. **(EXHIBIT A)**

Mayor Garcia asked for a correction on the first page of the minutes. Due to the review of minutes by the Auditors, the Mayor requested the reason for his absence be reflected on the minutes. Mayor Garcia reminded the Board and the audience that he had been at the National Flood Insurance Program in New Orleans, Louisiana May 2, 2011 through May 6, 2011.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

R. S.V.P.

Re: Claims

Alderman Geoffrey moved, seconded by Alderman Kidd to approve the R. S.V.P. Claims. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims Nos. 68521-68648

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the Docket of Claims being numbered **68521-68648**, as submitted by the City Clerk. **(EXHIBIT C)**

Alderman Lafontaine asked about No. 68574 to the Hancock County Board of Supervisors in the amount of \$3,000.00. Purchasing Clerk Joy Normand deferred the comment to Comptroller Tom Worrel. Alderman Stahler said she believed that was when

they were paying a portion of the City's bill in error and the city was paying the overage. City Clerk Planchard asked Ms. Normand to share the paperwork with Board members. Mayor Garcia said this had happened in Bay St. Louis and Waveland. They paid the garbage service bills. This was discussed at last week's Solid Waste Meeting; they caught it in their book keeping and this is the fee to settle. Mayor Garcia said, "In saying this, it is on the agenda to approve the 300 or more customers to get them online from the annexed area." He said that he had met with Alderman Stahler, City Clerk Planchard, Public Works Office Manager Crystal Cato and Comptroller Tom Worrel and the process of setting up accounts for these citizens have already started so the City can take over all of this. Alderman Stahler said she has been disputing the house count with the Solid Waste Board for some time now. Representatives from Compton Engineering, Waste Management, along with a firefighter will go out and get a house count in the Annexed Area. She said, "The numbers are too far off, the way that Tax Assessor, Jimmy Ladner bills is not positive for the City". We are working on this issue. Alderman Lafontaine asked about the amount of money that will be paid back, which is around \$41,000.00. Mayor Garcia said we should not be paying for services that we are not getting. Alderman Kidd asked about docket number 68535 to Carroll, Warren and Parker. Ms. Normand said this was for Island Utilities legal issues. Mayor Garcia said that's not what the entire bill is for; it is also for Civil Services issues along with water issues in the Annexation Area. Alderman Kidd asked about docket number 68558 to David's Chainsaw. Ms. Normand said it was to replace the stolen chainsaw. Mayor Garcia said again, the theft is being investigated by the Police Department. Alderman Kidd also asked about docket number 68642 for the rental of a mini excavator. Ms. Normand said it was actually a good deal; for the rate of a 1 week rental we were permitted to use it about 10 days for no extra charge. Alderman Lafontaine asked if it was for the breakage on Lakewood. Mayor Garcia said no it was for a separate situation. Alderman Lafontaine said he noticed payments to Vacuum Services and Aaron Wilkerson. Mr. Anderson explained that the pumps failed and when they pumped it out, they found t-shirts, towels and other items.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PUBLIC WORKS/UTILITIES

Alderman Kidd moved, seconded by Alderman Stahler to approve a utility refund in the amount of \$600.00 to Ms. Nicole Necaise who double paid her bill in error. The city just became aware of this 5/13/11 and was unable to be placed on the current docket; it was already closed.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PLANNING AND ZONING

Spread on the Minutes the Planning and Zoning minutes submitted by Zoning Official Christine Gallagher and adopted by the P&Z Commission at their special meeting of May 4, 2011.

(EXHIBIT D)

PUBLIC APPEARANCES

Re: Mr. Owen Johnson

Mr. Owen Johnson with Coastal Conservation Association was not present to update the Board of Mayor and Aldermen with the results of the Casting for Coastal Conservation Fishing Rodeo.

Re: Mr. Ron Thorp with the Alliance for Good Government was present with a request to have 2 Board members serve on a panel regarding School District Consolidation.

Mr. Thorp gave his credentials to the Board. He said that when he came to the Bay-Waveland area last summer and met with members of the Alliance for Good Government, he decided to attend a School Board meeting to get an overall picture of what he learned. Mr. Johnson said that he saw a report from the Governor related to statistics and the numbers and questioned whether it would work to combine the Bay-Waveland School District with the Hancock County School District. Alderman Lafontaine asked about the Athletic ratings and organizations of the schools. Mr. Johnson said their goal is not to close down schools, but to limit the number of Administrators. Alderman Kidd said that the totals of the Administrative payrolls shocked him also. Mayor Garcia said that he agreed with this; the concept of a decreased administration. Alderman Kidd asked about the Superintendent's appointment. He said that he would hate to have it be a popularity contest. Mr. Thorp said the superintendent's appointment would represent Bay, Waveland and Hancock County. Mayor Garcia explained the position of the Board members as they are elected and appointed to the School Board. Alderman Lafontaine said that he has received a couple of e-mails and read one of them aloud. Mrs. Lana Noonan with the Alliance for Good Government said that the Governor's office is very excited about their efforts to scale down the number of Administrative positions.

EVENTS/WAVE FEST

Re: Waveland Community Coalition requested approval for their Wave Fest Event

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve the Waveland Community Coalition, Silver Slipper Casino and the Hancock County Tourism permission for the following Wave Fest issues.

