

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. on November 16, 2011 at 6:30 p.m. to take action on the following matters of city business.

Present at the meeting were Mayor David A. Garcia and Aldermen Stahler, Geoffrey, Lafontaine and Kidd.

Also present at the meeting was City Clerk Lisa Planchard and City Attorney Gary Yarborough.

ROLL CALL

Mayor Garcia asked to let the record reflect Aldermen's representation of all 4 ward's, City Clerk Lisa Planchard and City Attorney Gary Yarborough.

MAYOR'S REPORT – (EXHIBIT A)

(Tape of meeting for listening available via records request, in Meeting folder)

Re: The Mayor reminded everyone of the upcoming National Veterans Day holiday, noting this was a day to show appreciation to those who have served their Country in the Armed Forces. The Mayor also provided the audience with a brief history of the holiday. Mayor Garcia presented Miss Kristin Cuevas with a Certificate of Appreciation for her art work displayed on the concrete bulkheads at the beach entrance to Nicholson Avenue. Miss Cuevas was chosen during an art contest for the aforementioned project. The Mayor said this past week the 3 outdoor warning sirens, which were approved through the Hazard Mitigation Grant Program were installed at the Waveland Ball Field, Waveland Police Complex on McLaurin and the Highway 90 Water Tower site. The Mayor noted that as of this time, the power has not been installed and they will not be operational until completion and operation of the Highway 90 Fire Station, where the panel will be installed.

PROJECT MANAGEMENT

Re: Engineer Bruce Newton with Digital Engineering, Engineer Robert Heath with C.D.M., Representative of Compton Engineering, Mickey Lagasse and Architect with Unabridged Architecture, John Anderson were present to update and answer questions Board members have with regard to current projects. (EXHIBIT A-CDM & UNABRIGDGED ARCHITECTURE)

ALDERMEN'S COMMENTS

Re: Alderman Stahler recognized the community members that have been helping in providing assistance in gathering donations for local beautification projects, specifically mentioning \$1200 received for trees along Nicholson Avenue.

Alderman Stahler also read the Hancock Holiday Proclamation regarding a "Shop Local" Christmas and the economic and other benefits related thereto.

Re: Alderman Geoffrey had no comments.

Re: Alderman Lafontaine asked about the current state of the City's finances and about numbers in Court Department. Ms. Janet Dudding, Comptroller provided answers and advised Board members that she was looking into software options to provide Board members the financial data they are requesting; the City's current software does not allow for looking back or projecting forward in time beyond the current month, which is financially restrictive. Ms. Dudding mentioned that the renewal contract for hardware and software renews 12/31/11 and that the City has funding through a PW (project worksheet) for equipping City Hall with new software and other equipment.

Re: Alderman Kidd asked Mayor Garcia if the City could turn some of the street lights off south of the tracks (where there are no residents) in an effort to save money. Mayor Garcia explained that he would need the pole numbers of those needing to be turned off to notify the Electric Company. Alderman Kidd said he would make a list of the lights that he would like to have turned off. It was also mentioned that there was a string of center median Hwy 90 lights that were out from Waveland West, almost Fricke Rd. to Waveland Avenue. Ms. Fayard will call electrician Aaron Wilkinson to check these lights. Mr. Roger Estopinal also stood to advise Board members of lights that were out on the Waveland Kiln Cutoff Road. Mayor Garcia told him he will have to get a list of

the pole numbers affected and get them to his office or the utility office so it could be called in.

Alderman Kidd also reminded everyone about the grand opening of the Family Dollar and Dollar General Stores, and thanked Deputy Kenny Hurt for the services of the Sheriff's Department during the City's recent financial issues.

MINUTES

Re: Minutes of November 1, 2011

Alderman Geoffrey moved, Stahler to approve the minutes of the meeting of November 1, 2011 as submitted by the City Clerk. **(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. 69546-69606 – Spreadsheet presented at November 1, 2011 meeting

Spread on the Minutes the Docket of Claims approved by the Board at their last November 1, 2011 Board meeting, being numbered 69546-69606 as submitted by the City Clerk. **(EXHIBIT C)**

RSVP

Re: Claims

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the RSVP Claims as submitted. **(EXHIBIT D)**

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: Approve Payment of highlighted invoices on Docket spreadsheet

Alderman Kidd moved, seconded by Alderman Stahler to approve payment of highlighted Invoices (yellow with letter 'D') listed on the proposed 11/16/2011 Docket schedule, as submitted by the City Clerk. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

MISSISSIPPI MUNICIPALITY LIABILITY PLAN/GENERAL LIABILITY PREMIUM/INSURANCE

Re: Authorize payment in the amount of \$34,152.00

Alderman Lafontaine moved, seconded by Alderman Stahler to authorize payment in the amount of \$34,152.00 (discounted \$697.00 for paying prior to 12/31/11 due date) to MS.

