



Mayor Depreo
Councilmember L'Ecuyer At-Large
Councilmember Finley Ward 1
Councilmember Moran Ward 2
Councilmember Morgan Ward 3
Councilmember Clark Ward 4

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, December 15, 2020
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order.

Invocation
Pledge of Allegiance
Roll Call
Confirm or Adjust Agenda Order

Presentation Agenda.

Council Comments.

- a. a. The next Regular Meeting of the City Council will be held December 15, 2020 at 6:00 p.m. in City Hall Council Chamber located at 5000 Diamondhead Circle.
- b. City Hall will be closed December 24 and 25, 2020 for Christmas and December 31, 2020 and January 1, 2021 for the New Year.
- c. Bob Barber - Orion Planning Envision Diamondhead 2040 Update
- d. Trey Bobinger - Legislative update.
- e. Tetra Tech - Debris Removal Status
- f. Machado Patano - City Hall Parking Lot Improvements

City Manager's Report.

Public Comments on Agenda Items.

Policy Agenda.

Minutes:

1. Motion to approve December 1, 2020 Regular Meeting Minutes.

Ordinances:

Resolutions:

2. **2020-342:** Motion to adopt Resolution 2020-086 thereby authorizing submittal of grant application to Natural Resources Conservation Services for Emergency Watershed Protection Program funding for drainage system restoration to the upstream and downstream channels of the Lily Pond, committing matching funds in the amount of \$60,225 and for other related purposes.

- 3.** **2020-343:** Motion to adopt Resolution 2020-087 thereby reducing the Mayor's salary from \$10,000 to \$6,000 for the period November 2020 and ending June 2021, authorizing the administration to make equally divided allocations of the remaining \$4,000 to Diamondhead SPCA, Hancock County CASA and Hancock County Human Resource Center, authorizing budget amendment for same and for other related purposes all pursuant to the request for council action submitted by Mayor Depreo.

Consent Agenda:

- 4.** **2020-340:** Motion to approve payment to Covington Civil & Environmental in the amount of \$2,497.50 for debris management RFP review.
- 5.** **2020-341** Motion to approve annual contribution in the amount of \$500 to the American Red Cross pursuant to MS Code §21-19-57.
- 6.** **2020-344:** Motion to approve Master Service Agreement Work Assignment with Pickering Firm in the amount not to exceed \$4,500 for culvert replacement investigation on Hilo Street.
- 7.** **2020-345:** Motion to approve Master Service Agreement Work Assignment with James J. Chiniche in the amount not to exceed \$32,500 for design, bidding and construction phase services for East Aloha Phase 1 Improvements Re-Design. (MDA Grant)
- 8.** **2020-346:** Motion to approve Master Service Agreement Work Assignment with James J. Chiniche in the amount not to exceed \$54,500 for design, bidding and construction phase services for the Noma Drive Boat Launch and Pier Improvements. (Tidelands Funds)
- 9.** **2020-347:** Motion to approve Master Service Agreement Work Assignment with Pickering Firm in the amount not to exceed \$18,800 for survey, assessment and design for the Lily Pond dredging project.
- 10.** **2020-348:** Motion to approve Master Service Agreement Work Assignment with Pickering Firm in the amount not to exceed \$14,800 for survey, assessment and design of the Diamondhead Drive East Retention Pond Dredging Project.
- 11.** **2020-352:** Motion to approve payment to Orion Planning & Design in the amount of \$1,404.00 for professional services relating to the comprehensive plan.
- 12.** **2020-353:** Motion to approve Budget Amendments 2021-07 and 2021-08.
- 13.** **2020-349:** Motion to accept final completion of the Roadway Improvements Project - Phase 2 and to approve final payment in the amount of \$35,090.02 to Warren Paving, Inc.
- 14.** **2020-350:** Motion to approve payment in the amount of \$6,000 to Machada Patano for professional services relating to the City Hall Parking Lot Project.
- 15.** **2020-351:** Motion to approve payments to Digital Engineering in the amount of \$2,261.50 for GIS Maintenance and \$3,440 for Roadway Improvements Project Phase 3.

Action Agenda.

- 16.** **2020-354:** Motion to approve the recommendation of the Planning Commission by Mr. Ray Sheward and Mr. Scott King have requesting a variance from the Zoning Ordinance (Article 5.4.2 G) to construct a house within 6.8' from the side yard (south) property line. The case file number is 202000466. The newly assigned property address is 7420 Turnberry Way . The tax parcel number is 067N-1- 35-0-093.000. The legal description is replat of Glen Eagle Phase 1, Lot 174A. The

property is located in a R-1 zoning district. The minimum side yard setback is 10 feet due to this property being a combination lot allowed by the covenants.

- 17.** **2020-355:** Motion to concur with the recommendation of the Planning Commission to deny request by Ms. Margaret F. Nutkins for a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow short term vacation rental for 30 days or less in a R-1 district. The tax parcel number is 067P-0-35-066.000 The street address is 7604 Fairway Drive. Case file number is 202000481.

Routine Agenda.

Claims Payable

- 18.** Motion to approve Payroll Payables APPTKT1365 in the amount of \$41,298.24, PRCLAIM66 in the amount \$2,650.90, PRCLAIM67 in the amount of \$34,565.63, PRCLAIM68 in the amount of \$-736.90 APPKT1373 in the amount of \$44,553.65
- 19.** Motion to approve Docket of Claims (Claims DKT157854 - DKT157916) in the amount of \$179,088.94.

Department Reports

- a.** a. Building Department
b. Police Department
c. Privilege License

Public Comments on Non-Agenda Items.

Executive Session - If Necessary

Adjourn/Recess.

NOTE: THE CITY OF DIAMONDHEAD WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD INDIVIDUALS WITH DISABILITIES AN EQUAL OPPORTUNITY TO SERVICES AND ACTIVITIES OF THE CITY. A WRITTEN REQUEST BY OR ON BEHALF OF QUALIFYING INDIVIDUALS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE CITY CLERK.



Mayor Depreo	
Councilmember L'Ecuyer	A
Vacant	Ward 1
Councilmember Moran	Ward 2
Councilmember Morgan	Ward 3
Councilmember Clark	Ward 4

Item No. 1.

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, December 01, 2020
6:00 PM CST
Council Chambers, City Hall

Call to Order.

Mayor Depreo called the meeting to order at 6:00 p.m.

Invocation

Mayor Depreo

Pledge of Allegiance

Roll Call- PRESENT

Ward 2 Alan Moran

Ward 3 Jamie Morgan

Ward 4 Charles Clark

Councilmember-At-Large Lindsay L'Ecuyer

Mayor Nancy Depreo

Confirm or Adjust Agenda Order

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to amend the agenda to include the following:

7. a. **2020-337:** Motion to adopt Resolution 2020-083 thereby authorizing a grant application to the National Resources Conservation Services for Emergency Watershed Protection Program funding for drainage restoration at Diamondhead Drive East and Haina Street, committing matching funds and for other related purposes.
7. b. **2020-338:** Motion to adopt Resolution 2020-084 thereby requesting the Hancock County Board of Supervisors adopt and implement a Tax Increment Financing Redevelopment Plan.
7. c. **2020-339:** Motion to adopt Resolution 2020-085 thereby authorizing the expenditure of city of funds for debris removal and disposal from the city rights-of-ways adjoining commercial, church and Diamondhead Property Owner's Association properties and on private streets utilized by the public and for other related purposes.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

Council Comments.

1. The next Regular Meeting of the City Council will be held December 15, 2020 at 6:00 p.m. in City Hall Council Chamber located at 5000 Diamondhead Circle.
2. City Hall will be closed December 24 and 25, 2020 for Christmas and December 31, 2020 and January 1, 2021 for the New Year.

City Manager's Report.

1. Christmas Event at City Hall – Due to the increasing cases of COVID, the Christmas event at city hall has been cancelled for this year.
2. Tidelands Grant – The city received our formal notification of the new Tidelands grant award from DMR for \$400K. Our agenda item is to accept the grant that does not require any local matching funds. The grant is to fund the mixed-use Waterfront District project to improve the existing boat launch and add a pier, parking, portable bathroom, and kayak launch at the end of Noma Drive on the Jourdan River. This grant will allow the city to begin to develop this waterfront area and to encourage the private sector to develop next to it. The master plan envisions the addition of a boat storage facility, restaurant, retail shop, and residential units. Jason Chinichi is our engineer on this project. We have already completed the wetlands delineation for this area, and we hope to begin the permitting process shortly.
3. New Dollar General Store – Construction will begin shortly for a new Dollar General Store in Diamondhead. It will be located on Kalani just north of Hancock Bank.
4. New Medical Office Building – Clearing has started on the corner of Veterans Blvd and E. Aloha for a new medical office building. The developers are Rick and Jonathan Marshall. They are building a new 20K square foot medical office building for their client that will sign a 35-year lease. This will bring new medical services that are currently not available in Diamondhead. This includes cancer care, CT scan with diagnostic imaging, X-ray imaging, a specialty pharmacy, and over 20 exam rooms. Forty six doctors will report to this facility each week plus additional nurses and staff. It will create 100 new construction jobs, and it will generate about \$68K new property taxes. The estimated cost of the project is \$5 million.
5. Request to Ask the County to get a TIF Redevelopment Plan – In order for a TIF bond to work properly, the developer will need the participation of the city and the county. I am asking the council to pass a resolution asking the Hancock Board of Supervisors to get a TIF Redevelopment Plan just like the City of Diamondhead has done. This will allow the county to utilize a TIF bond in the future as an economic development tool. This is the same thing the city did to match the county's tax abatement plan in 2018. To make the economic development package attractive to the developer, the city and county must both participate when using the TIF or a tax abatement program. At present, there are 3 developers looking at major projects in Diamondhead. One is the medical office building that will need to run sewerage and water on Veterans Blvd. and E. Aloha Drive. At present, these public utilities are not located along these roads and a lift station will be needed. This is a huge financial cost for a developer, and the TIF could possibly be used to assist with this cost for the public infrastructure. I would like to have the county in a position to consider a proposal that may come from these developers. This does not obligate the county or the city to accept any proposals in the future. This simply makes it legal from the county

to offer if they choose. I recently met with the county administrator who requested this resolution from the city and will have it on their next agenda to consider.

6. Debris Removal from Churches, Commercial Properties, and POA Parcels – I am recommending to the council that the city pick up the debris along the city streets on property that is owned by businesses, churches and the POA. This is a safety issue, and we need to clean up the city. The cost for picking this up may not be reimbursed by FEMA and may be paid 100% by the city. We would need to notify Tetra Tech of the council’s decision so they can track this separately in their software. The monitor will track the cost of debris removal from these areas separate from the rest of the city, so we can report property to FEMA. I am not sure of the amount of debris or an estimated cost, but I think it is safe to assume it could be \$100,000 or more. The city will seek reimbursement to the extent possible.
7. Request to Apply for a NCRS Grant – I am requesting authorization to apply for a NCRS grant for drainage improvements for the ditches leading into the detention pond next to I-10 and south of Diamondhead Drive East. This will require 20% local matching funds.

Public Comments on Agenda Items - None.

Policy Agenda.

Minutes:

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to the approve the 1.) Minutes of November 17, 2020, 2.) November 20, 2020 and 3.) November 23, 2020.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L’Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Ordinances:

4. Proclaim December 19, 2020 Wreaths Across America Day in the City of Diamondhead

Motion made by Councilmember-At-Large L’Ecuyer, Seconded by Ward 4 Clark to proclaim December 19, 2020 Wreaths Across America Day in the City of Diamondhead

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L’Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

5. Motion to proclaim the City Diamondhead a "Live Oak Tree City".

Motion made by Councilmember-At-Large L’Ecuyer, Seconded by Ward 4 Clark to proclaim the City Diamondhead a "Live Oak Tree City".

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L’Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Resolutions:

6. **2020-334:** Motion to adopt Resolution 2020-083 thereby abandoning t7’ drainage/utility easement on each side of the common property line between Lots 44 and 45, Diamondhead Phase 1, Unit 2, Block 5; physical street address is 7330 Ahia Court; parcel number is 068R-3-41-145.000. (Maxwell).

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to adopt Resolution 2020-083 thereby abandoning t7' drainage/utility easement on each side of the common property line between Lots 44 and 45, Diamondhead Phase 1, Unit 2, Block 5; physical street address is 7330 Ahia Court; parcel number is 068R-3-41-145.000. (Maxwell).

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

7. **2020-331:** Motion to adopt Resolution 2020-081 thereby requesting the use of the grand stand from the City of Waveland for the Krewe of Diamondhead parade to be held February 13, 2021.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large L'Ecuyer to adopt Resolution 2020-081 thereby requesting the use of the grand stand from the City of Waveland for the Krewe of Diamondhead parade to be held February 13, 2021.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

7. a. **2020-337:** Motion to adopt Resolution 2020-083 thereby authorizing a grant application to the National Resources Conservation Services for Emergency Watershed Protection Program funding for drainage restoration at Diamondhead Drive East and Haina Street, committing matching funds and for other related purposes.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to adopt Resolution. 2020-083 thereby authorizing a grant application to the National Resources Conservation Services for Emergency Watershed Protection Program funding for drainage restoration at Diamondhead Drive East and Haina Street, committing matching funds and for other related purposes.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

7. b. **2020-338:** Motion to adopt Resolution 2020-084 thereby requesting the Hancock County Board of Supervisors adopt and implement a Tax Increment Financing Redevelopment Plan.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to adopt Resolution 2020-084 thereby requesting the Hancock County Board of Supervisors adopt and implement a Tax Increment Financing Redevelopment Plan.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

7. c. **2020-339:** Motion to adopt Resolution 2020-085 thereby authorizing the expenditure of city of funds for debris removal and disposal from the city rights-of-ways adjoining commercial, church and Diamondhead Property Owner's Association properties and on private streets utilized by the public and for other related purposes.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to adopt Resolution 2020-085 thereby authorizing the expenditure of city of funds for debris removal and disposal from the city rights-of-ways adjoining commercial, church and Diamondhead Property Owner's Association properties and on private streets utilized by the public and for other related purposes.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark motion to approve the following agenda items by consent:

8. **2020-330:** Motion to approve Budget Amendment 2021-006 to adjust funding the incentive pay policy.
9. **2020-332:** Motion to approve payment of annual appropriation to Gulf Regional Planning Commission.
10. **2020-335:** Motion to approve compensation for poll workers, election commissioners and clerks for the December 8, 2020 Ward 1 Special Election.
11. **2020-336:** Motion to accept the FY21 Tidelands Grant Award for Noma Drive Public Access Improvements in the amount of \$400,000, approval of the grant agreement and authorize Mayor Depreo to execute same.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Action Agenda.

12. **2020-333:** Motion to approve the re-subdivision of 5 lots into 2 separate parcels (Diamondhead Phase #2, Unit #10, Block 5, Lots 3, 4, 21, 22, and 23.) The owner of the property is Paul Montjoy. The property address of the original lots is 63767 Diamondhead Drive North. The tax parcel number is 132A-1-03-071.000.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to approve the re-subdivision of 5 lots into 2 separate parcels (Diamondhead Phase #2, Unit #10, Block 5, Lots 3, 4, 21, 22, and 23.) The owner of the property is Paul Montjoy. The property address of the original lots is 63767 Diamondhead Drive North. The tax parcel number is 132A-1-03-071.000.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

- 13. Motion to approve Docket of Claims (DKT157811 - DKT157839) in the amount of \$82,680.99.

Motion made by Ward 4 Clark, Seconded by Ward 2 Moran to approve Docket of Claims (DKT157811 - DKT157839) in the amount of \$82,680.99.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

- 14. Motion to approve Payroll Payables PRCLAIM062, PRCLAIM063, PRCLAIM064 and PRCLAIM065.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to approve Payroll Payables PRCLAIM062, PRCLAIM063, PRCLAIM064 and PRCLAIM065.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo.