- a. Approve the date of Saturday October 15, 2011 from 11 a.m. to 8 p.m.
- b. Use of the Garfield Ladner Memorial Pier jetty, the adjacent Parking Lot and a portion of Coleman Avenue up to Bourgeois Street.
- c. Fireworks display to be held on the Garfield Ladner Memorial Pier if the burn ban has been lifted, pending approval and supervision of the Waveland Fire Chief, Mike Smith. The City of Waveland Fire Department shall operate the fireworks display. The WCC will fund **all** costs for this event.
- d. To approve use of essential City Services, with the WCC absorbing **all** costs related to this request, including:
 - Two (2) police officers to be on duty , Saturday October 15, 2011 between the hours of 10:00 am and 10:00 pm
 - Four (4) Public Works employees to assist in cleanup before, during and after the festival between the hours of 10:00 am and 10:00 pm
 - The WCC will fund all the necessary number of Port o lets and dumpsters, and dumping related to, for this event.
- e. Wave Fest to be held pending Certificates of Insurance received by the City Clerk prior to October 13, 2011 (i.e. for Waveland Community Coalition)
- f. Approve sale of beer in parking lot or anywhere except on the Pier or Pier Jetty.

During discussion, Mr. Cornelius came before the Board to discuss the Coalition's proposed event. He asked that the Board add the motion to approve selling beer on the jetty. Alderman Lafontaine said that he thought that issue came up at Oyster Fest. City Attorney Gary Yarborough said that was a major issue because the property is leased to us (the City) from the Secretary of State and it was his recommendation to the Board that beer sales be kept off the pier and jetty property because it is leased to the City by the

Secretary of State of MS. Alderman Stahler said that also brings up the issue of having the event on Coleman Avenue or at the Pier. Mayor Garcia said our legal council is not happy with the idea of selling beer on pier property and asked that we move the sale of beer to the parking lot next to the Pier. Mr. Cornelius said it was amazing how selling the beer from the jetty and thus saving footage to event goers would make a difference. He said we really have to think about the Festival attendees; that is what is really important. Alderman Stahler said that she thought there was discussion of putting the venue on Coleman Avenue. Mr. Cornelius said it called for part of the event to be on Coleman Avenue and the beach. He said that he would like to tie in the Waveland Business Center with it and give tours of the Waveland City Complex all through the day. He would like to approach the City at a later date to hold a sponsor party in this building the night before the Festival. Alderman Stahler asked about Coleman Avenue. Mr. Cornelius said there was nothing on Coleman Avenue, "it's about the sun the sea and the sand". He then gave an explanation of the reasoning behind holding the event on the beach and said in the future he would think about moving it to Coleman Avenue. He then explained how he would set up the vendors. He said he wanted the Ferris wheel back, because it was a good draw. Mayor Garcia said he had heard nothing but complaints because people were charged \$3.00 per person, and it wasn't even open on Sunday of the last event; he hoped the Coalition didn't get it back. Alderman Stahler asked if there was any dedicated profit for the Festival. Mr. Cornelius said the Coleman Development District projects and the Christmas event produces funds and the profits help to finance Oyster Fest next year. Alderman Kidd said we do need to be within the law as far as the beer is concerned. Mr. Yarborough said he had a problem with it last year. Mayor Garcia said he would like to have the event moved back to Labor Day. Mr. Cornelius said the original idea of Labor Day was to thank the people of New Orleans for coming over. There are no people from New Orleans anymore. He said that he has worked very hard to position the dates of Oyster Fest and Wave Fest. Ms. Sue Ashman said that she has been with the Coalition for 25 years and had always experienced rain with the Labor Day event and had even purchased umbrellas to sell at the event before the storm. Fire Chief Smith said there will only be fireworks if there is no burn ban in effect. It would not be right for the City to shoot fireworks when the rest of the citizen's can't. He said another issue would be that the City shoots consumer grade fire works and sometimes they leave burn marks on the concrete. It does wash off though.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**PERSONNEL/CITY HALL/POLICE DEPARTMENT/COURT
DEPARTMENT/PUBLIC WORKS/ FIRE DEPARTMENT
Re: Updated Organizational Chart**

Spread on the minutes the updated City of Waveland Organizational Chart, as adjusted for recent layoffs and department reorganizations.
(EXHIBIT E)

FIRE DEPARTMENT

Re: Set burn Ban in the City effective until further notice

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve a burn ban in the City of Waveland, as recommended by Fire Chief Mike Smith. The ban will remain in effect until further notice.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

BIDS/FIRE DEPARTMENT

Re: Precision Communications Inc., as lowest bid for Outdoor Sirens

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Precision Communications Inc. in the amount of \$73,498.55 as the lowest, best and most responsive bidder for the Outdoor Siren Warning System bids, as recommended by Fire Chief Mike Smith and Recovery Manager, Brent Anderson, and contingent upon approval by MEMA. (HMGP grant related) **(EXHIBIT F)**