Municipality Liability Plan for the General Liability Premium covering the period 1/1/2012 through 12/31/2012.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CITY HALL COMPLEX/BUILDINGS/TELEPHONE SYSTEM

Re: Brian Cameron with Universal Tel.Com provided presentation to the Board regarding Voice Over IP telephone service, new technology and communication features at comparable price the City if currently paying; provides for post storm communication immediately. Comptroller Janet Dudding also offered explanation on the City's behalf.

**CONTRACTS/LEASE PURCHASE/CITY HALL/BUILDING
DEPARTMENT/COURT DEPARTMENT/POLICE DEPARTMENT/PUBLIC
WORKS/PERSONNEL/PURCHASING**

Re: Lease Purchase Agreement with OCE' for Copiers

Alderman Lafontaine moved, seconded by Alderman Stahler to approve lease purchase agreement with OCE' for the lease purchase of 6 copy machines to replace and equip offices; contract approval subject to review by City Attorney Gary Yarborough, **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Kidd

Voting Nay: Lafontaine

Absent: None

**REQUESTS FOR CASH REIMBURSEMENTS/CDBG/2009 CDBG SEWER
SYSTEM EXTENSION PROJECT WEST/WATER SYSTEM EXTENSION –
ANNEXED AREA/CITY HALL AND CITY HALL ANNEX BUILDING/
DOWNTOWN SIDEWALK IMPROVEMENTS PROJECT/BUSINESS
INCUBATOR/CENTRAL FIRE STATION/POLICE STATION/CITYWIDE
DRAINAGE IMPROVEMENTS PROJECT**

Re: Requests for Cash Reimbursements

Spread on the minutes the following Request for Cash Reimbursements as listed, (Items a-i): **(EXHIBIT G)**

- a. #R-118-379-03-HCCR in the amount of \$4,675.60 – 2009 CDBG Sewer System Extension Project West.
- b. #R-118-379-06-HCCR in the amount of \$25,202.60 – Water System Extension - Annexed Area.
- c. #R-109-379-02-KCR in the amount of \$1,147.50 – City Hall and City Hall Annex Building.
- d. #R-109-379-03-KCR in the amount of \$1,541.66 – Downtown Sidewalk Improvements Project.
- e. #R-109-379-04-KCR in the amount of \$118,320.15 – Business Incubator.
- f. #R-118-379-01-HCCR in the amount of \$401,782.90 – Central Fire Station.
- g. #R-118-379-02-HCCR in the amount of \$81,950.19 – Police Station.

- h. #R-109-379-03-KCR in the amount of \$15,995.33 – Downtown Sidewalk Improvements Project.
- i. #R-118-379-07-HCCR in the amount of \$2,547.50 – Citywide Drainage Improvements Project.

BUDGET MODIFICATION/ WATER SYSTE IMPROVEMENTS – ANNEXED AREA

Re: Budget Modification as submitted by Jimmy G. Gouras, Urban Planning Consultants, Inc.

Alderman Geoffrey moved, seconded by Alderman Stahler to table the following Budget Modifications as submitted by Jimmy G. Gouras Urban Planning Consultants, Inc., as listed (Items 1 and 2): **(EXHIBIT H)**

- a. Budget Modification No. 4, R-118-379-06-HCCR - Water System Improvements – Annexed Area.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PAY REQUESTS/INVOICES/WATER SYSTEM EXTENSION - ANNEXED AREA/OUTDOOR WARNING SIREN SYSTEM/HMGP/BUSINESS INUBATOR/HARBOR, LIGHTHOUSE, BOAT LAUNCH/CENTRAL FIRE STATION/HMGP 18 PARCEL PROJECT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/CENTRAL FIRE STATION

Re: Invoices for payment as submitted by various contractors

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the following invoices submitted by various contractors and vendors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant sources, as submitted by Recovery Manager, Brent Anderson, as listed (Items a-k): **(EXHIBIT I)**