MOTION CARRIED UNANIMOUSLY

Department Reports

- a. October 2020 Financials

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to accept the October 2020 Financials.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items. None.

Executive Session –

Motion made by At-Large L'Ecuyer, Seconded by Ward 3 Morgan to enter closed session to determine the need for an executive session.

Voting Yea: Mayor Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer.

MOTION CARRIED UNANIMOUSLY

Motion was made by Mayor Depreo, seconded by Ward 3 Morgan to enter executive session pursuant to MS Code 25-41-7 (b) litigation matters involving DHP1, LLC v. Foreman and Longanecker v. City of Diamondhead.

Voting Yea: Mayor Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer.

MOTION CARRIED UNANIMOUSLY

City Manager Reso announced to the public that the Council had entered executive session pursuant MS Code 25-41-7 (b) litigation matters involving DHP1, LLC v. Foreman and Longanecker v. City of Diamondhead.

Motion was made by Mayor Depreo, seconded by Ward 3 Morgan to authorize the City Attorney to file a motion to intervene on behalf of the City of Diamondhead in the matter of DHP1, LLC v. Foreman and further authorizing funds to be interplead in the amount of \$9,961 for the purchase of a portion of the property at issue in the lawsuit for right of way construction.

Voting Yea: Mayor Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer.

MOTION CARRIED UNANIMOUSLY

Mayor Depreo, seconded by Ward 3 Morgan, to exit executive session.

Voting Yea: Mayor Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer.

MOTION CARRIED UNANIMOUSLY

Mayor Depreo moved, seconded Ward 3 Morgan to exit closed session.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Schafer, IV

MOTION CARRIED UNANIMOUSLY

City Attorney Cusick announced that while in executive session that official action as recorded was taken.

Adjourn/Recess.

At 6:48 p.m. and with no further business to come before the Council, motion made by Ward 4 Clark, seconded by Ward 3 Morgan to adjourn.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor Pro Tem

Jeannie Klein
City Clerk

RESOLUTION AUTHORIZING SUBMITTAL TO NATIONAL RESOURCES CONSERVATION SERVICE (NRCS) FOR EMERGENCY WATERSHED PROTECTION PROGRAM FUNDING FOR DRAINAGE SYSTEM RESTORATION OF "LILY POND" DRAINAGE CHANNELS IN WEST DIAMONDHEAD NEAR THE INTERSECTION OF ANELA DRIVE AND DIAMONDHEAD DRIVE NORTH.

WHEREAS, the Mayor and City Council for the City of Diamondhead, Mississippi are seeking funding in the amount of \$240,900 from the National Resources Conservation Service through the Emergency Watershed Protection Program for a drainage system restoration project; the project channels are the upstream and downstream channels of "Lilly Pond" in west Diamondhead near the intersection of Anela Drive and Diamondhead Drive North., and

WHEREAS, provided the City is awarded by the National Resources Conservation Service (NRCS) Emergency Watershed Protection funding in the amount of \$240,900, the NRCS federal share would be seventy-five percent (75%) or \$180,675 and the City of Diamondhead agrees to provide matching funds of twenty-five percent (25%) or a total of \$60,225, in the form of cash, in-kind services or a combination of both.

NOW, THEREFORE BE IT IS RESOLVED that the Mayor and City Council of the City of Diamondhead, Mississippi:

SECTION 1. The City of Diamondhead shall provide the matching funds of at least twenty-five percent (25%) or \$60,225 if awarded Emergency Watershed Protection Program Funds for drainage system restoration to the upstream and downstream channels of the Lily Pond near the intersection of Anela Drive and Diamondhead Drive North and; and

SECTION 2. The Mayor and City Council authorize the City Manager to sign any and all documents pertinent to this grant application and further that the City is obligated to match at least twenty-five percent (25%) funds whether it- be cash, in-kind service(s) or a combination of both to meet the requirements for this grant application. The City will assume responsibility for expenditures in excess of \$60,225 for this project.

RESOLVED, this the ____ day of December, 2020.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	___	___	___
Councilmember Moran	___	___	___
Councilmember Morgan	___	___	___
Councilmember Clark	___	___	___
Councilmember L'Ecuyer	___	___	___
Mayor Depreo	___	___	___

ATTEST:

 JEANNIE KLEIN, CITY CLERK

 NANCY DEPREO, MAYOR



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228.222.4390

www.diamondhead.ms.gov

December 4, 2020

Mr. Kurt Readus
State Conservationist
Natural Resources Conservation Service
100 West Capitol Street
Suite 1321
Jackson, MS 39269-1602

Re: Emergency Watershed Protection Program
City of Diamondhead, Mississippi
Lily Pond Channels

Mr. Readus –

The City of Diamondhead humbly requests assistance in the recovery of critical stormwater handling facilities within the city limits of Diamondhead, Mississippi through the Emergency Watershed Protection (EWP) Program.

We ask for assistance in restoring a jeopardized drainage system to adequate capacity. The project channels are the upstream and downstream channels of "Lily Pond" in west Diamondhead near the intersection of Anela Drive and Diamondhead Drive North. On October 28, 2020, scattered intense rainfall from Hurricane Zeta exacerbated existing erosion and deposited excess sediment, bringing further threat to the citizens who live in its vicinity as well as recreational facilities shared by all citizens. Adjacent private properties are in threat of pre-mature failure due to this severe erosion. Planned repairs would include debris and sediment removal for approximately 2800 linear feet (in 2 channels entering Lily Pond and the channel exiting Lily Pond), as well as bank stabilization practices to guard against further erosion along the out-falling channel (full length) as well as the head and ends of the two incoming channels.

We understand that as project sponsors, we would need to procure all land rights, secure all necessary permits, furnish a local match of not less than 25%, and procure design, bid, and construction phase services of the installation of the proposed work. Based on estimates above (as detailed in the attached estimate), the City recognizes it will need to procure up to \$60,225 (25%) in the form of cash, in-kind services, or a combination of both. The Federal match would be \$180,675 (75%) for the approximately \$240,900 construction estimate.

As you may be aware, the City of Diamondhead was founded a in February 2012; when incorporated, the City inherited a drainage system that was already in need of several repairs. While we are diligently addressing drainage issues as quickly as possible, budget constraints on a new and small municipality leave gaps in our ability to adequately address all our drainage needs expeditiously. Your assistance would be greatly appreciated.

We sincerely appreciate your consideration for this matter. If you have any questions or comments, please don't hesitate to reach me at (228) 222-4626. Additionally, you may wish to contact Mike Reso, City Manager for any administrative or technical issues.

Sincerely,



Michael Reso
City Manager, City of Diamondhead

Agenda Item # 2020-343

City of Diamondhead, MS *Res 2020-087*

Request for Council Action

TO: Council
FROM: Mayor Depreo

Ordinance Resolution Agreement/Contract Info Only Work Session Only

AGENDA LOCATION: Consent Agenda Regular Agenda

FORMAL AGENDA DATE REQUESTED:

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:
Motion to temporarily reduce Mayor's pay to \$6,000 for the period between November 2020 thru *June* 2021. The remainder of the budgeted amount for the Mayor's pay shall be divided equally between, Diamondhead SPCA, Hancock County CASA and Hancock County Human Resource Center.

SUMMARY BACKGROUND:

IMPACT IF DENIED:

IMPACT IF APPROVED:

FINANCIAL IMPACT:

REQUIRED SIGNATURES

REQUESTED BY:
City Manager:
City Attorney:

COUNCIL ACTION:

Approved Denied Tabled/Deferred Info Only **Completed:**

	Mayor	
Yearly	\$15,000.00	
		Actual Pay
Nov-20	\$1,250.00	\$416.67
Dec-20	\$1,250.00	\$416.67
Jan-21	\$1,250.00	\$875.00
Feb-21	\$1,250.00	\$875.00
Mar-21	\$1,250.00	\$875.00
Apr-21	\$1,250.00	\$875.00
May-21	\$1,250.00	\$875.00
Jun-21	<u>\$1,250.00</u>	<u>\$791.66</u>
	\$10,000.00	\$6,000.00
		\$4,000.00

City of Diamondhead
 Budget Adjustments
 For the Fiscal Year Ending September 30, 2020

Budget Entry No. (In Code)	Account	ACCT DESCRIPTION	Adjustment Amount	Effect on Budget	Description	Form to Council
2021-09	001-100-410.00	Salaries - Administrative	(4,000.00)	(4,000.00)	Amend Budget to temporarily reclass portion of Mayoral Salary to Appropriations	12/15/2020
2021-09	001-140-704.00	Appropriations - General	4,000.00	4,000.00	Temporarily reclass portion of Mayoral Salary to Appropriations	12/15/2020
			\$ -	-	Amend Budget to temporarily reclass portion of Mayoral Salary to Appropriations	



Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-100
Department Name: Council
Requested by: Catherine Konkel

Date: 12/15/2020
Budget Entry #: 2021-009
Amendment #: 2021-009 (1 of 2)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00	41,644.00	\$ -	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ 41,644.00	\$ -	\$ 4,759,842.00

EXPENDITURES:

Personnel Services	\$ 43,000.00		\$ (4,000.00)	\$ 39,000.00
Supplies	600.00	174.70		774.70
Contractual Services	16,512.80	-		16,512.80
Grants/Subsidies/Allocations	-			-
Debt Service	-			-
CAPITAL OUTLAY	3,750.00	-		3,750.00
TOTAL EXPENDITURES	\$ 63,862.80	\$ 174.70	\$ (4,000.00)	\$ 60,037.50
REVENUE OVER/(UNDER) EXPENDITURES	\$ 4,654,335.20	\$ 41,469.30	\$ 4,000.00	\$ 4,699,804.50

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 4,654,335.20	\$ 41,469.30	\$ 4,000.00	\$ 4,699,804.50

Description	Amend Budget to temporarily reclass portion of Mayoral Salary to Appropriations:		
	001-100-410.00 Salaries - Administrative		4,000.00
	001-140-704.00 Appropriations - General	4,000.00	

Other	Equipment:	Software:
	TOTAL COST \$	-

§ 21-35-25. Revision of municipal budget

Any amendments made pursuant to this section to an originally adopted budget which exceed ten percent (10%) of the total amount appropriated or authorized to be expended in a particular department fund shall be published or posted within two (2) weeks of the action in a newspaper in the same manner as the final adopted budget. Separate amendments to an originally adopted budget during one fiscal year which affect a particular department fund shall be considered as one (1) amendment in determining whether the ten percent (10%) threshold requiring publication or posting has been reached. This publication or posted notice shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment. The vote of each member of the municipality's governing authority on each amendment shall be included in the publication or posted notice.



Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-140
Department Name: Admin
Requested by: Catherine Konkell

Date: 12/15/2020
Budget Entry #: 2021-009
Amendment #: 2021-009 (2 of 2)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00	41,644.00	\$ -	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ 41,644.00	\$ -	\$ 4,759,842.00
EXPENDITURES:				
Personnel Services	\$ 427,339.17	\$ (12,810.38)		\$ 427,339.17
Supplies	22,085.00	9,311.97		31,396.97
Contractual Services	621,317.52	84,538.16		705,855.68
Grants/Subsidies/Allocations	40,196.00		4,000.00	44,196.00
Debt Service	-			-
CAPITAL OUTLAY	61,200.00	14,012.61		75,212.61
TOTAL EXPENDITURES	\$ 1,172,137.69	\$ 95,052.36	\$ 4,000.00	\$ 1,284,000.43
REVENUE OVER/(UNDER) EXPENDITURES	\$ 3,546,060.31	\$ (53,408.36)	\$ (4,000.00)	\$ 3,475,841.57

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 3,546,060.31	\$ (53,408.36)	\$ (4,000.00)	\$ 3,475,841.57

Description		
Amend Budget to temporarily reclass portion of Mayoral Salary to Appropriations:		
001-100-410.00 Salaries - Administrative		4,000.00
001-140-704.00 Appropriations - General	4,000.00	

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

Any amendments made pursuant to this section to an originally adopted budget which exceed ten percent (10%) of the total amount appropriated or authorized to be expended in a particular department fund shall be published or posted within two (2) weeks of the action in a newspaper in the same manner as the final adopted budget. Separate amendments to an originally adopted budget during one fiscal year which affect a particular department fund shall be considered as one (1) amendment in determining whether the ten percent (10%) threshold requiring publication or posting has been reached. This publication or posted notice shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment. The vote of each member of the municipality's governing authority on each amendment shall be included in the publication or posted notice.

Ordinance No. 2012-018-2
Agenda Item 2019-232

**AN ORDINANCE ESTABLISHING THE SALARIES
FOR THE MAYOR AND CITY COUNCIL MEMBERS**

Whereas, pursuant to Mississippi Code of 1972, Section 21-9-63 governs the establishments of salaries for Mayor and City Councilmembers and such salaries were previously established in 2015;

Whereas, a recent salary survey of local municipalities was conducted and those more specifically those governed by the council-manager form of government resulting in the finding that the current salaries established for the Mayor and Councilmembers of the City of Diamondhead are not comparable, and in-fact significantly less than salaries of neighboring council-manager governed entities;

Whereas, the City Manager has proposed funds to be allocated in the approved FY20 Budget to reflect an annual salary of \$15,000 for the Mayor and an annual salary of \$5,000 for Councilmembers;

Whereas, no benefits and additional costs are associated with the proposed salaries.

BE IT, THEREFORE, ORDAINED BY THE MAYOR AND CITY COUNCIL as follows:

The annual salary of the Mayor shall be \$15,000 and the annual salary of each Councilmember shall be \$5,000 all payable in monthly installments on the first business day of each calendar month.

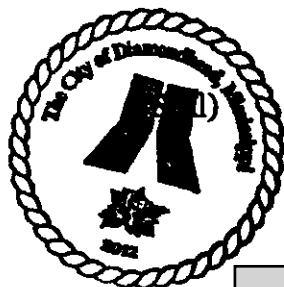
In accordance with Mississippi Code of 1972, Section 21-13-11, this ordinance becomes effective thirty days from date of passage with a single publication of the ordinance prior to the effective date.

SO ORDAINED, this the 19th day of October, 2019.

	Aye	Nay	Absent
Councilmember Depreo	<u> </u>	<u> ✓ </u>	<u> </u>
Councilmember Moran	<u> ✓ </u>	<u> </u>	<u> </u>
Councilmember Morgan	<u> </u>	<u> ✓ </u>	<u> </u>
Councilmember Koenenn	<u> ✓ </u>	<u> </u>	<u> </u>
Councilmember L'Ecuyer	<u> ✓ </u>	<u> </u>	<u> </u>
Mayor Schafer	<u> ✓ </u>	<u> </u>	<u> </u>

ATTEST: Jeannie Klein
Jeannie Klein, City Clerk

APPROVED: Thomas Schafer, IV
Mayor Thomas Schafer, IV



2020-340

Item No.4.



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

December 10, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Payment to Covington Civil and Environmental for professional services – Debris Removal RFP Review

Attached for your review and consideration is an invoice for payment to Covington Civil and Environmental in the amount of \$2,497.50 for professional services relating to the Debris Removal RFP review.

If you find this document to be in order, please proceed with payment approval.

Sincerely,

Michael Reso
City Manager

MR:jk

2020-340

Item No.4.

Covington Civil & Environmental, LLC

2510 14th Street, Suite 1010
Gulfport, MS 39501
228-396-0486
228-396-0487 fax

Invoice

Invoice #: 16175.08-18
Invoice Date: 11/30/2020
Due Date: 12/30/2020
Project: WA #08 - Review Debris...
P.O. Number: WA #08
Terms: Net 30

Bill To:

City of Diamondhead

Description	Hours/Qty	Rate	Amount
Review Debris Management RFP Services Provided 10/31/2020 through 11/03/2020			
John Szabo, Principal Engineer	4.5	135.00	607.50
Shane Monroe, Senior Project Manager	11	105.00	1,155.00
Felicity Edwards, Senior Project Manager	7	105.00	735.00

All payments are due by "Due Date" shown on invoice. Finance fees will be charged for all payments received past "Due Date". Please call 228-396-0486 with any questions about invoice.