Mayor Garcia asked about the City's match for HMGP funding on sirens. Mr. Anderson said he believed the match was the generators. Mr. Yarborough asked if was in the budget under capitol outlay. Mr. Worrel said the 5% is not currently included in the budget. Alderman Geoffrey asked about locations of the sirens. Mr. Anderson said the sirens would be at the Waveland ball field, Police Station and Central Fire station. He said the systems are designed to add more sirens to it. Alderman Lafontaine asked if it was about a \$3,200.00 cost to the City. Mayor Garcia said Waveland was the first Gulf Coast Community to be a Storm Ready certification through National weather Service. We lost that after the Hurricane because of the one warning system. Mayor Garcia said the old one still works, and asked if it could be moved into the annexed area. He noted that the old one is manually operated. Fire Chief Smith said that Mr. B.J. Wakefield (MEMA/HMGP) said that we can move the siren locations if the City wants to, it's just a matter of paperwork. Alderman Kidd asked about the possibility of a cost increase from moving the siren. Mr. Anderson said the City has to find the funds to pay for the sirens to follow the Storm Ready Community rules. Mr. Worrel said he believed it was the Siren grant that was a 95/5 match grant. City Clerk Planchard agreed.

Upon research, let the Minutes reflect that the Sirens HMGP grant is a 95/5 grant. The Generators HMGP grant is a 100% grant/City Clerk.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Table 104 Kw Trailer Mount Generator Bids

Alderman Stahler moved, seconded by Alderman Kidd to table bids on the 140 kw Trailer Mount Generator bid packages received and opened 4/20/11.

Mr. Yarborough said that he reviewed the bids and the lowest actual bid is Lightning Power. Mayor Garcia asked if they had met all of the specifications. Mr. Anderson and Fire Chief Smith had reviewed the bids. Alderman Lafontaine asked about the bid amounts and one appeared to be significantly less. Mr. Anderson said one of the things on the front cover letter is the company appears to be giving prices on one generator (versus 3). Alderman Lafontaine asked how many generators is the City getting? Mr. Anderson said 3. Mayor Garcia asked Mr. Anderson if he contacted them and asked them whether this is allowing the City to just come in and plug it in and not have to re-wire after a storm event. Mr. Anderson said there is a second part of the HMGP application that will have to be advertised for; to be re-wired by an electrician. Mayor Garcia said that he thought the lift stations were already designed to take them. Mr. Anderson said they are all wired but we will have to put outlets. Mayor Garcia said again, is the generator coming ready to plug in? Mr. Anderson said all of the research has been done on it and this particular generator is the right one. Alderman Lafontaine asked what if Lightning Power comes back and says this is just for one. Mr. Anderson said the specs were very clear, 3. Mayor Garcia asked who it is made by. Mayor Garcia asked if there would be delivery fees for this. Planchard said that the specs included unload and delivery to the door. Mayor Garcia asked Mr. Worrel if the match was on generator or

sirens. Mr. Worrel said sirens. Mrs. Planchard agreed. Mr. Yarborough asked the Board if they would table this issue.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

POLICE DEPARTMENT

Re: Declare 5 seized vehicles as surplus property

Alderman Stahler moved, seconded by Alderman Geoffrey to declare 5 seized (by Police Department) vehicles surplus property; vehicles are flood damaged. **(EXHIBIT G)**

- a. 1999 Dodge 1500, VIN#1BHC16X3XS265398
- b. 2000 Toyota 4-Runner VIN#JT3HN86ROY0268233
- c. 2003 Ford Ranger VIN#1FTYR10D23PA76400
- d. 1997 Chrysler Sebring VIN#4C3AU42N7VE148913
- e. 2002 Chevy S-10 VIN#2GCEC19V221356488

City Clerk Lisa Planchard said that as long as the City gets fair market value, then they can be sold for salvage, provided quotes are obtained, according to information she received from the Office of Purchasing and Travel. Alderman Lafontaine stated his concern with Moss Towing taking these and wanting to trade for storage fees for the last few years. Mr. Yarborough said the City can't do this. The City has to determine what the fair market value is. Mrs. Planchard said the City has received no invoice from Moss Towing.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PURCHASING/BIDS/ADVERTISEMENTS

Re: Advertise for bids on dirt, sand and gravel

Alderman Kidd moved, seconded by Alderman Lafontaine to advertise for bids on Dirt, Sand and Gravel, etc... prices for the period of 1 year.

Mr. Yarborough asked that the Advertisement and Notice to Bidders should read, "The Board of Mayor and Alderman reserve the right to reject any and all bids". City Clerk Planchard said she would add this wording to the Notice.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

UTILITY DEPARTMENT/TRAVEL

Re: Corey Stone to attend the Mississippi Rural Water Association in Biloxi, MS

Alderman Geoffrey moved, seconded by Alderman Stahler to approve travel for Utility Department employee Corey Stone to attend the Mississippi Rural Water Association

class with MDEQ in Biloxi, Mississippi on June 7-9, 2011. Cost to the City will be a registration fee of \$125.00. A City vehicle will provide transportation.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PERSONNEL/IT DEPARTMENT

Re: Amendment to the Employee Handbook related to Computer Use

Alderman Kidd moved, seconded by Alderman Lafontaine to approve an Amendment to the Employee Handbook to include Computer Use 2011 Policy and Procedures, as prepared and submitted by IT/Computer Forensic Specialist, David Allen.