- a. Payment Request No. 18 from Reynolds, Inc. in the amount of \$126,729.62 – Water System Extension – Annexed Area.
- b. Payment Request No. 19 from Reynolds Inc. in the amount of \$12,200.91 – Water System Extension – Annexed Area.
- c. Invoice No. 2501 from Precision Communications Inc. in the amount of \$73,498.55 (actual amount of bid awarded) – Outdoor Warning Siren System. This is an HMGP Grant project for which the City will be reimbursed \$60,805.00. Total grant was \$64,005.00 for which the City had a 5% match.
- d. Invoice No. 11 from Unabridged Architecture in the amount of \$12,750.00 – Business Incubator.
- e. Invoice No. 211-032-1 from Compton Engineering in the amount of \$44,778.75 – Harbor, Lighthouse, Boat launch Project. This is final invoice from Compton Engineering on this project.
- f. Pay Request No. 21 from CDM in the amount of \$5,957.41 – Central Fire Station. (On Current Docket)
- g. Invoice #X17326227 from AMEC Earth and Environmental, Inc in the amount of \$3,620.18, HMGP 18 Parcel Project.
- h. Invoice No. 702-35-21 from Digital Engineering in the amount of \$2,547.50 – Citywide Drainage Improvements Project.
- i. Invoice No. 702-34-27 from Digital Engineering in the amount of \$17,478.07 – Water System Extension - Annexed Area.
- j. Invoice No. 702-23-46 from Digital Engineering in the amount of \$1,594.00 – Program Management Services for Buildings and Facilities.
- k. Pay Application 1006-19 from GM&R in the amount of \$146,469.00 – Central Fire Station.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

TASK ORDER/HMGP EXPANDED PLANNING GRANT

Re: Amendment to Task Order No. 1 with Pickering Engineering regarding the HMGP Expanded Planning Grant

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Amendment to Task Order No. 1 from Pickering Firm, Inc. to extend the Schedule from 24 to 52 weeks from the Notice to Proceed; there is no change in cost to the City. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Mr. Yarborough explained to the Board by taking action it was his opinion that the Amendment to the Task Order would only be an extension of time and he did not think it would cause the Board a legal problem. He said, "That being said, granting leave would not cause the Board a legal issue, part of this is because it is a revolving project." Alderman Stahler questioned the time frame and completion date. Mr. Yarborough said he thought the intent was to extend the time period as a formality. Mr. Yarborough said this was his understanding through conversations with Mr. Mike Womack of MEMA. Mayor Garcia expressed Mr. Womack's concerns with request for additional time on all projects. He noted that this is happening with all coastal cities.

INVOICES/BUSINESS INCUBATOR

Re: Final Invoice No. 10 pursuant to Amendment #1, Unabridged Architecture

Alderman Lafontaine moved, seconded by Alderman Kidd to approve Unabridged Architecture Final Invoice #10 pursuant to Amendment No. 1 in the amount of \$2,506.00 for the Business Incubator. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/SEWER SYSTEM RECONSTRUCTION PROJECT NORTH OF THE RAILROAD TRACKS

Re: Change Order No. 10

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve Change Order No. 10 from Reynolds, Inc. in the amount of \$251,580.39 – Sewer System Reconstruction Project North of the Railroad Tracks, contingent upon FEMA approving all of the numbers contained within this Change Order. **(EXHIBIT L)**

During discussion, Mr. Yarborough said that he had a conversation with Engineer Bruce Newton about this earlier today. He said the quantities adjustments that that have been

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indicated are final quantities as adjusted on the contract, and by asking for the change order on the final quantity adjustment, Bruce is now recommending substantial completion which would be asphalt issues as discussed on the record before. Mr. Yarborough said noted the invoices there is CO 10-1 through CO 10-5 which are claims that Reynolds has made on the contract for additional times and items. He said if one looks through them items there are claims for lost or damaged items that had to be replaced. Mr. Yarborough then asked Mr. Newton "Bruce is it your recommendation that those were reviewed in the field and that those items are were actually damaged by gas?" Mr. Newton said "Correct, (inaudible)". Mr. Yarborough asked if those were the items that were in the middle portion of the invoice. Mr. Newton said, "Yes sir, it is. Alderman Stahler asked about the lapse in time for submission for a claim. Mr. Newton said, "It took them a while to generate everything." Mr. Newton noted there was no real good record of as-builts after the storm. He said the City did the best that they could to locate the as-builts. Mr. Newton said, "But sometimes the guesses would be 15' feet off; they'd grab a line that was located improperly." Digital did what they could to document what was fair. He said most of the claims came in initially a lot higher so, not only did they negotiate the prices to make sure those were reasonable, but also just outright, they felt some of the claims were unreasonable. Mr. Newton said his concern is that they get it right, they have to be able to justify what they recommend to the Board for approval and they don't take that lightly. Mr. Yarborough said, "Bruce, is it your recommendation to the Board that these are justified and necessary to the project within the scope of its original bid." Mr. Newton said, "Yes, it is".

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Kidd

Voting Nay: Lafontaine

Absent: None

ADJOURN

Re: Adjourn meeting at 9:00 p.m.

Alderman Lafontaine moved, seconded by Alderman Geoffrey to adjourn the meeting at 9:00 p.m.

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 December 9, 2011.

Lisa Planchard
City Clerk

The Minutes of November 16th, 2011 have been read and approved by me on this the 9th of day of December, 2011.

David A. Garcia
Mayor