Total	\$2,497.50
Payments/Credits	\$0.00
Balance Due	\$2,497.50



2020-34

Item No.5.

Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

December 8, 2019

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Annual Contribution to the American Red Cross

Mississippi Code §21-19-57 provides for a donation to the American Red Cross an amount not to exceed \$100 per \$1 million dollars of assessed valuation. An annual allocation in the amount of \$500 is included in the FY21 Budget.

If you are in agreement with the budgeted contribution, your approval to process payment in the amount of \$500.00 is greatly appreciated.

Sincerely,

Michael Reso
City Manager

WORK ASSIGNMENT

WORK ASSIGNMENT NO. _____

PROJECT NUMBER: TBD; Hilo Street Culvert Replacement - Investigation

This Work Assignment is executed in accordance with the Master Services Agreement entered into by the City of Diamondhead, Mississippi and Pickering Firm, Inc. on the 19th day of August, 2016.

WHEREAS, each of said parties represents that it continues to have authority to execute this Work Assignment and that all certifications previously made in said Agreement remain in effect;

NOW THEREFORE, the parties hereto do further contract and agree to add the following items of work to the above Agreement under the additional terms and conditions as are hereinafter stated:

SPECIFIC SCOPE OF WORK FOR THIS WORK ASSIGNMENT OR PHASE

See 'Attachment A – Scope of Services'

WORK ASSIGNMENT TERM

No new Work Assignments shall be executed after October 31, 2021 at 11:59 P.M. CDT.

This WORK ASSIGNMENT shall be effective upon the latest date of execution hereof and continue until October 31, 2021 at 11:59 P.M. CDT. However, the Engineer may not begin work prior to receiving a Notice to Proceed.

DBE GOAL

The DBE goal established for this Work Assignment shall be zero percent (0%).

KEY PERSONNEL

CITY PROJECT MANAGER:

Mike Reso

CONSULTANT PROJECT MANAGER:

(Certified as a Professional Engineer to do business in the State of Mississippi)

Andy Phelan, PE (MS #19480)

PROGRESS SCHEDULE

Applications, meetings, and other items requested by the client will be prepared and submitted in a timely fashion following client request.

MAXIMUM ALLOWABLE COST

Contract Maximums:

Under no circumstances shall the amount payable by the City for this assignment exceed **\$4,500** (Total of all Charges) without the prior written consent of both parties. The Labor Rates have been identified in Table 2: Rate Schedule for Labor Hours.

Table 1: Compensation for Services Breakdown

Basic Services		
Phase #	Phase Title	Fee (labor hour/unit cost)
I	Survey	\$ 2,000 (LUMP SUM)
II	Engineering Assessment	\$ 2,500

Table 2: Rate Schedule for Labor Hours

NAMES	LABOR CLASSIFICATION	RATE
	Principal Engineer	\$ 135
	Professional Engineer	\$ 97
	Senior Project Manager	\$ 105
	Project Engineer	\$ 75
	Professional Land Surveyor	\$ 80
	Survey Crew Chief	\$ 47
	Instrument Person	\$ 35
	CAD Technician	\$ 50
	Clerical	\$ 43
	Resident Project Representative	\$ 70
	Engineering Technician	\$ 50

Both parties hereto represent that they have authority to enter into this Work Assignment as "Exhibit C" of the Agreement executed by and between the City and Engineer to which is now made a part of said Agreement.

SO EXECUTED AND AGREED THIS THE _____ DAY OF _____, _____.

City of Diamondhead, Mississippi

By:

WITNESS this, my signature, in execution hereof, this the 9th day of December 2020.

Pickering Firm, Inc.



By: Andy Phelan, PE

ATTEST: 

Cara Wagner, PE

ATTACHMENT A – SCOPE OF SERVICES

General Project Description

In general, the Engineer will perform survey and engineering investigations relative to the replacement or rehabilitation of the culvert that crosses Hilo Street just north of Diamondhead Drive from its western beginning at the end of a ditch on the golf course to its eastern end to a ditch on the east side of Hilo Street. Dredging the golf course pond and improvements to the ditch from the aforementioned culvert and to the golf course pond will also be considered. Design, bid phase services, environmental permitting, construction engineering, and Resident Project Representation (inspection) are NOT included in this proposal. Subsequent services, including but not limited to those mentioned, may be added, as mutually agreed upon by both parties, as either an amendment to this contract or as a separate contract.

Task 1 – Survey (\$2,000; Lump Sum)

A boundary and topographic survey along the length of the culvert, channel, and of the ground adjacent to the pond and a water bottom survey of the pond will be performed. Topographic survey and water bottom survey will include shots needed for engineering assessment and are expected to be utilized during subsequent design phases. The survey will include, but not limited to, the following: protected trees, above grade utility features and accessible inverts, benchmarks set, all pavement types, curb lines, curb openings, road striping, parking stripes, sidewalks, street lights, electric equipment, water features, ground elevations, ground elevations at ridges and valleys, top of banks, and centerline of ditches.

This survey will include underground utilities by accessible above ground features, painted lines by others (i.e. MS811), and inverts.

The survey will show any recorded easements within title work if provided by the CLIENT. The horizontal data will be based on state plane coordinates, MS East Zone/NAD83 in feet and the vertical data will be based on NAVD 88, Geoid 2009. This survey will meet the current minimum land surveying requirements for the State of Mississippi.

Our surveying services will not include:

- Title research. We will depend on the Client to furnish an updated title commitment.
- Investigation or location of underground structures or facilities by means of excavation or ground penetrating radar.

Task 2 – Engineering Assessment (\$2,500)

Consultant will perform an initial site Investigation that will include verification of surveyed information as well as review of existing stormwater conveyances for obvious signs of overflows, repetitive failures, maintenance issues, and other visual observances that may affect the performance of the culverts, channels, or pond.

Following the initial conditions assessment, Engineer will:

1. Review and assimilate reports, preliminary survey data, existing mapping, readily-available topographic information, and other relevant data provided by the CLIENT or by others;

ATTACHMENT A – SCOPE OF SERVICES

2. Perform hydrologic and hydraulic analysis using computerized modeling software and produce expected existing water surface profiles, flow rates, and flow velocities for various storm events.
3. Develop recommendations for proposed improvements based on conditions and on capacity. Both upstream improvements and detention basin improvement recommendations will be made.
4. Develop preliminary opinion of costs for proposed improvements;
5. Produce documentation / engineering letterform report outlining existing conditions, proposed recommendations and effects of proposed recommendations;
6. Project meeting with the CLIENT, as required.

2020-345

Item No.7.

EXHIBIT "A"
ENGINEER' PROPOSAL

EXHIBIT "B"

SCOPE OF SERVICES

Engineer shall provide professional services for the City pursuant to Work Assignments issued from time to time. All work assignments shall be subject to the terms and conditions set forth herein and any additional conditions or limitations provided for the specific assignment. General areas of services include, but are not limited to, work related to Water, Wastewater, Streets, Bridges, Storm Drainage, Traffic Control, and Landscape Design. Engineer may be asked to provide preliminary engineering reports, designs, environmental and surveying services, construction drawings, construction observation, and other tasks that may become necessary during the process. For tasks assigned under this Agreement, the scope of service will be agreed to in advance, funding identified, and a specific work authorization issued for each assignment. (See Exhibit "C" for format.)

EXHIBIT "C"

WORK ASSIGNMENT

WORK ASSIGNMENT NO ___-__20__-__

PROJECT NUMBER: - _____

This Work Assignment is executed in accordance with the Master Services Agreement entered into by the City of Diamondhead, Mississippi and James J. Chiniche PA Inc. on _____ day of _____ 2020

WHEREAS, each of said parties represents that it continues to have authority to execute this Work Assignment and that all certifications previously made in said Agreement remain in effect;

NOW THEREFORE, the parties hereto do further contract and agree to add the following items of work to the above Agreement under the additional terms and conditions as are hereinafter stated:

SPECIFIC SCOPE OF WORK FOR THIS WORK ASSIGNMENT OR PHASE

Design, Bidding and Construction Phase services for East Aloha Phase 1 Improvements – Re-Design. Design phase includes additional field surveying required for drainage design and revised Right of Way Plat, legal description and coordination with adjacent property owners for land transfer

WORK ASSIGNMENT TERM [No new Work Assignments shall be executed after _____ *October 28, 2020* ____.]

This WORK ASSIGNMENT shall be effective upon the latest date of execution hereof and continue until _____, at 11:59 P.M. CDT. However, the Engineer may not begin work prior to receiving a Notice to Proceed.

DBEGOAL

The DBE goal established for this Work Assignment shall be _____ %

KEYPERSONNEL

{Designate project engineer and the Engineer's project representative here. Also include a list of any key personnel who are dedicated to this particular job by the CONSULTANT. }

CITY

CONSULTANT PROJECT MANAGER:
(Certified as a Professional Engineer to do business in the State of Mississippi)

PROGRESS SCHEDULE

MAXIMUM ALLOWABLE COST {Delete the other cost methods not used}

Contract Maximums:

[Use for Labor Hour/Unit Cost Work Assignments]

Under no circumstances shall the amount payable by the City for this assignment exceed \$ 32,500.00 (Total of all Charges) without the prior written consent of both parties.

- Right of Way Survey and Plat – \$2,500
- Additional Topographic survey - \$3,000
- Roadway Improvements Design - \$7,500
- Bidding - \$1,500
- Construction Phase Services (including Site Observation estimated at 30 days for construction at 6 hours per day average observation) - \$18,000

The Labor Rates have been identified in Table 1: Rate Schedule for Labor Hours.

Table 1: Rate Schedule for Labor Hours

NAMES	LABOR CLASSIFICATION	RATE
Jason Chiniche PE	Senior Project Manager	105
Nancy Hoelzel	Project Engineer	75
Alex Bertagnolli	Cad Technician	50
Kent Conn	RPR	70

Both parties hereto represent that they have authority to enter into Work Assignment No. _____, as "Exhibit C" of the Agreement executed by and between the City and Engineer to which is now made a part of said Agreement.

SO EXECUTED AND AGREED THIS THE _____ DAY OF _____, _____.

City

By: _____

WITNESS this my signature in execution hereof, this the _____ day of _____, 20____.

James J. Chiniche, PA Inc

By: Jason Chiniche, PE

ATTEST: _____

AND EXPENSES

The City shall pay the Engineer on an actual Labor Hour/Unit Cost Basis for the satisfactory completion of the Scope of Work set forth herein, for all salaries, payroll additives, overhead, direct costs and the Engineer's fixed fees attributable to a Work Assignment. The Engineer shall prepare an estimate for the specific work identified for the contemplated transportation improvement, and the City shall review and may approve this amount on a Work Assignment by Work Assignment basis using typical rates, and when acceptable issue the Notice to Proceed to the Engineer.

Actual costs as the term is used herein shall include all direct salaries, payroll additives, overhead and direct. Direct salaries are those amounts actually paid to the person performing the services which are deemed reasonably necessary by the City for the advancement of the Scope of Work. Overtime work is not contemplated by the Work Assignment. Accordingly, direct salaries chargeable to the Work Assignment shall not include any overtime premium. Salaries for officers, principals or partners shall not increase at a rate in excess of that for other employees. Payroll additives and overhead consist of employee fringe benefits and that part of Engineer's allowable indirect costs attributable to the Work Assignment.

Direct costs are those charges deemed reasonably necessary by the City for the successful completion of the Scope of Work which are charged directly to the Work Assignment and not included in overhead.

Fixed-fee as the term is used herein shall mean a dollar amount established to cover the Engineer's profit and business expenses not allocable to overhead for the successful completion of the Services.

Labor Hour as the term is used herein shall include all direct salaries, payroll additives, overhead, and profit. Unit-Costs, as the term is used herein shall include all direct costs and profit. Labor Hour/Unit-Costs are not subject to any adjustments on the basis of the Engineer's cost experience in performing the Work Assignment. The Labor Hour/Unit-Costs shall be paid based on the rates established in the Work Assignment

Each month, the Engineer shall submit OCR-484-C found on MDOT's website to the CITY along with the Invoice. This form certifies payments to all Subcontractors and shows all firms even if the Engineer has paid no monies to the firm during that estimate period (negative report).

If requested by City all labor charges for services must be substantiated by supporting data, i.e. certified time sheets, daily logs, check stubs, pay vouchers, etc.

Direct costs:

The City will reimburse the Engineer's printing, long distance phone calls, and testing for actual documented expenses. All Direct costs shall be substantiated with supporting documentation. Testing costs shall not exceed 2% of the construction costs and the CITY shall approve the testing agreement in advance of testing working being performed. All direct expenses will be reimbursed upon receipt of acceptable paid invoices.

Direct Salaries:

Direct salaries shall not exceed those amounts actually paid to an employee performing services reasonably necessary for the completion of the Scope of Work set forth under "Exhibit B" to this Agreement.

EXHIBIT "E"

SAMPLE INVOICE
[Labor-Hour/Unit Cost]

City _____
Attn: _____

Date _____

Invoice No. 0000
Period _____, 20____ Through _____ .20____

PROFESSIONAL SERVICES IN ACCORDANCE WITH MASTER SERVICES AGREEMENT

Project No _____ - _____ - _____ - _____ - _____ Mississippi

Work Assignment _____ - _____ - _____

Engineer: _____

-----:
_

	Current Period	Previous Estimate	Total Allowed to Date
Labor Costs *	\$	\$	\$
Direct Costs **	\$	\$	\$
Project Total	\$	\$	\$
Amount Due this Invoice			\$

NOTE:

1. * PAYROLL ADDITIVES (INCLUDING ALL FRINGE BENEFITS & OVERHEAD)
2. THE ESTIMATED FCCM FOR COST PROPOSALS AND SUPPLEMENTAL AGREEMENTS MUST BE SPECIFICALLY IDENTIFIED AND DISTINGUISHED FROM THE OTHER COSTS. PROFIT/FEE SHALL NOT INCLUDE AMOUNTS APPLICABLE TO FCCM.
3. ** DIRECT COSTS (ATTACH SUPPORTING DATA)
4. THE CONSULTANT MAY USE ITS OWN INVOICE FORM SO LONG AS IT HAS BEEN APPROVED BY THE CONSULTANT SERVICES DIRECTOR. PRIOR TO SUBMISSION BY THE CONSULTANT SAID FORM SHOULD, AT A MINIMUM, CONTAIN THE ABOVE INFORMAT

SUPPORTING DATA (Sample Only)

ProjectNo. 00-0000-00-000-00

County _____

<u>Employee and Classification</u>	<u>Rate of Pay</u>	<u>Current Period Hours</u>	<u>Current Period Costs</u>	<u>Previous Period Costs</u>	<u>Cost to Date</u>
John P. Public Jr. <u>Engineer</u>	\$0.00/hour	0.00	\$0.00	\$0.00	\$0.00
John P. Public Jr. <u>Designer</u>	\$0.00/hour	0.00	\$0.00	\$0.00	\$0.00
John P. Public Jr. <u>Technician.</u>	\$0.00/hour	0.00	\$0.00	\$0.00	\$0.00
SUBTOTAL	\$ 0.00/hour	0.00	\$0.00	\$0.00	\$0.00

TOTAL LABOR

Direct Costs

PROJECT TOTAL

Employee and Classification

EXHIBIT "F"

PROGRESS REPORT

MONTHLY PROJECT STATUS REPORT	
Reporting Period:	_____
City Representative:	_____
-Consultant:	_____
Project No.:	_____
Project Description:	_____
Work Completed:	_____
Work Planned:	_____
Issues to be Addressed;	_____

Report Submitted by _____

Date: _____

EXHIBIT "G"

**NOTICE TO CONTRACTORS, FEDERAL AID CONTRACT COMPLIANCE WITH
TITLE VI OF THE AMERICANS WITH DISABILITIES ACT, COPELAND ANTI-
KICKBACK ACT, DAVIS BACON ACT, CONTRACT WORK HOURS AND SAFETY
STANDARDS ACT, CLEAN AIR ACT, ENERGY POLICY AND CONSERVATION ACT,
DISADVANTAGED BUSINESS ENTERPRISES ACT, WORKER VISIBILITY**

During the performance of this Agreement, the Engineer, for itself, its assignees and successor-in-interest (hereinafter referred to as the "Engineer") agrees as follows:

1. Compliance with Regulations: The Engineer will comply with the Regulations of the City, relative to nondiscrimination in Federally-assisted programs of the U. S. Department of Transportation (Title 49, Code of Federal Regulations, Part 21, hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this Agreement.