(EXHIBIT H)

Mayor Garcia said he did speak with David Allen about this; it is just the beginning of getting a hold of computer use/misuse in the workplace. The City has the capability of taking control of this and there should be no shopping, Facebook© or anything such as this on the computers during work hours. Alderman Lafontaine said the only concern that he has is related to the use of Social Networks through the City. Mayor Garcia gave a scenario such as an oil spill that could be put out through social media; this would be permissible. Waveland should be a part of the social media, but not having the employees using it during the work day. Alderman Lafontaine suggested the Fire Department should have one as should Public Works. Mrs. Tammy Fayard said that when someone is on the Facebook© it will post the time and day that someone is on there; it is obvious. Mayor Garcia said Investigator Allen will be able monitor abuses of the computers.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

UTILITY DEPARTMENT/POLICIES

Re: Utility Department Payments/Collection Policy

Alderman Stahler moved, seconded by Alderman Geoffrey to adopt the Utility Department Payments Policy. **(EXHIBIT I)**

Mayor Garcia said the Auditors are here now and have suggested that the City implement this policy since there is an Ordinance (#274) in place that addresses same. Mayor Garcia explained the system with the door hangers and that Crystal (Cato), Public Works Manager and Tom (Worrel), Comptroller are currently sorting through the old pre-Katrina debts. They can't be written off; they have to stay in the books as a debt, but they can be separated to determine actual collectible outstanding receivables. There has to be a policy in place to capture the payments from the property owners as they try to re-connect their bills at this address or wherever they may move within in the City. Alderman Lafontaine said that each Department should be supporting itself with the collections of fines and fees related thereto. Mayor Garcia noted that it is not legal for a General Fund to support a Utility Fund; the Utility Fund must be self supporting.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

MUNICIPAL PROJECTS REPORT

Re: Bruce Newton with Digital Engineering present to update the Board on projects

Mr. Newton discussed that infrastructure projects would be wrapping up soon; the sidewalk project had been started this week. The City received the executed (by the Corp of Engineers) agreements and Michelle Moore (Gouras Urban Planning Consultants) is currently working on the Jeff Davis/Gulfside projects. Once this is completed the project can be bid and get started. The water system lines should be installed in June. Mr. Newton asked for approval of a Change Order (on this Board meeting) to connect the water in the annexed area. He explained the funding and the technical information of connecting the citizens on their private property. Mr. Newton said that he had received a letter from City Attorney, Gary Yarborough questioning some details in the Change Orders. He said that he responded to the letter and passed out his response to the Board this evening, noting the new line items. **(LETTER AS EXHIBIT)** All of the houses were counted prior to trying to connect the houses; there are approximately 300 houses that will be connected. Mayor Garcia asked if this would include the meter boxes. Mr. Newton said yes. The Engineering Service fees are typically a percentage of the construction costs. He said the drainage project is going real well; they will be coordinating with Pickering to do additional drainage work for the City. Mayor Garcia asked about the Idlewood project? Mr. Newton said the only item that needs to be added there are a few fences in close proximity where work needs to be done. Alderman Lafontaine asked about the drainage project at Budget Inn. Mr. Newton said last year some time the City replaced large pipes/culverts and are now trying to make improvements to the drainage improvements project from last year. Alderman Stahler said that she got an e-mail about the drainage ditch that runs from the corner of Central Ave. and Mollere Drive to Adams Lane and Sarah's Lane; there are some culverts sitting in this area, is there a plan for use of these? Mr. Anderson said that is correct, the City has the easements through there. Alderman Stahler asked about the timing of this. Mr. Newton said the change order will add 45 days to the project; hopefully it will be done in July 2011. Alderman Kidd also asked about the Idlewood project and the movement of the culverts in that area. Mr. Anderson said they would go from Yarborough Place to Champion Street. The water has eroded property and sunk fences into the ground. With the drainage improvements, the City will be able to get the water off of Yarborough Place. Alderman Kidd asked about Shipp Street at 'Mr. Rocky's' property, to drain Maple Street. Mr. Anderson said it should take some of the water off of Shipp Street to catch the main outfall. The citizen is already on board with this project. Mr. Anderson said he and the Mayor had been to Sarah's Lane. Mayor Garcia said we need to move forward with the funds or we will lose them. Alderman Kidd said that Mr. Rocky (Pullman) was on board with this project also. Mr. Newton said 2 buildings; one being the Police Station should have the interior wall panels currently being installed. The roof panels are not on site yet. The roof panels should start to go up on Monday. The Change Order for the Police Department that has been recommended by the structural Engineer regarding the concrete wall panels and the Architect who worked through the HMGP approval was told in the past to remove all of the windows. Mr. Newton said that the wall panels are not cheap; HMGP pays for a portion of the difference in price between a regular window and the special windows that are needed for the 361 building. Mayor Garcia asked about item 35 (of the change order), asking if both agencies have signed off on the changes. The problem is that FEMA has no one to review this and it gives cause for concern as all of the FEMA Engineer's have left the main office. What if HMGP and CDBG don't pay because all of the Engineer's have gone back to Atlanta? Mr. Newton said that the contractor who is building the Police Department has experience in working on 361 projects. Alderman Geoffrey recommended the motion say pending approval from MDA. Alderman Lafontaine asked about the additional time requested in the Change Order. Mr. Newton explained that this is a recommendation from the Architect. Alderman Lafontaine asked if it was just about the change in windows and doors. Mr. Newton said yes, that and a couple of other things in the process. There have been several meetings and Brent has been involved. Some of the delays came with approval from HMGP. The contractor feels confident that they can complete this project by

September 2011. Mr. Newton further explained if this issue can get behind us, there is nothing else to hold up the project; everything is ironed out and all of the approvals are in place. Alderman Lafontaine discussed his concerns for the time extension (90 days) in the change order for the Police Department. Alderman Staler and Mayor Garcia said the time extension should be placed in the motion. Mayor Garcia asked about item number 36 (in the change order) and noted that the Architect and Engineers that approved the 361 funding are no longer in Biloxi. He said that he is concerned that the substitute regarding the panels and whether the building will still meet the 361 standards with funding. Mayor Garcia said he worked with the FEMA people everyday and has many concerns regarding the funding and if the scope of work changed without FEMA signing off on it, the City will be left with the financial burden of the panel change. Mayor Garcia said to Mr. Newton, I need to make sure that you all (Digital Engineering) have it in writing, because if not the City will be left "holding the bag" and be out more than \$1,000,000. Mr. Newton said there are no changes in scope. The only changes are the location where the panels are made. Mr. Anderson said the difference is use of delivery by crane and not truck. Alderman Stahler discussed the time issues as well. Mr. Newton turned the floor over to Architect Buzzy Bolton. Alderman Kidd asked about S.H. Anthony replacing grass in yards and wanted to know if they are going to finish soon. Mr. Newton said yes. There was discussion between Mr. Anderson and Alderman Kidd regarding Mr. Mike Bell's grinder pump on his property. Mr. Yarborough asked about the easements for the Citywide Drainage project. Mr. Newton said yes, we have worked all that out. Alderman Kidd said that he has spoken with a few of the foremen on the jobs about Mr. Craig Lafontaine's survey markers being knocked down. Mr. Anderson said all of the things that you're talking about we have already been taking care of. (Inaudible – discussion by multiple Board members at same time.) The Mayor said the property markers were torn up in Judy Yarborough's driveway as well as Mr. Lafontaine's driveway. Mr. Anderson said they are working on it. Mr. Yarborough asked about the \$9.65 number given, was that something MDA raised and was it sent to them? MDA recommended that as a reasonable fee for the change order item. Was this sent to them. Mr. Newton said Jerry Toulas initiated this. City Attorney Yarborough said that apparently Digital Engineering sent this to them for some kind of pre-approval. He sent an e-mail stating that he thought that was a reasonable cost for this service. Mr. Newton asked if Mr. Yarborough would forward that e-mail to him. Each Change Order stands alone, every time the scope is adjusted. Mr. Yarborough suggested the Board make all Change Orders contingent upon MDA approval. Mr. Yarborough asked about the Contract Amendments on the agenda, asking Mr. Newton "is it your position that the amendments to the Contract Amendments are commercially reasonable not new undertaking and necessary to the project"? Mr. Newton said "yes it is". Alderman Lafontaine asked about the progress on Waveland Avenue. Mr. Newton said there are a few disagreements that have to be worked out with the contract. Alderman Lafontaine asked if it was about the patch job. Mr. Newton said yes.. Mr. Anderson said they have been having progress meetings; they will have to bring in a milling machine to mill the old stuff. Alderman Lafontaine asked whether it was from the railroad tracks to the Highway. Mr. Anderson said "yea, pretty much". There are a few disagreements. Mr. Newton said there are a lot of memos that go back and forth. Alderman Lafontaine asked about the ditches falling in by the roads; Herlihy and Amar Streets. Mr. Anderson said they have been discussing this for some of them. Some of the problem was from the Utility project that went through that area. This was part of a W-9 project. Mr. Norm (with Digital Engineering) asked the man from Geo Pave to correct these problems. Mr. Lafontaine said on Herlihy Street there is no room for a turn area for a vehicle hauling a boat or anything like that. Mr. Lafontaine asked whether there are pictures of the ditch before the project. Mr. Newton said yes, there is video. Alderman Lafontaine suggested going down Waveland Avenue, Herlihy, Amar, and Spruce Streets; which are all bad. Mayor Garcia said the asphalt trucks were tearing them up. Alderman Lafontaine said the ditch on Waveland Avenue is 3 feet deep; very hazardous. Mr. Buzzy Bolton came up to speak at this time; he said there are two items regarding the topographic survey and the parking lot on 108 Bourgeois Street; the price for the use of Neil Schaffer is very reasonable. Mr. Yarborough asked about the issue of the air conditioner being raised above flood elevation at the Fire Station/City Complex on Coleman Avenue? That is number 29 (on the change order), also an amendment with the Architectural Contract regarding the purchase of the land over to St. Joseph. Mr. Bolton said that Mr. Duke Levy can have the drawings ready for the contract and be ready to move forward.