2. Nondiscrimination: The Engineer, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the grounds of race, religion, color, sex, national origin, age or disability in the selection and retention of sub-consultants including procurement of materials and leases of equipment. The Engineer will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when this Agreement covers a program set forth in Appendix B of the Regulations. In addition, the Engineer will not participate either directly or indirectly in discrimination prohibited by 23 C.F.R. 710.405(b).

3. Solicitations for Subcontracts. Including Procurement of Materials and Equipment: In all Solicitations, either by competitive bidding or negotiation made by the Engineer for work to be performed under a subcontract, including procurement of materials or equipment, each potential sub-consultant or supplier shall be notified by the Engineer of the Engineer's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, religion, color, sex, national origin, age or disability.

4. Anti-kick back provisions: All agreements and subcontracts for construction or repair shall include a provision for compliance with the Copeland "Anti-Kick Back" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR, Part 3). This Act provides that each consultant/contractor or sub-consultant/sub-contractor shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The Engineer shall report all suspected or reported violations to the City.

5. Davis Bacon Act: When required by the federal grant program legislation, all construction contracts awarded to contractors and subcontractors in excess of \$2,000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR, Part 5). Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less often than once a week

6. Contract Work Hours and Safety Standards Act: Where applicable, all contracts awarded by contractors and subcontractors in excess of \$2,000 for construction contracts and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers shall include a provision for compliance with sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.

327-330) as supplemented by Department of Labor Regulations (29 CFR, Part 5). Under section 103 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard workweek of 40 hours. Work in excess of the standard workweek is permissible provided that the worker is compensated at a rate of not less than 1 ½ times the basic rate of pay for all hours worked in excess of 40 hours in the workweek. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction, safety, and health standards promulgated by the Secretary of Labor. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

7. Clean Air Act: Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clear Air Act (42 U.S.C. 1857 (h), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15) (Contracts and subcontracts in amounts in excess of \$100,000).

8. Energy Policy and Conservation Act: Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub.L. 94-163).

9. Disadvantaged Business Enterprises (DBE): It is the policy of the City to comply with the requirements of 49 C.F.R. 26, to prohibit unlawful discrimination, to meet its goal for DBE participation, to meet that goal whenever possible by race-neutral means, to create a level playing field, and to achieve that amount of DBE participation that would be obtained in an non-discriminatory market place. To meet that objective in any United States Department of Transportation assisted contracts, the City and the Engineer shall comply with the "Mississippi Department of Transportation's Disadvantage Business Enterprise Programs For United States Department Of Transportation Assisted Contracts".

Neither the Engineer, nor any sub-recipient or sub-consultant shall discriminate on the bases of race, color, national origin, or sex in the performance of this Agreement. The Engineer shall carry out applicable requirements of 49 C.F.R. 26 in the award and administration of United States Department of Transportation assisted contracts. Failure of the Engineer to carry out those requirements is a material breach of this Agreement which may result in the termination of this Agreement or such other remedies as the City deems appropriate.

10. Worker Visibility: All workers within the right-of-way of a Federal-aid highway who are exposed either to traffic (vehicles using the highway for the purposes of travel) or to construction equipment within the work area shall wear high-visibility safety apparel-personal protective safety clothing that is intended to provide conspicuity during both daytime and nighttime usage, and that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107-2004 publication entitled "American National Standard for High-Visibility Safety Apparel and Headwear"- for compliance with 23 CFR, Part 634.

EXHIBIT "H"**CERTIFICATION REGARDING DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY
MATTERS**

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS- Certification in accordance with Section 29.510 Appendix A, C.F.R. Vol. 53, No. 102, page 19210 and 19211:

- (1) The CONSULTANT certifies to the best of its knowledge and belief that it and its principals:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or Agreement under a public transaction, violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification: and
 - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default;
 - (e) has not either directly or indirectly entered into any agreement participated in any collusion; or otherwise taken any action in restraint of free competitive negotiation in connection with this Agreement.
- (2) The Engineer further certifies, to the best of his/her knowledge and belief, that:
- (f) No federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or employee of a member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - (g) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or any employee of a member of Congress in connection with this Agreement, Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions will be completed and submitted,

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a pre-requisite imposed by Section 1352, Title 31, U. S. Code prior to entering into this Agreement. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000.00. The Engineer shall include the language of the certification in all subcontracts exceeding \$25,000.00 and all sub-consultants shall certify and disclose accordingly.

I hereby certify that I am the duly authorized representative of the Engineer for purposes of making this certification, and that neither I, nor any principal, officer, shareholder or employee of the above firm has:

- (a) employed or retained for commission, percentages, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above Engineer) to solicit or secure this agreement,
- (b) agreed, as an express or implied condition for obtaining this Agreement, to employ or retain the services of any firm or person in connection with carrying out the agreement, or
- (c) paid, or agreed to pay, to any firm, organization or person (other than a bone fide employee working solely for me or the above Engineer) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the agreement; except as herein expressly stated (if any).

I acknowledge that this Agreement may be furnished to the Federal Highway Administration, United States Department of Transportation, or any other applicable Federal or State Agency in connection with the Agreement involving participation of Federal-Aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

SO CERTIFIED this. ____ day of. _____, 20____ -

{Enter Consultant's Name}

{Type name}

ATTEST _____

My Commission Expires:

Notary

EXHIBIT "I"

**PRIME CONSULTANT / CONTRACTOR EEV
CERTIFICATION AND AGREEMENT**

By executing this Certification and Agreement, the undersigned verifies its compliance with the, "Mississippi Employment Protection Act," Section 71-11-3 of the Mississippi Code of 1972, as amended, and any rules or regulations promulgated by the CITY, Mississippi Transportation Commission [MTC], Department of Employment Security, State Tax Commission, Secretary of State, Department of Human Services in accordance with the Mississippi Administrative Procedures Law (Section 25-43-1 et seq., Mississippi Code of 1972, as amended), stating affirmatively that the individual, firm, or corporation which is contracting with the CITY has registered with and is participating in a federal work authorization program* operated by the United States Department of Homeland Security to electronically verify information of newly hired employees pursuant to the Immigration Reform and Control Act of 1986, Pub.L. 99-603, 100 Stat 3359, as amended. The undersigned agrees to inform the CITY if the undersigned is no longer registered or participating in the program.

The undersigned agrees that, should it employ or contract with any entity(s) in connection with the performance of this Agreement, the undersigned will secure from such entity(s) verification of compliance with the Mississippi Employment Protection Act. The undersigned further agrees to maintain records of such compliance and provide a copy of each such verification to the City, if requested, for the benefit of the City or this Contract.

EEV* Company Identification Number [Required]

The undersigned certifies that the above information is complete, true and correct to the best of my knowledge and belief. The undersigned acknowledges that any violation may be subject to the cancellation of the contract, ineligibility for any state or public contract for up to three (3) years, the loss of any license, permit, certificate or other document granted by any agency, department or government entity for the right to do business in Mississippi for up to one (1) year, or both, any and all additional costs incurred because of the contract cancellation or the loss of any license or permit, and may be subject to additional felony prosecution for knowingly or recklessly accepting employment for compensation from an unauthorized alien as defined by 8 U.S.C §1324a(h)(3), said action punishable by imprisonment for not less than one (1) year nor more than five (5) years, a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or both, in addition to such prosecution and penalties as provided by Federal law.

BY: _____ Date _____
Authorized Officer or Agent

Printed Name of Authorized Officer or Agent Title of Authorized Officer or Agent of Contractor /Consultant

SWORN TO AND SUBSCRIBED before me on this the _____ day of _____ 20____

NOTARY PUBLIC
My Commission Expires : _____

* As of the effective date of the Mississippi Employment Protection Act, the applicable federal work authorization program is E-Verizy™ operated by the U. S. Citizenship and Immigration Services of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration.

CITY OF DIAMONDHEAD
2016 ENGINEERING MASTER SERVICES AGREEMENT
ENGINEERING FEES
STANDARD HOURLY RATES SCHEDULE

POSITION	BILLING RATE
Principal Engineer	\$ 135.00
Professional Engineer	\$ 97.00
Senior Project Manager	\$ 105.00
Project Engineer	\$ 75.00
Professional Land Surveyor	\$ 80.00
Survey Crew Chief	\$ 47.00
Instrument Person	\$ 35.00
CAD Technician	\$ 50.00
Clerical	\$ 43.00
Resident Project Representative	\$ 70.00
Engineering Technician	\$ 50.00

2020-346

Item No.8.

EXHIBIT "A"
ENGINEER' PROPOSAL

EXHIBIT "B"

SCOPE OF SERVICES

Engineer shall provide professional services for the City pursuant to Work Assignments issued from time to time. All work assignments shall be subject to the terms and conditions set forth herein and any additional conditions or limitations provided for the specific assignment. General areas of services include, but are not limited to, work related to Water, Wastewater, Streets, Bridges, Storm Drainage, Traffic Control, and Landscape Design. Engineer may be asked to provide preliminary engineering reports, designs, environmental and surveying services, construction drawings, construction observation, and other tasks that may become necessary during the process. For tasks assigned under this Agreement, the scope of service will be agreed to in advance, funding identified, and a specific work authorization issued for each assignment. (See Exhibit "C" for format.)

EXHIBIT "C"

WORK ASSIGNMENT

WORK ASSIGNMENT NO ___ - ___ **20** _ _

PROJECT NUMBER: - _____

This Work Assignment is executed in accordance with the Master Services Agreement entered into by the City of Diamondhead, Mississippi and James J. Chiniche PA Inc. on _____ day of _____ 2019

WHEREAS, each of said parties represents that it continues to have authority to execute this Work Assignment and that all certifications previously made in said Agreement remain in effect;

NOW THEREFORE, the parties hereto do further contract and agree to add the following items of work to the above Agreement under the additional terms and conditions as are hereinafter stated:

SPECIFIC SCOPE OF WORK FOR THIS WORK ASSIGNMENT OR PHASE

Design, Bidding and Construction Phase Services for Noma Drive Boat Launch and Pier Improvements.

WORK ASSIGNMENT TERM [No new Work Assignments shall be executed after _____ *October 28, 2020* ___.]

This WORK ASSIGNMENT shall be effective upon the latest date of execution hereof and continue until _____, at 11:59 P.M. CDT. However, the Engineer may not begin work prior to receiving a Notice to Proceed.

DBEGOAL

The DBE goal established for this Work Assignment shall be _____ %

KEYPERSONNEL

{{{Designate project engineer and the Engineer's project representative here. Also include a list of any key personnel who are dedicated to this particular job by the CONSULTANT.}}}

CITY

CONSULTANT PROJECT MANAGER:
(Certified as a Professional Engineer to do business in the State of Mississippi)

PROGRESS SCHEDULE

MAXIMUM ALLOWABLE COST {Delete the other cost methods not used}

Contract Maximums:

[Use for Labor Hour/Unit Cost Work Assignments]

Under no circumstances shall the amount payable by the City for this assignment exceed \$ 54,500.00 (Total of all Charges) without the prior written consent of both parties.

- Preliminary Design - \$4,500
- Site Surveying/Boundary Establishment - \$1,500
- Permitting Coordination - \$4,000
- Final Design - 7,500
- Bidding - \$1,500
- Construction Phase Services (to include Site Observation estimated at 60 days at 6 hours per day) - \$35,500

The Labor Rates have been identified in Table 1: Rate Schedule for Labor Hours.

Table 1: Rate Schedule for Labor Hours

NAMES	LABOR CLASSIFICATION	RATE
Jason Chiniche PE	Senior Project Manager	105
Nancy Hoelzel	Project Engineer	75
Alex Bertagnolli	Cad Technician	50
Kent Conn	RPR	70

Both parties hereto represent that they have authority to enter into Work Assignment No. _____, as "Exhibit C" of the Agreement executed by and between the City and Engineer to which is now made a part of said Agreement.

SO EXECUTED AND AGREED THIS THE _____ DAY OF _____, _____.

City

By;

WITNESS this my signature in execution hereof, this the _____ day of _____, 20____.

James J. Chiniche, PA Inc

By: Jason Chiniche, PE

ATTEST: _____

AND EXPENSES

The City shall pay the Engineer on an actual Labor Hour/Unit Cost Basis for the satisfactory completion of the Scope of Work set forth herein, for all salaries, payroll additives, overhead, direct costs and the Engineer's fixed fees attributable to a Work Assignment. The Engineer shall prepare an estimate for the specific work identified for the contemplated transportation improvement, and the City shall review and may approve this amount on a Work Assignment by Work Assignment basis using typical rates, and when acceptable issue the Notice to Proceed to the Engineer.

Actual costs as the term is used herein shall include all direct salaries, payroll additives, overhead and direct. Direct salaries are those amounts actually paid to the person performing the services which are deemed reasonably necessary by the City for the advancement of the Scope of Work. Overtime work is not contemplated by the Work Assignment. Accordingly, direct salaries chargeable to the Work Assignment shall not include any overtime premium. Salaries for officers, principals or partners shall not increase at a rate in excess of that for other employees. Payroll additives and overhead consist of employee fringe benefits and that part of Engineer's allowable indirect costs attributable to the Work Assignment.

Direct costs are those charges deemed reasonably necessary by the City for the successful completion of the Scope of Work which are charged directly to the Work Assignment and not included in overhead.

Fixed-fee as the term is used herein shall mean a dollar amount established to cover the Engineer's profit and business expenses not allocable to overhead for the successful completion of the Services.

Labor Hour as the term is used herein shall include all direct salaries, payroll additives, overhead, and profit. Unit-Costs, as the term is used herein shall include all direct costs and profit. Labor Hour/Unit-Costs are not subject to any adjustments on the basis of the Engineer's cost experience in performing the Work Assignment. The Labor Hour/Unit-Costs shall be paid based on the rates established in the Work Assignment

Each month, the Engineer shall submit OCR-484-C found on MDOT's website to the CITY along with the Invoice. This form certifies payments to all Subcontractors and shows all firms even if the Engineer has paid no monies to the firm during that estimate period (negative report).

If requested by City all labor charges for services must be substantiated by supporting data, i.e. certified time sheets, daily logs, check stubs, pay vouchers, etc.

Direct costs:

The City will reimburse the Engineer's printing, long distance phone calls, and testing for actual documented expenses. All Direct costs shall be substantiated with supporting documentation. Testing costs shall not exceed 2% of the construction costs and the CITY shall approve the testing agreement in advance of testing working being performed. All direct expenses will be reimbursed upon receipt of acceptable paid invoices.

Direct Salaries:

Direct salaries shall not exceed those amounts actually paid to an employee performing services reasonably necessary for the completion of the Scope of Work set forth under "Exhibit B" to this Agreement.

EXHIBIT "E"

SAMPLE INVOICE
[Labor-Hour/Unit Cost]

City _____
Attn: _____

Date _____

Invoice No. 0000
Period _____, 20____ Through _____ .20____

PROFESSIONAL SERVICES IN ACCORDANCE WITH MASTER SERVICES AGREEMENT

Project No _____ - _____ - _____ - _____ Mississippi

Work Assignment _____ - _____ - _____

Engineer: _____

-

	Current Period	Previous Estimate	Total Allowed to Date
Labor Costs *	\$	\$	\$
Direct Costs **	\$	\$	\$
Project Total	\$	\$	\$
Amount Due this Invoice			\$

NOTE:

1. * PAYROLL ADDITIVES (INCLUDING ALL FRINGE BENEFITS & OVERHEAD)
2. THE ESTIMATED FCCM FOR COST PROPOSALS AND SUPPLEMENTAL AGREEMENTS MUST BE SPECIFICALLY IDENTIFIED AND DISTINGUISHED FROM THE OTHER COSTS. PROFIT/FEE SHALL NOT INCLUDE AMOUNTS APPLICABLE TO FCCM.
3. ** DIRECT COSTS (ATTACH SUPPORTING DATA)
4. THE CONSULTANT MAY USE ITS OWN INVOICE FORM SO LONG AS IT HAS BEEN APPROVED BY THE CONSULTANT SERVICES DIRECTOR. PRIOR TO SUBMISSION BY THE CONSULTANT SAID FORM SHOULD, AT A MINIMUM, CONTAIN THE ABOVE INFORMAT

SUPPORTING DATA (Sample Only)

ProjectNo. 00-0000-00-000-00

County _____

<u>Employee and Classification</u>	<u>Rate of Pay</u>	<u>Current Period Hours</u>	<u>Current Period Costs</u>	<u>Previous Period Costs</u>	<u>Cost to Date</u>
John P. Public Jr. <u>Engineer</u>	\$0.00/hour	0.00	\$0.00	\$0.00	\$0.00
John P. Public Jr. <u>Designer</u>	\$0.00/hour	0.00	\$0.00	\$0.00	\$0.00
John P. Public Jr. <u>Technician.</u>	\$0.00/hour	0.00	\$0.00	\$0.00	\$0.00
SUBTOTAL	\$ 0.00/hour	0.00	\$0.00	\$0.00	\$0.00

TOTAL LABOR

Direct Costs

PROJECT TOTAL

Employee and Classification

EXHIBIT "F"

PROGRESS REPORT

MONTHLY PROJECT STATUS REPORT	
Reporting Period:
City Representative:
Consultant:
Project No.:	
Project Description:
Work Completed:	
Work Planned:	
Issues to be Addressed;	

Report Submitted by _____

Date: _____

EXHIBIT "G"

**NOTICE TO CONTRACTORS, FEDERAL AID CONTRACT COMPLIANCE WITH
TITLE VI OF THE AMERICANS WITH DISABILITIES ACT, COPELAND ANTI-
KICKBACK ACT, DAVIS BACON ACT, CONTRACT WORK HOURS AND SAFETY
STANDARDS ACT, CLEAN AIR ACT, ENERGY POLICY AND CONSERVATION ACT,
DISADVANTAGED BUSINESS ENTERPRISES ACT, WORKER VISIBILITY**

During the performance of this Agreement, the Engineer, for itself, its assignees and successor-in-interest (hereinafter referred to as the "Engineer") agrees as follows:

1. Compliance with Regulations: The Engineer will comply with the Regulations of the City, relative to nondiscrimination in Federally-assisted programs of the U. S. Department of Transportation (Title 49, Code of Federal Regulations, Part 21, hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this Agreement.

2. Nondiscrimination: The Engineer, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the grounds of race, religion, color, sex, national origin, age or disability in the selection and retention of sub-consultants including procurement of materials and leases of equipment. The Engineer will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when this Agreement covers a program set forth in Appendix B of the Regulations. In addition, the Engineer will not participate either directly or indirectly in discrimination prohibited by 23 C.F.R. 710.405(b).

3. Solicitations for Subcontracts. Including Procurement of Materials and Equipment: In all Solicitations, either by competitive bidding or negotiation made by the Engineer for work to be performed under a subcontract, including procurement of materials or equipment, each potential sub-consultant or supplier shall be notified by the Engineer of the Engineer's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, religion, color, sex, national origin, age or disability.

4. Anti-kick back provisions: All agreements and subcontracts for construction or repair shall include a provision for compliance with the Copeland "Anti-Kick Back" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR, Part 3). This Act provides that each consultant/contractor or sub-consultant/sub-contractor shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The Engineer shall report all suspected or reported violations to the City.

5. Davis Bacon Act: When required by the federal grant program legislation, all construction contracts awarded to contractors and subcontractors in excess of \$2,000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR, Part 5). Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less often than once a week

6. Contract Work Hours and Safety Standards Act: Where applicable, all contracts awarded by contractors and subcontractors in excess of \$2,000 for construction contracts and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers shall include a provision for compliance with sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.

327-330) as supplemented by Department of Labor Regulations (29 CFR, Part 5). Under section 103 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard workweek of 40 hours. Work in excess of the standard workweek is permissible provided that the worker is compensated at a rate of not less than 1 ½ times the basic rate of pay for all hours worked in excess of 40 hours in the workweek. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction, safety, and health standards promulgated by the Secretary of Labor. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

7. Clean Air Act: Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clear Air Act (42 U.S.C. 1857 (h), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15) (Contracts and subcontracts in amounts in excess of \$100,000).

8. Energy Policy and Conservation Act: Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub.L. 94-163).

9. Disadvantaged Business Enterprises (DBE): It is the policy of the City to comply with the requirements of 49 C.F.R. 26, to prohibit unlawful discrimination, to meet its goal for DBE participation, to meet that goal whenever possible by race-neutral means, to create a level playing field, and to achieve that amount of DBE participation that would be obtained in a non-discriminatory market place. To meet that objective in any United States Department of Transportation assisted contracts, the City and the Engineer shall comply with the "Mississippi Department of Transportation's Disadvantage Business Enterprise Programs For United States Department Of Transportation Assisted Contracts".

Neither the Engineer, nor any sub-recipient or sub-consultant shall discriminate on the bases of race, color, national origin, or sex in the performance of this Agreement. The Engineer shall carry out applicable requirements of 49 C.F.R. 26 in the award and administration of United States Department of Transportation assisted contracts. Failure of the Engineer to carry out those requirements is a material breach of this Agreement which may result in the termination of this Agreement or such other remedies as the City deems appropriate.

10. Worker Visibility: All workers within the right-of-way of a Federal-aid highway who are exposed either to traffic (vehicles using the highway for the purposes of travel) or to construction equipment within the work area shall wear high-visibility safety apparel-personal protective safety clothing that is intended to provide conspicuity during both daytime and nighttime usage, and that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107-2004 publication entitled "American National Standard for High-Visibility Safety Apparel and Headwear"- for compliance with 23 CFR, Part 634.

EXHIBIT "H"**CERTIFICATION REGARDING DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY
MATTERS**

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS- Certification in accordance with Section 29.510 Appendix A, C.F.R. Vol. 53, No. 102, page 19210 and 19211:

- (1) The CONSULTANT certifies to the best of its knowledge and belief that it and its principals:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or Agreement under a public transaction, violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification: and
 - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default;
 - (e) has not either directly or indirectly entered into any agreement participated in any collusion; or otherwise taken any action in restraint of free competitive negotiation in connection with this Agreement.
- (2) The Engineer further certifies, to the best of his/her knowledge and belief, that:
- (f) No federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or employee of a member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - (g) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer of employee of Congress, or any employee of a member of Congress in connection with this Agreement, Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions will be completed and submitted,

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a pre-requisite imposed by Section 1352, Title 31, U. S. Code prior to entering into this Agreement. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000.00. The Engineer shall include the language of the certification in all subcontracts exceeding \$25,000.00 and all sub-consultants shall certify and disclose accordingly.

I hereby certify that I am the duly authorized representative of the Engineer for purposes of making this certification, and that neither I, nor any principal, officer, shareholder or employee of the above firm has:

- (a) employed or retained for commission, percentages, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above Engineer) to solicit or secure this agreement,
- (b) agreed, as an express or implied condition for obtaining this Agreement, to employ or retain the services of any firm or person in connection with carrying out the agreement, or
- (c) paid, or agreed to pay, to any firm, organization or person (other than a bone fide employee working solely for me or the above Engineer) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the agreement; except as herein expressly stated (if any).

I acknowledge that this Agreement may be furnished to the Federal Highway Administration, United States Department of Transportation, or any other applicable Federal or State Agency in connection with the Agreement involving participation of Federal-Aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

SO CERTIFIED this _____ day of _____, 20_____ -

{Enter Consultant's Name}

{Type name}

ATTEST _____

My Commission Expires:

Notary

EXHIBIT "I"

**PRIME CONSULTANT / CONTRACTOR EEV
CERTIFICATION AND AGREEMENT**

By executing this Certification and Agreement, the undersigned verifies its compliance with the, "Mississippi Employment Protection Act," Section 71-11-3 of the Mississippi Code of 1972, as amended, and any rules or regulations promulgated by the CITY, Mississippi Transportation Commission [MTC], Department of Employment Security, State Tax Commission, Secretary of State, Department of Human Services in accordance with the Mississippi Administrative Procedures Law (Section 25-43-1 et seq., Mississippi Code of 1972, as amended), stating affirmatively that the individual, firm, or corporation which is contracting with the CITY has registered with and is participating in a federal work authorization program* operated by the United States Department of Homeland Security to electronically verify information of newly hired employees pursuant to the Immigration Reform and Control Act of 1986, Pub.L. 99-603, 100 Stat 3359, as amended. The undersigned agrees to inform the CITY if the undersigned is no longer registered or participating in the program.

The undersigned agrees that, should it employ or contract with any entity(s) in connection with the performance of this Agreement, the undersigned will secure from such entity(s) verification of compliance with the Mississippi Employment Protection Act. The undersigned further agrees to maintain records of such compliance and provide a copy of each such verification to the City, if requested, for the benefit of the City or this Contract.

EEV* Company Identification Number [Required]

The undersigned certifies that the above information is complete, true and correct to the best of my knowledge and belief. The undersigned acknowledges that any violation may be subject to the cancellation of the contract, ineligibility for any state or public contract for up to three (3) years, the loss of any license, permit, certificate or other document granted by any agency, department or government entity for the right to do business in Mississippi for up to one (1) year, or both, any and all additional costs incurred because of the contract cancellation or the loss of any license or permit, and may be subject to additional felony prosecution for knowingly or recklessly accepting employment for compensation from an unauthorized alien as defined by 8 U.S.C §1324a(h)(3), said action punishable by imprisonment for not less than one (1) year nor more than five (5) years, a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or both, in addition to such prosecution and penalties as provided by Federal law.

BY: _____ Date _____
Authorized Officer or Agent

Printed Name of Authorized Officer or Agent Title of Authorized Officer or Agent of Contractor /Consultant

SWORN TO AND SUBSCRIBED before me on this the _____ day of _____ 20____

NOTARY PUBLIC
My Commission Expires : _____

* As of the effective date of the Mississippi Employment Protection Act, the applicable federal work authorization program is E-Verizy™ operated by the U. S. Citizenship and Immigration Services of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration.

CITY OF DIAMONDHEAD
2016 ENGINEERING MASTER SERVICES AGREEMENT
ENGINEERING FEES
STANDARD HOURLY RATES SCHEDULE

POSITION	BILLING RATE
Principal Engineer	\$ 135.00
Professional Engineer	\$ 97.00
Senior Project Manager	\$ 105.00
Project Engineer	\$ 75.00
Professional Land Surveyor	\$ 80.00
Survey Crew Chief	\$ 47.00
Instrument Person	\$ 35.00
CAD Technician	\$ 50.00
Clerical	\$ 43.00
Resident Project Representative	\$ 70.00
Engineering Technician	\$ 50.00

WORK ASSIGNMENT

WORK ASSIGNMENT NO. _____

PROJECT NUMBER: TBD; Lily Pond Dredging

This Work Assignment is executed in accordance with the Master Services Agreement entered into by the City of Diamondhead, Mississippi and Pickering Firm, Inc. on the 19th day of August, 2016.

WHEREAS, each of said parties represents that it continues to have authority to execute this Work Assignment and that all certifications previously made in said Agreement remain in effect;

NOW THEREFORE, the parties hereto do further contract and agree to add the following items of work to the above Agreement under the additional terms and conditions as are hereinafter stated:

SPECIFIC SCOPE OF WORK FOR THIS WORK ASSIGNMENT OR PHASE

See 'Attachment A – Scope of Services'

WORK ASSIGNMENT TERM

No new Work Assignments shall be executed after October 31, 2021 at 11:59 P.M. CDT.

This WORK ASSIGNMENT shall be effective upon the latest date of execution hereof and continue until October 31, 2021 at 11:59 P.M. CDT. However, the Engineer may not begin work prior to receiving a Notice to Proceed.

DBE GOAL

The DBE goal established for this Work Assignment shall be zero percent (0%).

KEY PERSONNEL

CITY PROJECT MANAGER:

Mike Reso

CONSULTANT PROJECT MANAGER:

(Certified as a Professional Engineer to do business in the State of Mississippi)

Andy Phelan, PE (MS #19480)

PROGRESS SCHEDULE

Applications, meetings, and other items requested by the client will be prepared and submitted in a timely fashion following client request.

MAXIMUM ALLOWABLE COST

Contract Maximums:

Under no circumstances shall the amount payable by the City for this assignment exceed \$18,800 (Total of all Charges) without the prior written consent of both parties. The Labor Rates have been identified in Table 2: Rate Schedule for Labor Hours.

Table 1: Compensation for Services Breakdown

Basic Services		
Phase #	Phase Title	Fee (labor hour/unit cost)
I	Survey	\$ 7,500 (LUMP SUM)
II	Environmental Assessment	\$ 5,800
III	Engineering Design	\$ 5,500

Table 2: Rate Schedule for Labor Hours

NAMES	LABOR CLASSIFICATION	RATE
	Principal Engineer	\$ 135
	Professional Engineer	\$ 97
	Senior Project Manager	\$ 105
	Project Engineer	\$ 75
	Professional Land Surveyor	\$ 80
	Survey Crew Chief	\$ 47
	Instrument Person	\$ 35
	CAD Technician	\$ 50
	Clerical	\$ 43
	Resident Project Representative	\$ 70
	Engineering Technician	\$ 50

Both parties hereto represent that they have authority to enter into this Work Assignment as "Exhibit C" of the Agreement executed by and between the City and Engineer to which is now made a part of said Agreement.

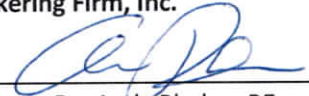
SO EXECUTED AND AGREED THIS THE _____ DAY OF _____, _____.

City of Diamondhead, Mississippi

By: _____

WITNESS this, my signature, in execution hereof, this the 8th day of December 2020.

Pickering Firm, Inc.


By: Andy Phelan, PE

ATTEST: 
Cara Wagner, PE

ATTACHMENT A – SCOPE OF SERVICES

General Project Description

In general, the Engineer will perform survey, environmental assessments, and engineering design necessary to prepare dredging plans for Lily Pond. For this proposal, it is assumed the City will self-perform the WORK; bid phase services, construction engineering, and Resident Project Representation (inspection) are NOT included in this proposal. Subsequent services, including but not limited to environmental permitting, cultural resource assessment, bid phase services, construction phase services, etc., may be added, as mutually agreed upon by both parties, as either an amendment to this contract or as a separate contract.

This project generally consists of dredging Lily Pond located near Diamondhead Drive North and Anela Drive in Diamondhead, Mississippi.