Currently the property is being appraised for CDBG funds. Mr. Anderson said this is another problem. Mayor Garcia asked if Laci (Pittman with MEMA) can speed this up. Mr. Bolton said item 30 is for Change Order no.5 that has 3 parts, the estimate for the contractor to do the underground drainage for additional parking on Bourgeois St., the second part of the change order is for Board approval to dig out some bad soil in the parking lot behind the Fire Station. The third item is the air condition units for City Hall and the Fire Station that were on the ground with a chain wall around them for security. He said they have modified their thinking and have modified this design to have the A/C units off the ground. The Change Orders is to make the adjustments necessary to make this work. Mayor Garcia said he is glad the Architect caught this, because of part 59 of the code regulations that states what must be done, otherwise the City will pay increased insurance on the fact that they are not high enough. The City would have been a minus freeboard. Congress has tasked the National task force and FEMA giving a certain number of years to re-evaluate flood insurance programs and further explained the criteria for the elevation rules. Mr. Yarborough asked if there were permits on the City buildings. Mr. Anderson said, "oh yea, absolutely". Mr. Yarborough asked about the date of the permit and what was the date of the Ordinance in effect? Mayor Garcia asked Brent Anderson what flood Ordinance # does the City Hall have to meet. Mr. Anderson said D-FIRM 32. Mayor Garcia said Ordinance 342, 19 plus 1. Mr. Bolton said everything is based on a 19 foot base flood elevation. The City ordinance provided for a 1' freeboard. Mr. Yarborough asked if the permit was obtained when the design was done or from the Contractor? Mr. Bolton said it was submitted by the Contractor. Alderman Lafontaine and Mayor Garcia asked about the air conditioning units and their positions and elevations prior to the change order and where they will be located. Mr. Bolton explained the A/C's locations and elevations and with regard to the parking lot, the contractors are looking for an extension of 30 days. Mayor Garcia wanted to make sure this would not stop the City from moving into City Hall. Mr. Bolton said no. Mr. Anderson asked if there were any questions for the Central Fire Station and offered an update. The Contractor with CDM, Steve Schoedinger, was present to note recent good weather and nothing eventful. Mrs. Planchard asked for the estimated date of completion on City Hall. The contractor said about mid October 2011.

COLEMAN AVENUE STREET IMPROVEMENTS PROJECT/PAYMENT REQUEST

Re: Payment request No. 11 in the amount of \$228,514.52

Alderman Geoffrey moved, seconded by Alderman Stahler to approve Payment Request No. 11 from Lane Construction Co. in the amount of \$228,514.52 – Coleman Avenue Street Improvements. (Tabled from meeting of May 3, 2011) **(EXHIBIT J)**

Mayor Garcia said he personally spoke with Mr. Bill Boyd and Mr. Lepine (Wild Bill) who said Lane Construction had nothing to do with the fence damage.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

REQUESTS FOR CASH REIMBURSEMENT/DRAINAGE IMPROVEMENTS PROJECT/SANITARY SEWER SYSTEM IMPROVEMENTS, WEST/WATER SYSTEM IMPROVEMENTS ANNEXED AREA/BUSINESS INCUBATOR/POLICE STATION/CENTRAL FIRE STATION/CIVIC CENTER/LIBRARY/FIRE STATION/COLEMAN AVENUE IMPROVEMENTS PROJECT

Spread on the minutes the following Requests for Cash Reimbursement, as reviewed and approved by Tom Worrel, Comptroller, and listed (Items a-g): **(EXHIBIT K)**

- a. #R-118-379-07-HCCR in the amount of \$10,226.13 – Drainage Improvements Project.

- b. #R-118-379-03-HCCR in the amount of \$7,013.40 – Sanitary Sewer System Improvements West.
- c. #R-118-379-06-HCCR in the amount of \$28,797.60 – Water System Improvements Annexed Area.
- d. #R-109-379-04-KCR in the amount of \$146,473.38 – Business Incubator.
- e. #R-118-379-02-HCCR in the amount of \$0 (Match Only) – Police Station.
- f. #R-118-379-01-HCCR in the amount of \$223,723.00 – Central Fire Station.
- g. #R-103-379-01-KCR in the amount of \$241,243.68 – Civic Center, Library, Fire Station and Coleman Avenue Improvements Project.

**WATER SYSTEM EXTENSION, ANNEXED AREA/CITY HALL AND CITY HALL ANNEX & FIRE STATION/TIDELANDS REPORTING & FUNDS/PEDESTRIAN PATHWAY/BUSINESS INCUBATOR/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/FIRE STATION HIGHWAY
Re: Payment of invoices by various contractors (EXHIBIT L)**

Alderman Kidd moved, seconded by Alderman Geoffrey to approve payment of the following invoices as submitted by various contractors and recommended for payment by Public Works Director and Recovery Manager, Brent Anderson, as listed (Items a-h):

- a. Payment Request No. 12 from Reynolds, Inc. in the amount of \$91,486.82 – Water System Extension – Annexed Area.
- b. Pay application No. 7 from DNP, Inc. in the amount of \$612,270.07 – City Hall/City Hall Annex and Fire Station
- c. Invoice 201-150-28 from Compton Engineering in the amount of \$550.00 – Semi Annual Tidelands Report to DMR.
- d. Pay Estimate No. 5 from David Rush Construction in the amount of \$108,004.34 – Pedestrian Pathway.
- e. Payment Application No. 13 from Benchmark Construction in the amount of \$146,473.38 - Business Incubator.
- f. Payment Request No. 3 from Jay Bearden Construction, Inc. in the amount of \$200,372.59 – Citywide Drainage Improvements.
- g. Pay Application No. 13 from G.M. & R, construction in the amount of \$217,554.00 – Fire Station Highway 90.
- h. Invoice No. 209-088.005-5 from Compton Engineering in the amount of \$21,000.00 - Pedestrian Pathway.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**DIGITAL ENGINEERING/BUILDINGS AND FACILITIES/SEWER SYSTEM RECONSTRUCTION NORTH OF THE RAILROAD TRACKS/CDBG FUNDS/2009 CDBG SEWER SYSTEM EXTENSION PROJECT/WATER SYSTEM EXTENSION, ANNEXED AREA/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT
Re: Invoices as presented by Digital Engineering for various projects (EXHIBIT M)**