Task 1 – Survey (\$7,500; Lump Sum)

A topographic survey of the ground adjacent to the pond, a water bottom survey, and a boundary survey for parcels adjacent to Lily pond will be performed. Topographic survey and water bottom survey will include shots needed for engineering design. The survey will include, but not limited to, the following: protected trees, above grade utility features and accessible inverts, benchmarks set, all pavement types, curb lines, curb openings, road striping, parking stripes, sidewalks, street lights, electric equipment, water features, ground elevations, ground elevations at ridges and valleys, top of banks, and centerline of ditches.

This survey will include underground utilities by accessible above ground features, painted lines by others (i.e. MS811), and inverts.

The survey will show any recorded easements within title work if provided by the CLIENT. The horizontal data will be based on state plane coordinates, MS East Zone/NAD83 in feet and the vertical data will be based on NAVD 88, Geoid 2009. This survey will meet the current minimum land surveying requirements for the State of Mississippi.

Our surveying services will not include:

- Title research. We will depend on the Client to furnish an updated title commitment.
- Investigation or location of underground structures or facilities by means of excavation or ground penetrating radar.

Task 2 – Environmental Assessments (\$5,800)

The Consultant's services will consist for the following:

- Obtain and review any Environmental Assessments or other environmental studies that have been conducted in the project area.
- Provide field investigations of the project area, including a review of possible stream/waterbody survey, threatened and endangered species screening, and other recognized environmental concerns.

ATTACHMENT A – SCOPE OF SERVICES

- Consult with the US Army Corps of Engineers and the Mississippi Department of Marine Resources.
- Submit a Section 10/Section 404 Joint Permit Application and Notification to the Department of Marine Resources and the US Army Corps of Engineers to determine what additional assessments, if any, will be required for approval of the necessary permitting.

The following is specifically **EXCLUDED** from the aforementioned Scope of Work; however, these items can be provided if necessary with a revision to the Scope of Work and fees. If the Client requests that any of these services be performed by the Consultant, then the Client will pay the Consultant for these authorized additional services on the basis of a negotiated lump sum fee or on the basis of the hourly rates plus reimbursable expenses.

1. A wetland delineation could be required for authorization of the permit, depending on which nationwide permit the US Army Corps of Engineers determines is applicable to the project.
2. Wetland mitigation assessment and planning for “other wasters of the U.S.” are not included in this proposal.
3. A cultural resources survey and threatened and endangered species survey could be required by the US Army Corps of Engineers prior to Section 404 permit authorization.
4. Other assessments/permitting efforts determined to be necessary during the initial environmental review described above.

Task 3 – Engineering Design (\$5,500)

Utilizing owner provided information, information obtained in tasks described above, readily-available data from the State of Mississippi (i.e. GIS), and any other deliverables subject to any owner-directed modifications or changes in the scope, extent, character, or design requirements of or for the Project, and upon written authorization from owner, for the general scope of work described above, the Engineer shall:

1. Prepare Construction Drawings indicating the scope, extent, and character of the Work. Furnish 3 of the Final (100%) documents and any other deliverables to Owner and review them with Owner. Within 10 calendar days of receipt, Owner shall submit to Engineer any comments regarding the Design Phase documents and any other deliverables.
2. Provide technical criteria, written descriptions, and design data for Owner’s use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the project. Engineer will assist the owner in consultations with such authorities and will revise the drawings and specifications accordingly in response to directives from such authorities.

No project specifications or bidding/contract information will be prepared as part of this Scope of Work.

WORK ASSIGNMENT

WORK ASSIGNMENT NO. _____

PROJECT NUMBER: TBD; Diamondhead Drive East Retention Pond Dredging

This Work Assignment is executed in accordance with the Master Services Agreement entered into by the City of Diamondhead, Mississippi and Pickering Firm, Inc. on the 19th day of August, 2016.

WHEREAS, each of said parties represents that it continues to have authority to execute this Work Assignment and that all certifications previously made in said Agreement remain in effect;

NOW THEREFORE, the parties hereto do further contract and agree to add the following items of work to the above Agreement under the additional terms and conditions as are hereinafter stated:

SPECIFIC SCOPE OF WORK FOR THIS WORK ASSIGNMENT OR PHASE

See 'Attachment A – Scope of Services'

WORK ASSIGNMENT TERM

No new Work Assignments shall be executed after October 31, 2021 at 11:59 P.M. CDT.

This WORK ASSIGNMENT shall be effective upon the latest date of execution hereof and continue until October 31, 2021 at 11:59 P.M. CDT. However, the Engineer may not begin work prior to receiving a Notice to Proceed.

DBE GOAL

The DBE goal established for this Work Assignment shall be zero percent (0%).

KEY PERSONNEL

CITY PROJECT MANAGER:

Mike Reso _____

**CONSULTANT PROJECT MANAGER:
(Certified as a Professional Engineer to do
business in the State of Mississippi)**

Andy Phelan, PE (MS #19480)

PROGRESS SCHEDULE

Applications, meetings, and other items requested by the client will be prepared and submitted in a timely fashion following client request.

MAXIMUM ALLOWABLE COST

Contract Maximums:

Under no circumstances shall the amount payable by the City for this assignment exceed **\$14,800** (Total of all Charges) without the prior written consent of both parties. The Labor Rates have been identified in Table 2: Rate Schedule for Labor Hours.

Table 1: Compensation for Services Breakdown

Basic Services		
Phase #	Phase Title	Fee (labor hour/unit cost)
I	Survey	\$ 3,500 (LUMP SUM)
II	Environmental Assessment	\$ 5,800
III	Engineering Design	\$ 5,500

Table 2: Rate Schedule for Labor Hours

NAMES	LABOR CLASSIFICATION	RATE
	Principal Engineer	\$ 135
	Professional Engineer	\$ 97
	Senior Project Manager	\$ 105
	Project Engineer	\$ 75
	Professional Land Surveyor	\$ 80
	Survey Crew Chief	\$ 47
	Instrument Person	\$ 35
	CAD Technician	\$ 50
	Clerical	\$ 43
	Resident Project Representative	\$ 70
	Engineering Technician	\$ 50

Both parties hereto represent that they have authority to enter into this Work Assignment as "Exhibit C" of the Agreement executed by and between the City and Engineer to which is now made a part of said Agreement.

SO EXECUTED AND AGREED THIS THE _____ DAY OF _____, _____.

City of Diamondhead, Mississippi

By:

WITNESS this, my signature, in execution hereof, this the 8th day of December 2020.

Pickering Firm, Inc.

By: Andy Phelan, PE

ATTEST: 

Cara Wagner, PE

General Project Description

In general, the Engineer will perform survey, environmental assessments, and engineering design necessary to prepare dredging plans for Diamondhead Drive East Retention Pond. For this proposal, it is assumed the City will self-perform the WORK; bid phase services, construction engineering, and Resident Project Representation (inspection) are NOT included in this proposal. Subsequent services, including but not limited to environmental permitting, cultural resource assessment, bid phase services, construction phase services, etc., may be added, as mutually agreed upon by both parties, as either an amendment to this contract or as a separate contract.

This project generally consists of dredging Diamondhead Drive East Retention Pond located near Diamondhead Drive East and Haina Street in Diamondhead, Mississippi.

Task 1 – Survey (\$3,500; Lump Sum)

A topographic survey of the ground adjacent to the pond and a boundary survey for parcels adjacent to Diamondhead Drive East Retention Pond will be performed. Topographic survey will include shots needed for engineering design. Water Bottom elevations will reference those observed during the study phase performed in July 2017. The survey will include, but not be limited to, the following: protected trees, above grade utility features and accessible inverts, benchmarks set, all pavement types, curb lines, curb openings, road striping, parking stripes, sidewalks, street lights, electric equipment, water features, ground elevations, ground elevations at ridges and valleys, top of banks, and centerline of ditches.

This survey will include underground utilities by accessible above ground features, painted lines by others (i.e. MS811), and inverts.

The survey will show any recorded easements within title work if provided by the CLIENT. The horizontal data will be based on state plane coordinates, MS East Zone/NAD83 in feet and the vertical data will be based on NAVD 88, Geoid 2009. This survey will meet the current minimum land surveying requirements for the State of Mississippi.

Our surveying services will not include:

- Title research. We will depend on the Client to furnish an updated title commitment.
- Investigation or location of underground structures or facilities by means of excavation or ground penetrating radar.

Task 2 – Environmental Assessments (\$5,800)

The Consultant’s services will consist for the following:

- Obtain and review any Environmental Assessments or other environmental studies that have been conducted in the project area.
- Provide field investigations of the project area, including a review of possible stream/waterbody survey, threatened and endangered species screening, and other recognized environmental concerns.

- Consult with the US Army Corps of Engineers and the Mississippi Department of Marine Resources.
- Submit a Section 10/Section 404 Joint Permit Application and Notification to the Department of Marine Resources and the US Army Corps of Engineers to determine what additional assessments, if any, will be required for approval of the necessary permitting.

The following is specifically **EXCLUDED** from the aforementioned Scope of Work; however, these items can be provided if necessary with a revision to the Scope of Work and fees. If the Client requests that any of these services be performed by the Consultant, then the Client will pay the Consultant for these authorized additional services on the basis of a negotiated lump sum fee or on the basis of the hourly rates plus reimbursable expenses.

1. A wetland delineation could be required for authorization of the permit, depending on which nationwide permit the US Army Corps of Engineers determines is applicable to the project.
2. Wetland mitigation assessment and planning for “other wasters of the U.S.” are not included in this proposal.
3. A cultural resources survey and threatened and endangered species survey could be required by the US Army Corps of Engineers prior to Section 404 permit authorization.
4. Other assessments/permitting efforts determined to be necessary during the initial environmental review described above.

Task 3 – Engineering Design (\$5,500)

Utilizing owner provided information, information obtained in tasks described above, readily-available data from the State of Mississippi (i.e. GIS), and any other deliverables subject to any owner-directed modifications or changes in the scope, extent, character, or design requirements of or for the Project, and upon written authorization from owner, for the general scope of work described above, the Engineer shall:

1. Prepare Construction Drawings indicating the scope, extent, and character of the Work. Furnish 3 of the Final (100%) documents and any other deliverables to Owner and review them with Owner. Within 10 calendar days of receipt, Owner shall submit to Engineer any comments regarding the Design Phase documents and any other deliverables.
2. Provide technical criteria, written descriptions, and design data for Owner’s use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the project. Engineer will assist the owner in consultations with such authorities and will revise the drawings and specifications accordingly in response to directives from such authorities.

No project specifications or bidding/contract information will be prepared as part of this Scope of Work.

2020-352

Item No. 11.



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

December 10, 2020

City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525


Dear Councilmembers:

Re: Payment to Orion Planning + Design for November 2020 Services

Attached for your review and consideration is an invoice from Orion Planning+Design in the amount of \$1,404.00 for professional services rendered during the month of November relating to the 25-Year Comprehensive Plan. Also attached is the project progress report.

Thank you in advance for your approval in this matter.

Sincerely,



Michael Reso
City Manager

MR:jk

2020-352

Item No. 11.

Orion Planning + Design
919 Getwell Road South
Hernando, MS 38632 US
(901) 268-7566
bob@orionplanningdesign.com



BILL TO
City of Diamondhead, MS
5000 Diamondhead Cir
Diamondhead, MS 39525
United States

INVOICE 3119

DATE 12/03/2020 **TERMS** Net 30

DUE DATE 01/02/2021

PROJECT NAME
Diamondhead, MS

PROJECT MANAGER
Robert Barber

DATE	NEW CHARGES DETAIL	AMOUNT
11/30/2020	Consulting - Novemberr 2020 - see attached progress report	1,404.00

Thank you for allowing Orion Planning + Design to serve you!

Remit payment to:
Orion Planning + Design
919 Getwell Road South
Hernando, MS 38632

TOTAL DUE **\$1,404.00**

DIAMONDHEAD COMPREHENSIVE PLAN PROGRESS REPORT #8 Period: November 2020		% Previous Progress	% Total Progress
PART 1: DISCOVERY AND START-UP			
Part 1 focuses on organization and information collection. If not already established, the Advisory Group may be created during this time and the plan brand introduced. The Orion team will also work with Staff to identify key stakeholders that should be engaged during the project and begin outreach to these individuals and groups as soon as possible.			
Task 1.1 - Establish Project Infrastructure			
a. Generate plan branding and project title (e.g. Envision Diamondhead 2040) . Existing Diamondhead branding will be used as a baseline.	10	Complete	
b. Create project website and engagement plan.	10	Complete	
c. Advisory Group polling on initial priorities, perceptions and project direction.	0	Complete	
d. Establish plan templates. Layout and overall document design options will be presented, and a basic template chosen.	50	Complete	
* MILESTONE 1 - On site team Discovery orientation, introductory Advisory Group meeting to review the project, proposed schedule, results of initial committee polling and overall project sequencing, initial public engagement meeting	0	Complete	
* DELIVERABLES - Project branding, project calling cards, project website, document template	90	Complete	
Task 1.2 - Existing Plans and Studies Overview			
a. An inventory and overview of all existing and applicable plans and studies will be conducted to identify and leverage previous research and planning and strategically focus current planning. (e.g. Gulf Coast Business Council's TIPS Strategies). Strategic attention will be given to the unique aspects of Diamondhead's community governance organizations and structures.	80	90	
b. Develop summary of findings and conclusions.	80	90	
c. Develop and propose interim polices for critical areas needed to insure planning options until the conclusion of the planning process (i.e. interim overlay district, targeted moratorium, etc.)	95	Complete	
Task 1.3 Existing Development Conditions Baseline Analysis			
a. Land use and build-out analysis - The land use and build-out analysis will establish the existing land use and development patterns in the City. Vacant Land will be identified by current zoning and capacity for future development will be forecast.	90	90	
b. Market and economic analysis - The Diamondhead market and economy will be studied with emphasis on housing, current and future employment opportunity, retail market assessment, role in the region and forecast of future conditions.	90	100	

DIAMONDHEAD COMPREHENSIVE PLAN PROGRESS REPORT #8 Period: November 2020	% Previous Progress	% Total Progress
c. Demographic trends analysis - Demographic characteristics and trends will be studied to forecast likely changes future growth trends and prospects.	90	100
d. Mobility assessment - Diamondhead's mobility systems (vehicular and non-vehicular) will be assessed to identify opportunities for connectivity, expansion or retrofit for place making.	90	90
e. Natural environment assessment - Natural environmental features will be assessed for current and future impact on development patterns, healthy functioning, and opportunity for rest and recreation.	90	95
f. Community facilities - Diamondhead community facilities will be inventoried and assessed in the context of the city's overall development conditions.	80	80
g. Report Synthesis - The above analysis will be synthesized into a single summary report (powerpoint format) which shall form the basis of the next phases of the project.	90	95
↑ DELIVERABLES - Baseline Summary Report (ppt.) including findings and conclusions of the analysis of the components listed and a complete suite of mapping.	90	95
PART 2: DIRECTION - VISIONING AND CONCEPT PLAN DEVELOPMENT		
Part 2 of the planning process will provide a significant opportunity for meaningful, hands-on involvement in creating the major conceptual plan components. The result of Phase 2 will be a working draft of goals, priorities, and policies as well as a concept plan that outlines future growth areas and types as well as future land use and general mobility infrastructure locations. Under the direction of staff and the Advisory Group, the Orion team will design the public engagement process from one of the two options below:	100	100
a. Option 1 - Planning Week - This on-site work session involves the presence of the planning team for approximately 4.5 days for intensive on-site community engagement and concept plan creation. The option requires strong teamwork between the city and the planning team. Typically, the city will provide the logistical arrangements, advertise the event, recruit participants and schedule the public events. The planning team will facilitate all workshops and interviews. Special effort will be made to make the meetings broadly inclusive.	100	100
* MILESTONE 2 - Opening public engagement meeting, Advisory Group meeting, closing public engagement meeting.	100	100
→ DELIVERABLES - Vision, Goals and Concept Plan	100	100
PART 3: DESIGN - PLAN CREATION		
Part 3 involves the creation of the detailed comprehensive plan based on all previous steps of the process.		