Alderman Stahler moved, seconded by Alderman Kidd to approve the following invoices as presented by Digital Engineering and recommended for payment by Public Works Director and Recovery Manager, Brent Anderson (Items a-f):

- a. Invoice No. 100 in the amount of \$1,157.50 – Miscellaneous Projects.
- b. Invoice No. 40 in the amount of \$9,844.00 – Program Management services for Buildings and Facilities.

- c. Invoice No. 41 in the amount of \$15,486.45 – Sewer System Reconstruction North of the Railroad Tracks.
- d. Invoice No. 23 in the amount of \$7,013.40 – 2009 CDBG Sewer System Extension Project.
- e. Invoice No. 15 in the amount of \$10,226.13 – Citywide Drainage Improvements Project.
- f. Invoice No. 21 in the amount of \$28,797.60 – Water System Extension for Annexed Area.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CONTRACT/CITY HALL AND CITY HALL ANNEX/FIRE STATION
Re: Contract Amendment No. 2 to the Architectural Agreement with BDA, LLC

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve Contract Amendment No. 2 to the Architectural Agreement with BDA, LLC Inc. for the City Hall/City Hall Annex and Fire Station. This Amendment is necessary for services coordination with acquiring Lot 58A (108 Bourgeois St.) to expand off street parking capacity. The Board is making the finding that it is commercially reasonable, not a new undertaking and necessary to the project as originally bid. Board approval is pending approval by MDA. **(EXHIBIT N)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/CITY HALL AND CITY HALL ANNEX/FIRE STATION
Re: Request 34 day increase, City Hall/City Hall Annex/ Fire Station – DNP, Inc.

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Change Order No. 5 from DNP. Inc., for the City Hall/City Hall Annex Building and Fire Station. The Change Order is for an increase of 34 calendar days in construction time and an additional \$100,481.83. The Board is making the finding that it is commercially reasonable, not a new undertaking and necessary to the project as originally bid. Board approval is pending approval by MDA. **(EXHIBIT O)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CONTRACT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT
Re: Contract Amendment No. 1 with Digital Engineering

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Contract Amendment No. 1 with Digital Engineering for Professional Engineering Services for the Citywide Drainage Improvements Project. The amended contract will allow for engineering services for design, construction administration, and resident inspection for the additional drainage work included in Change Order No. 2 to the construction contract

with Jay Bearden Construction, Inc. Digital Engineering is requesting that funds be reallocated from the Geotechnical & Materials Testing portion to the Design, Construction Administration, and Resident Inspection line items of the contract. No additional funds are being requested; the total contract amount will not change. The Board is making the finding that it is commercially reasonable, not a new undertaking and necessary to the project as originally bid. Board approval is pending approval by MDA. **(EXHIBIT P)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDER/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT
Re: Change Order No. 2 to add items and adjust quantities – Jay Bearden Construction, Inc., Citywide Drainage Improvements

Alderman Kidd moved, seconded by Alderman Geoffrey to approve Change Order No. 2 from Jay Bearden Construction, Inc. in the amount of \$156,395.60 for the Citywide Drainage Improvements Project, providing MDA funding is approved. The Change Order is to add items and adjust quantities that are required to enhance the project. The Board is making the finding that it is commercially reasonable, not a new undertaking and necessary to the project as originally bid
(EXHIBIT Q) (EXHIBIT – DEii AND CITY ATTORNEY LETTERS)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CONTRACTS/WATER SYSTEM EXTENSION-ANNEX
Re: Contract Amendment No. 2 with Digital Engineering to allow for engineering services to connect approximately 300 homes in the annexed area to City water

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Contract Amendment No. 2 with Digital Engineering for Professional Engineering Services for the Water System Extension-Annexed Area Project. The amended contract will allow for engineering services to connect approximately 300 home owners to the new water distribution system. The Board is making the finding that it is commercially reasonable, not a new undertaking and necessary to the project as originally bid. Board approval is pending approval by MDA.
(EXHIBIT R) (EXHIBIT – DEii AND CITY ATTORNEY LETTERS)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDER/WATER SYSTEM EXTENSION – ANNEXED AREA
Re: Change Order No. 3 from Reynolds, Inc., to cap existing water wells and install new water service lines to connect existing 300 annexed area residents

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Change Order No. 3 from Reynolds Inc. in the amount of \$312,265.00 – Water System Extension - Annexed Area. The Change Order consists of capping existing water wells and installing new water service lines to connect the existing approximate 300 annexed area residences to the Waveland Water system. The Board is making the finding that it is commercially reasonable, not a new undertaking and necessary to the project as originally bid. Board approval is pending approval by MDA. **(EXHIBIT S)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/C.PERRY BUILDERS/POLICE STATION
Re: Change Order No. 2 for addition of glazed openings for wall panels and aluminum store front openings – C. Perry Builders, Police Station

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Change Order No. 2 from C. Perry Builders for the Police Station, pending receipt of original change orders with signatures by Architect and Contractor. The Change Order is for the addition of (16) FEMA 361 glazed openings in the exterior precast concrete wall panels and (6) FEMA 361 aluminum store front openings with glazing and addition of 90 days to the contract. The increase in costs for these changes is \$124,591.87. The Board is making the finding that it is commercially reasonable, not a new undertaking and necessary to the project as originally bid. Board approval is pending approval by HMGP and/or CDBG funding. **(EXHIBIT T)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/POLICE STATION
Re: Change Order No. 3 for the deletion of the plan processed reinforced six inch thick steel reinforced concrete wall panels – C. Perry Builders, Police Station

Alderman Kidd moved, seconded by Alderman Geoffrey to approve Change Order No. 3 from C. Perry Builders for the Waveland Police Station, pending receipt of original change orders with signatures by Architect and Contractor. The Change Order asks for the deletion of the plant processed reinforced six inch thick steel reinforced concrete wall panels and the inclusion (substitution) of cast in place on site sand blasted concrete wall panels. There is no change in the contract amount or time associated with this proposed change order. The Board is making the finding that it is commercially reasonable, not a new undertaking and necessary to the project as originally bid. Board approval is pending approval by HMGP and/or CDBG funding. **(EXHIBIT U)**

Alderman Lafontaine said this is approving not being pre-cast, but is being poured on site. Mr. Anderson said yes, it is merely a formality.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PARKS AND RECREATIONS/PERSONNEL

Re: Resignation of Floda Kientz

Spread on the minutes the resignation of Mrs. Floda Kientz from the Garfield Ladner Memorial Pier effective Sunday, May 15, 2011.

Re: Move Ms. Christine Berry from part-time to full-time

Alderman Geoffrey moved, seconded by Alderman Lafontaine to move Ms. Christine Berry from her current part-time position to full-time and increase Ms. Berry's pay from \$7.50 per hour to \$8.00 per hour. This will fill the full time vacancy left by Mrs. Kientz.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

REVENUES AND EXPENSES

Re: The Month of April 2011

Spread on the Minutes the Statement of Revenues and Expenditures for the month of April 2011, as presented at this the second meeting of May 2011 by Comptroller Tom Worrel.
(EXHIBIT V)

POLICE DEPARTMENT/PERSONNEL

Re: Resignation of Police Officer David Archer

Spread on the Minutes the resignation of Officer David Archer effective Sunday, May 15, 2011.

Re: Resignation of Police Sgt. Travis Foreman

Spread on the Minutes the resignation of Sgt. Travis Foreman from the Waveland Police Department effective Sunday, May 29, 2011.

CONTRACTS/AMEC EARTH AND ENVIRONMENTAL/HAZARD MITIGATION

Re: Hire AMEC Earth and Environmental to update the City's 2012 Local Hazard Mitigation Plan/(HMGP)

Alderman Geoffrey moved, seconded by Alderman Kidd to consider hiring AMEC Earth and Environmental to update the City of Waveland 2012 Local Hazard Mitigation Plan. AMEC will assist the City in applying for \$60,000 of MEMA grant funding for this purpose and plan preparation. This should prove to be a 75/25 grant with the City matching with in-kind services. Note: If in-kind services are not applied for, the 25% match would be \$15,000.
(EXHIBIT W)

Mayor Garcia said the City buildings should have shutters or hurricane screens; we can apply for this in the next round of funding, but whatever AMEC asks for with regard to assistance, we will match with in-kind services.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

FIRE DEPARTMENT/TRAVEL

Re: Lt. James Butcher to attend the MS. State Fire Academy for the Fire Inspector 1031-II Course

Alderman Stahler moved, seconded by Alderman Kidd to approve a request for Lt. James Butcher to attend the Mississippi State Fire Academy for the Fire Inspector 1031-II course. Cost to the City will be a course fee of \$255.00, 4 days per diem for evening meals only, and a City vehicle will provide transportation. Funding for this training has been allocated through Mississippi Insurance Department Rebate Money.

Mayor Garcia said this is the second insurance rebate check that we receive each year and can only be used for training.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Personnel matters: Police, Court and City Hall, including contractual issues with Animal Shelter and Engineering Services.

Alderman Geoffrey moved, seconded by Alderman Stahler to consider Executive Session to discuss personnel issues; Police Department, Court Department and City Hall; along with Animal Shelter and Engineering contractual issues.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Stahler moved, seconded by Alderman Geoffrey to enter Executive Session to discuss personnel issues; Police Department, Court Department and City Hall; along with Animal Shelter and Engineering contractual issues.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Stahler moved, seconded by Alderman Lafontaine to come out of Executive Session with no action taken.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn meeting at 11:33 p.m.

Alderman Geoffrey moved, seconded by Alderman Lafontaine to adjourn the meeting at 11:33 pm.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on June 24, 2011

Lisa Planchard
City Clerk

The Minutes of May 18, 2011 have been read and approved by me on this day the 24th day of June, 2011.

David A. Garcia
Mayor

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