DIAMONDHEAD COMPREHENSIVE PLAN PROGRESS REPORT #8 Period: November 2020		% Previous Progress	% Total Progress
a. Completion of draft plan - A draft plan to include community vision and planning principles, future land use and place types, and future mobility will be created incorporating and addressing project objectives.		30	40
b. Review and Edits - Once submitted, the plan will be reviewed by staff and "red lined" for edits and adjustments. Edits will be returned to the team in a single red lined PDF.		0	0
* MILESTONE 3 - Advisory Group meeting to present the draft plan.		0	0
→ DELIVERABLES - Draft Plan		0	0
PART 4: IMPLEMENTATION AND ADOPTION			
Part 4 consists of creating the implementation component of the plan and the plan's adoption.			
a. Implementation strategies - Detailed strategies will be created that address how the plan is to be implemented. Provisions will include recommendations on policy with emphasis on recommended zoning amendments, catalytic projects, and best practices in the development process. Performance metrics will also be included.		20	30
b. Public comment, final review and edits - The plan will be reviewed to incorporate final edits. Edits will be returned to the team in a single red lined PDF.		0	0
→ DELIVERABLES - Final Plan		0	0
a. Presentation to Planning Commission		0	0
b. Presentation to City Council		0	0

**City of Diamondhead
Budget Adjustments
For the Fiscal Year Ending September 30, 2020**

2020-353

<u>Budget Entry No. (InCode)</u>	<u>Account</u>	<u>ACCT DESCRIPTION</u>	<u>Adjustment Amount</u>	<u>Effect on Budget</u>	<u>Description</u>	<u>Form to Council</u>
					<u>Auction Sale</u>	
2021-07	001-140-681.00	Other Services & Charges	5,413.00	5,413.00	Cost of Auction Sale - 13% Commission	12/15/2020
2021-07	001-301-912.00	Capital Outlay - Streets/Drainage	36,231.00	36,231.00	Net Income	12/15/2020
2021-07	001-000-394.00	Gain/Loss on Sale of Assets	41,644.00	(41,644.00)	Auction Income + \$5.00 Sale	
				\$ -	<u>Auction Sale</u>	



Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-140
Department Name: Admin
Requested by: Catherine Konkel

Date: 12/15/2020
Budget Entry #: 2021-007
Amendment #: 2021-007 (1 of 2)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00		\$ 41,644.00	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ -	\$ 41,644.00	\$ 4,759,842.00
EXPENDITURES:				
Personnel Services	\$ 427,339.17	\$ (12,810.38)		\$ 427,339.17
Supplies	22,085.00			22,085.00
Contractual Services	621,317.52	-	\$ 5,413.00	626,730.52
Grants/Subsidies/Allocations	40,196.00			40,196.00
Debt Service	-			-
CAPITAL OUTLAY	61,200.00	-		61,200.00
TOTAL EXPENDITURES	\$ 1,172,137.69	\$ (12,810.38)	\$ 5,413.00	\$ 1,177,550.69
REVENUE OVER/(UNDER) EXPENDITURES	\$ 3,546,060.31	\$ 12,810.38	\$ 36,231.00	\$ 3,582,291.31

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 3,546,060.31	\$ 12,810.38	\$ 36,231.00	\$ 3,582,291.31

Description			
Amend Budget for Sale of Asset - November 7th Auction :			
001-140-681.00 Other Services & Charges		\$5,413.00	
001-301-912.01 Capital Outlay - Streets/Drainage		\$36,231.00	
001-000-394.00 Gain/Loss on Sale of Assets			\$41,644.00

Other	Equipment:	Software:
	TOTAL COST \$	-

§ 21-35-25. Revision of municipal budget

Any amendments made pursuant to this section to an originally adopted budget which exceed ten percent (10%) of the total amount appropriated or authorized to be expended in a particular department fund shall be published or posted within two (2) weeks of the action in a newspaper in the same manner as the final adopted budget. Separate amendments to an originally adopted budget during one fiscal year which affect a particular department fund shall be considered as one (1) amendment in determining whether the ten percent (10%) threshold requiring publication or posting has been reached. This publication or posted notice shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment. The vote of each member of the municipality's governing authority on each amendment shall be included in the publication or posted notice.



Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-301
Department Name: Public Works
Requested by: Catherine Konkell

Date: 12/15/2020
Budget Entry #: 2021-007
Amendment #: 2021-007 (2 of 2)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00		\$ 41,644.00	\$ 4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ -	\$ 41,644.00	\$ 4,759,842.00

EXPENDITURES:

Personnel Services	\$ 756,962.75	\$ 17,931.84		\$ 756,962.75
Supplies	145,962.00			145,962.00
Contractual Services	382,151.76	-		382,151.76
Grants/Subsidies/Allocations	3,000.00			3,000.00
Debt Service	-			-
CAPITAL OUTLAY	705,000.00	-	36,231.00	741,231.00
TOTAL EXPENDITURES	\$ 1,993,076.51	\$ 17,931.84	\$ 36,231.00	\$ 2,029,307.51
REVENUE OVER/(UNDER) EXPENDITURES	\$ 2,725,121.49	\$ (17,931.84)	\$ 5,413.00	\$ 2,730,534.49

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 2,725,121.49	\$ (17,931.84)	\$ 5,413.00	\$ 2,730,534.49

Description	Amend Budget for Sale of Asset - November 7th Auction :		
	001-140-681.00 Other Services & Charges	\$5,413.00	
	001-301-912.01 Capital Outlay - Streets/Drainage	\$36,231.00	
	001-000-394.00 Gain/Loss on Sale of Assets		\$41,644.00

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

Any amendments made pursuant to this section to an originally adopted budget which exceed ten percent (10%) of the total amount appropriated or authorized to be expended in a particular department fund shall be published or posted within two (2) weeks of the action in a newspaper in the same manner as the final adopted budget. Separate amendments to an originally adopted budget during one fiscal year which affect a particular department fund shall be considered as one (1) amendment in determining whether the ten percent (10%) threshold requiring publication or posting has been reached. This publication or posted notice shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment. The vote of each member of the municipality's governing authority on each amendment shall be included in the publication or posted notice.

**City of Diamondhead
Budget Adjustments
For the Fiscal Year Ending September 30, 2020**

2020-353

<u>Budget Entry</u> <u>No. (InCode)</u>	<u>Account</u>	<u>ACCT</u> <u>DESCRIPTION</u>	<u>Adjustment</u> <u>Amount</u>	<u>Effect on</u> <u>Budget</u>	<u>Description</u>	<u>Form to</u> <u>Council</u>
		<u>See Attachment for Detail</u>			<u>Amend Budget for Rollforward of 2020 Open Purchase Orders</u>	
2021-08	001-100-501.00	Supplies	174.70	174.70	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-110-501.00	Supplies	57.23	57.23	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-140-501.00	Supplies	9,311.97	9,311.97	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-140-600.00	Professional Fees - Accounting/Audit	20,000.00	20,000.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-140-601.00	Professional Fees - Consulting	52,837.43	52,837.43	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-140-605.00	Professional Fees - IT	1,600.00	1,600.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-140-615.00	Travel & Training	100.00	100.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-140-693.00	Other - Elections	4,587.73	4,587.73	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-140-907.00	Capital Outlay - Other	14,012.61	14,012.61	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-200-505.00	FF&E Non-Capitalized	796.50	796.50	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-200-535.00	Uniforms	1,395.77	1,395.77	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-200-615.00	Travel & Training	850.00	850.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-200-917.00	Capital Outlay - Mobile Equipment	26,307.50	26,307.50	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-280-501.00	Office Supplies	120.47	120.47	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-280-602.00	Professional Fees - Engineering	17,103.50	17,154.07	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-280-605.00	Professional Fees - IT	4,183.33	4,183.33	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-280-681.00	Other Services & Charges	750.00	750.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-280-917.00	Capital Outlay - Mobile Equipment	125.00	125.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-280-922.00	Capital Outlay - Software	13,800.00	13,800.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-525.00	Fuel	1,173.76	1,173.76	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-565.00	Street Paint/Striping	454.20	454.20	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-581.00	Asphalt	180.90	180.90	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-583.00	Gravel, Sand, Rip Rap	510.00	510.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-586.00	Street Signs	1,535.69	1,535.69	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-601.00	Professional Fees - Consulting	35,000.00	35,000.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-602.00	Professional Fees - Engineering	34,044.22	34,044.22	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-615.00	Travel & Training	2,800.00	2,800.00	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-912.01	Capital Outlay - Paving	39,151.16	39,151.16	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	001-301-917.00	Capital Outlay - Mobile Equipment	189,596.53	189,596.53	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
2021-08	104-301-912.00	Capital Outlay - Streets/Drainage	36.20	36.20	FY2020 Open Purchase Orders Rolled Forward	12/15/2020
			\$ 472,646.97		Amend Budget for Rollforward of 2020 Open Purchase Orders	

Sum of FY21 Amount					
001-100-501.00	Supplies	2020-0562	Southern Printing	DEVON&JONES POLO WITH EMB.	174.70
001-100-501.00 Total					174.70
001-110-501.00	Supplies	2020-0562	Southern Printing	DEVON&JONES POLO WITH EMB.	57.23
001-110-501.00 Total					57.23
001-140-501.00	Supplies	2020-0554	Lightning Quick Signs LLC	SIGNAGE FOR OFFICE	8,503.00
		2020-0573	Dixie Decorations	US AND CITY FLAGS	545.42
		2020-0562	Southern Printing	DEVON&JONES POLO WITH EMB.	263.55
001-140-501.00 Total					9,311.97
001-140-600.00	Professional Fees - Accounting/Ac	2020-0014	Necaise and Company2	Accounting Services Cost analysis Annual operating	20,000.00
001-140-600.00 Total					20,000.00
001-140-601.00	Professional Fees - Consulting	2020-0326	Orion Planning and Design	Consulting services 25 yr Comp plan	39,357.43
		2020-0547	Culpepper and Associates LLC	ENVIRONMENTAL AND DESIGN SERVICES	2,250.00
		2020-0576	Linfield Hunter and Junius Inc	DEVELOP A MASTER PLAN FOR UNDEVELOPED AREAS	11,230.00
001-140-601.00 Total					52,837.43
001-140-605.00	Professional Fees - IT	2020-0003	Municipal Code Corporation	municode design development imp phase	1,600.00
001-140-605.00 Total					1,600.00
001-140-615.00	Travel & Training	2020-0412	Tyler Technologies	Class online Incode 10/9 CKonkel	100.00
001-140-615.00 Total					100.00
001-140-693.00	Other - Elections	2020-0478	Sea Coast Echo	Special Election Notice	247.50
		2020-0553	Lawrence Printing Company	Absentee Ballot Voting Envelopes	302.11
		2020-0488	Election Systems & Software	9/15/20 Election Support	3,605.00
		2020-0563	Sea Coast Echo	AD FOR NEW VOTING DATE	433.12
001-140-693.00 Total					4,587.73
001-140-907.00	Capital Outlay - Other	2020-0568	AXI Education Solutions LLC	EPICUS-TS FACE RECOGNITION TABLET	7,616.00
		2020-0475	Celina Tent Inc	Classic Series Frame Tents	6,396.61
001-140-907.00 Total					14,012.61
001-200-505.00	FF&E Non-Capitalized	2020-0567	Sun Coast Business Supply	HUTCH FOR POLICE DESK	796.50
001-200-505.00 Total					796.50
001-200-535.00	Uniforms	2020-0495	Dana Safety Supply Inc	Uniform/Casual Men's Black Zip Boots	149.99
		2020-0511	Barneys Police Supplies Gulfport	Badge and Badge Holder	1,245.78
001-200-535.00 Total					1,395.77
001-200-615.00	Travel & Training	2020-0239	Hancock Bank credit card	Hotel Reservations AJones	500.00
		2020-0510	FBI-LEEDA Inc	A. Jones -Supervisory Liability Program2	350.00
001-200-615.00 Total					850.00
001-200-917.00	Capital Outlay - Mobile Equipmen	2020-0342	Rogers Dabbs Chevrolet	2021 Chevrolet Silverado 1500 SSV	26,307.50
001-200-917.00 Total					26,307.50
001-280-501.00	Office Supplies	2020-0562	Southern Printing	DEVON&JONES POLO WITH EMB.	120.47
001-280-501.00 Total					120.47
001-280-602.00	Professional Fees - Engineering	2020-0051	Digital Engineering and Imaging In	Engineer SVS Plan Review Services	6,306.00
		2020-0445	Machado Patano PLLC	Plan Review Serenity Oaks Condo	1,801.50
		2020-0487	Machado Patano PLLC	Work Assignment 00-14-2020 Plan/Spec Review	8,996.00
		2019-0353	Covington Civil and Environmenta	Engineering Services Subdivision Regulations	50.57
001-280-602.00 Total					17,154.07
001-280-605.00	Professional Fees - IT	2020-0459	Tyler Technologies	Incode Community Development Software	4,183.33
001-280-605.00 Total					4,183.33
001-280-681.00	Other Services & Charges	2020-0473	Orion Planning and Design	Amend ordinance - No Net Fill	750.00
001-280-681.00 Total					750.00
001-280-917.00	Capital Outlay - Mobile Equipmen	2020-0582	Diaz Brothers Printing	Vehicle Lettering	125.00
001-280-917.00 Total					125.00
001-280-922.00	Capital Outlay - Software	2020-0459	Tyler Technologies	Incode Community Development Software	13,800.00
001-280-922.00 Total					13,800.00
001-301-525.00	Fuel	2020-0559			1,173.76
001-301-525.00 Total					1,173.76
001-301-565.00	Street Paint/Striping	2020-0555	Sherwin Williams Co	Waveland W PARKING LOT PAINT	454.20
001-301-565.00 Total					454.20
001-301-581.00	Asphalt	2020-0575	Lowe's Home Improvement	COLD PATCH ASPHALT	180.90
001-301-581.00 Total					180.90
001-301-583.00	Gravel, Sand, Rip Rap	2020-0545	Petes Services	FILL SAND	510.00
001-301-583.00 Total					510.00
001-301-586.00	Street Signs	2020-0557	Custom Products Corporation	CUSTOM ROAD SIGNS	1,535.69
001-301-586.00 Total					1,535.69
001-301-601.00	Professional Fees - Consulting	2020-0489	Pickering Firm Inc	Strategic Initiatives & Project Agreement	35,000.00
001-301-601.00 Total					35,000.00
001-301-602.00	Professional Fees - Engineering	2020-0110	James J Chiniche PA Inc	Engineer SVS Noma Drive Boat launch	473.08
		2020-0111	James J Chiniche PA Inc	Engineer SVS East Aloha/Shepard's Square	2,106.45
		2020-0146	Covington Civil and Environmenta	Engineer SVS Stormwater Twin Lakes Detention Pond	12,476.50
		2020-0216	Digital Engineering and Imaging In	Roadway/Paving Phase II	18,345.00
		2019-0288	Covington Civil and Environmenta	Engineer Services Turnberry Drainage	643.19
001-301-602.00 Total					34,044.22
001-301-615.00	Travel & Training	2020-0544	Choose Safety Training and Mana	SAFETY TRAINING FOR PUBLIC WORKS	2,800.00
001-301-615.00 Total					2,800.00
001-301-912.01	Capital Outlay - Paving	2020-0229	Digital Engineering and Imaging In	Roadway Improvements/material testing	4,097.34
		2020-0385	Warren Paving	Roadway Improvement Phase 2	35,053.82
001-301-912.01 Total					39,151.16
001-301-917.00	Capital Outlay - Mobile Equipmen	2020-0484	SunSouth LLC	John Deere Tractor w/ Bom Mower & Wing Rotary Cut	61,591.00
		2020-0499	John Deere Company	John Deere 6105 E Cab Tractor (870PTO hp)	60,769.60
		2020-0558	Deep South Equipment Company	DITCHING BUCKET	2,065.00
		2020-0481	Duhon Machinery Company Inc	Bobcat Skid Loader w/ Flail Mower Attachment2	48,059.53
		2020-0498	John Deere Company	Jon Deere R10 Flex Wing Rotary Cutter	17,111.40
001-301-917.00 Total					189,596.53
104-301-912.00	Capital Outlay - Streets/Drainage	2020-0385	War	Roadway Improvement Phase 2	36.20
104-301-912.00 Total					36.20
Grand Total					472,646.97



Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-100
Department Name: Council
Requested by: Catherine Konkell

Date: 12/15/2020
Budget Entry #: 2021-008
Amendment #: 2021-008 (1 of 7)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00	41,644.00	\$ -	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ 41,644.00	\$ -	\$ 4,759,842.00
EXPENDITURES:				
Personnel Services	\$ 43,000.00			\$ 43,000.00
Supplies	600.00		174.70	774.70
Contractual Services	16,512.80	-		16,512.80
Grants/Subsidies/Allocations	-			-
Debt Service	-			-
CAPITAL OUTLAY	3,750.00	-		3,750.00
TOTAL EXPENDITURES	\$ 63,862.80	\$ -	\$ 174.70	\$ 64,037.50
REVENUE OVER/(UNDER) EXPENDITURES	\$ 4,654,335.20	\$ 41,644.00	\$ (174.70)	\$ 4,695,804.50

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 4,654,335.20	\$ 41,644.00	\$ (174.70)	\$ 4,695,804.50

Description Amend Budget for FY2020 Open Purchase Orders rolled forward to FY21:
 See attached detail

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

Any amendments made pursuant to this section to an originally adopted budget which exceed ten percent (10%) of the total amount appropriated or authorized to be expended in a particular department fund shall be published or posted within two (2) weeks of the action in a newspaper in the same manner as the final adopted budget. Separate amendments to an originally adopted budget during one fiscal year which affect a particular department fund shall be considered as one (1) amendment in determining whether the ten percent (10%) threshold requiring publication or posting has been reached. This publication or posted notice shall contain a description of the amendment, the amount of money and funds affected, and a detailed statement explaining the need and purpose of the amendment. The vote of each member of the municipality's governing authority on each amendment shall be included in the publication or posted notice.



Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-110
Department Name: Court
Requested by: Catherine Konkell

Date: 12/15/2020
Budget Entry #: 2021-008
Amendment #: 2021-008 (2 of 7)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00	41,644.00	\$ -	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ 41,644.00	\$ -	\$ 4,759,842.00
EXPENDITURES:				
Personnel Services	\$ 129,533.12	\$ (1,201.58)		\$ 129,533.12
Supplies	1,905.00		57.23	1,962.23
Contractual Services	59,524.90	-		59,524.90
Grants/Subsidies/Allocations				-
Debt Service	-			-
CAPITAL OUTLAY		-		-
TOTAL EXPENDITURES	\$ 190,963.02	\$ (1,201.58)	\$ 57.23	\$ 191,020.25
REVENUE OVER/(UNDER) EXPENDITURES	\$ 4,527,234.98	\$ 42,845.58	\$ (57.23)	\$ 4,568,821.75

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 4,527,234.98	\$ 42,845.58	\$ (57.23)	\$ 4,568,821.75

Description Amend Budget for FY2020 Open Purchase Orders rolled forward to FY21:
 See attached detail

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

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Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-140
Department Name: Admin
Requested by: Catherine Konkel

Date: 12/15/2020
Budget Entry #: 2021-008
Amendment #: 2021-008 (3 of 7)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00	41,644.00	\$ -	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ 41,644.00	\$ -	\$ 4,759,842.00

EXPENDITURES:

Personnel Services	\$ 427,339.17	\$ (12,810.38)		\$ 427,339.17
Supplies	22,085.00		9,311.97	31,396.97
Contractual Services	621,317.52	5,413.00	\$ 79,125.16	705,855.68
Grants/Subsidies/Allocations	40,196.00			40,196.00
Debt Service	-			-
CAPITAL OUTLAY	61,200.00	-	14,012.61	75,212.61
TOTAL EXPENDITURES	\$ 1,172,137.69	\$ (7,397.38)	\$ 102,449.74	\$ 1,280,000.43
REVENUE OVER/(UNDER) EXPENDITURES	\$ 3,546,060.31	\$ 49,041.38	\$ (102,449.74)	\$ 3,479,841.57

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 3,546,060.31	\$ 49,041.38	\$ (102,449.74)	\$ 3,479,841.57

Description Amend Budget for FY2020 Open Purchase Orders rolled forward to FY21:
 See attached detail

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

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Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-200
Department Name: Police
Requested by: Catherine Konkell

Date: 12/15/2020
Budget Entry #: 2021-008
Amendment #: 2021-008 (4 of 7)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00	41,644.00	\$ -	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ 41,644.00	\$ -	\$ 4,759,842.00
EXPENDITURES:				
Personnel Services	\$ -			\$ -
Supplies	48,700.00		2,192.27	50,892.27
Contractual Services	894,413.37		850.00	895,263.37
Grants/Subsidies/Allocations	9,600.00			9,600.00
Debt Service	-			-
CAPITAL OUTLAY	82,200.00	-	26,307.50	108,507.50
TOTAL EXPENDITURES	\$ 1,034,913.37	\$ -	\$ 29,349.77	\$ 1,064,263.14
REVENUE OVER/(UNDER) EXPENDITURES	\$ 3,683,284.63	\$ 41,644.00	\$ (29,349.77)	\$ 3,695,578.86

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 3,683,284.63	\$ 41,644.00	\$ (29,349.77)	\$ 3,695,578.86

Description Amend Budget for FY2020 Open Purchase Orders rolled forward to FY21:
 See attached detail

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

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Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-280
Department Name: Building Department
Requested by: Catherine Konkell

Date: 12/15/2020
Budget Entry #: 2021-008
Amendment #: 2021-008 (5 of 7)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00	41,644.00	\$ -	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ 41,644.00	\$ -	\$ 4,759,842.00

EXPENDITURES:

Personnel Services	\$ 191,572.62	\$ (3,919.88)		\$ 191,572.62
Supplies	5,000.00		120.47	5,120.47
Contractual Services	91,892.79	-	22,087.40	113,980.19
Grants/Subsidies/Allocations				-
Debt Service				-
CAPITAL OUTLAY		-	13,925.00	13,925.00
TOTAL EXPENDITURES	\$ 288,465.41	\$ (3,919.88)	\$ 36,132.87	\$ 324,598.28
REVENUE OVER/(UNDER) EXPENDITURES	\$ 4,429,732.59	\$ 45,563.88	\$ (36,132.87)	\$ 4,435,243.72

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 4,429,732.59	\$ 45,563.88	\$ (36,132.87)	\$ 4,435,243.72

Description Amend Budget for FY2020 Open Purchase Orders rolled forward to FY21:
 See attached detail

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

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Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 001-301
Department Name: Public Works
Requested by: Catherine Konkel

Date: 12/15/2020
Budget Entry #: 2021-008
Amendment #: 2021-008 (6 of 7)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
General Fund Revenue	4,718,198.00		41,644.00	4,759,842.00
TOTAL REVENUE	\$ 4,718,198.00	\$ -	\$ 41,644.00	\$ 4,759,842.00

EXPENDITURES:

Personnel Services	\$ 756,962.75	\$ 17,931.84		\$ 756,962.75
Supplies	145,962.00		3,854.55	149,816.55
Contractual Services	382,151.76	-	71,844.22	453,995.98
Grants/Subsidies/Allocations	3,000.00			3,000.00
Debt Service	-			-
CAPITAL OUTLAY	705,000.00	36,231.00	228,747.69	969,978.69
TOTAL EXPENDITURES	\$ 1,993,076.51	\$ 54,162.84	\$ 304,446.46	\$ 2,333,753.97
REVENUE OVER/(UNDER) EXPENDITURES	\$ 2,725,121.49	\$ (54,162.84)	\$ (262,802.46)	\$ 2,426,088.03

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ 2,725,121.49	\$ (54,162.84)	\$ (262,802.46)	\$ 2,426,088.03

Description Amend Budget for FY2020 Open Purchase Orders rolled forward to FY21:
 See attached detail

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

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Budget Amendment Request

Fund Name: General Fund
Fund-Department #: 104
Department Name: MS Infrastructure Modification Fund
Requested by: Catherine Konkel

Date: 12/15/2020
Budget Entry #: 2021-008
Amendment #: 2021-008 (7 of 7)

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Interest Revenue	\$ 510.00		\$ -	\$ 510.00
MS Infrastructure Revenue	60,000.00		-	60,000.00
TOTAL REVENUE	\$ 60,510.00	\$ -	\$ -	\$ 60,510.00

EXPENDITURES:

Personnel Services	\$ -	\$ -		\$ -
Supplies	-		-	-
Contractual Services	-	-	-	-
Grants/Subsidies/Allocations	-			-
Debt Service	-			-
CAPITAL OUTLAY	60,510.00	-	36.20	60,546.20
TOTAL EXPENDITURES	\$ 60,510.00	\$ -	\$ 36.20	\$ 60,546.20
REVENUE OVER/(UNDER) EXPENDITURES	\$ -	\$ -	\$ (36.20)	\$ (36.20)

OTHER FINANCING SOURCES AND USES:

Transfers In from Other Funds	\$ -	\$ -	\$ -	\$ -
Transfers Out to Other Funds	-	-	-	-
TOTAL ALL	\$ -	\$ -	\$ (36.20)	\$ (36.20)

Description Amend Budget for FY2020 Open Purchase Orders rolled forward to FY21:
 See attached detail

Other	Equipment:	Software:
TOTAL COST \$ -		

§ 21-35-25. Revision of municipal budget

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2020-349

Item No. 13.



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

December 10, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Pay Application 2 (Final Payment) and Final Completion - Diamondhead Roadway Improvements

Attached for your review is the notice of final completion for the Roadway Improvements Project and the Final Pay Application in the amount of \$35,090.02 from Warren Paving in the for the Roadway Improvements Paving Project. I am recommending acceptance of the project and approval of the final pay application as presented.

Thank you in advance for your approval in this matter.

Sincerely,


Michael Reso
City Manager



December 9, 2020

Mr. Michael Reso
City Manager
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Re: Diamondhead Roadway Improvements - Phase 2
Final Completion
DE Project No. 730-1000-014

Dear Mr. Reso,

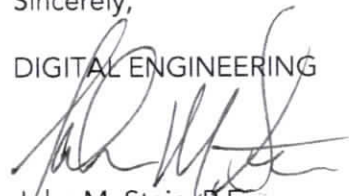
Substantial completion for the above referenced project was reached on September 23, 2020. The Contractor had 30 days from the substantial completion date to address all items on the punch list. All of the punch list items have been completed. Digital Engineering certifies that the work for this project was constructed in general conformance with the plans and specifications. The punch list was completed within 30 days of substantial completion in accordance with the Contract Documents and the Contractor is not subject to any liquidated damages.

Any issues that arise here after within the one (1) year warranty will be addressed and corrected by the Contractor per the Contract Documents. Attached is a copy the Contractor's warranty letter.

Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING



John M. Stein, P.E.
Manager of Engineering Operations

cc: Carlos Morales, WP
Joel Moody, WP
Jeannie Klein, COD

Enclosures



ASPHALT CONTRACTORS & MINING

POST OFFICE BOX 572
HATTIESBURG, MISSISSIPPI 39403
TELEPHONE (601)544-7811 – FAX (601)544-2005

POST OFFICE BOX 2545
GULFPORT, MISSISSIPPI 39503
TELEPHONE (228)896-8003 – FAX (228)896-8155

WARRANTY

Date: December 2, 2020

To: Digital Engineering

Attn: John Stein

From: Warren Paving, Inc.

The undersigned guarantees to City of Diamondhead that they will be responsible for faulty or defective materials, equipment and workmanship in the Diamondhead Roadway Improvements-Phase 2 work and that they will remedy any defects due thereto and pay for all damage to other work resulting therefrom, which shall appear within a period of One (1) year from the date of Substantial Completion (September 23, 2020.)

During this period, upon written notice from City of Diamondhead to do so, the undersigned shall proceed with due diligence at the undersigned's expense to replace properly any defective materials and equipment or perform any labor necessary to correct any defect in the work.

Subscribed and sworn to before me

This 2 day of December, 2020.

My Commission Expires: 8-7-24

Brittany Urbati Notary Public



Warren Paving, Inc.



December 9, 2020

Mr. Michael Reso
City Manager
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Re: Diamondhead Roadway Improvements – Phase 2
Pay Application No.2-Final
DE Project No. 730-1000-014

Dear Mr. Reso,

Please find attached Payment Request No. 2 - Final from Warren Paving Inc. for construction on the above referenced project in the amount of \$35,090.02.

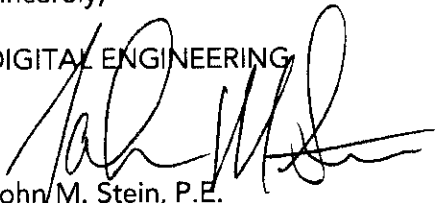
We have verified all quantities, stored materials, and work completed and we recommend approval for payment. The retainage amount of \$24,594.87 will be released in this payment. Should you have questions or need additional information, please contact our office.

Attached are copies of the Contractor's Affidavit of Payments of Debts and Claims, Consent of Surety to Final Payment, and Certificate of Insurance.

Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING



John M. Stein, P.E.
Manager of Engineering Operations

cc: Carlos Morales, WP
Joel Moody, WP
Jeannie Klein, COD

Enclosures

APPLICATION AND CERTIFICATE FOR PAYMENT

Invoice #: 220037.2

To Owner: CITY OF DIAMONDHEAD Project:
5000 DIAMONDHEAD CIRCLE

DIAMONDHEAD, MS 39525

220037- Diamondhead
Roadway
Improvements Phase 2

Application No.: 2

Distribution to:
Owner Architect Contractor

Period To: 10/30/2020

From Contractor: Warren Paving Inc PO
Box 572
Hattiesburg, MS 39403

Via Architect: Digital Engineering

Project Nos: Contract Date:

Contract For:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet is attached.

1. Original Contract Sum	\$457,056.13
2. Net Change By Change Order	\$34,841.32
3. Contract Sum To Date	\$491,897.45
Total Completed and Stored To Date	\$491,897.45
Retainage:	
a. 0.00 of Completed Work	\$0.00
b. 0.00% of Stored Material	\$0.00
Total Retainage	\$0.00
Total Earned Less Retainage	\$491,897.45
Less Previous Certificates For Payments	
8. Current Payment Due	\$456,807.43
	\$35,090.02
9. Balance To Finish, Plus Retainage	\$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief, the work covered by this Application for Payment has been completed in accordance with the Contract Documents. That all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Warren Paving Inc

By:  Date: 11/18/2020

State of MS
Subscribed and sworn to before me this November 18, 2020

Notary Public: 
My Commission expires: 8-7-24

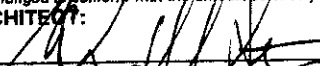


ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information, and belief, the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$35,090.02

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:  Date: 12/8/2020

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	Additions	Deductions
Total changes approved in previous months by Owner	\$35,523.36	\$0.00
Total Approved this Month	\$0.00	\$682.04
TOTALS	\$35,523.36	\$682.04
Net Changes By Change Order	\$34,841.32	

CONTINUATION SHEET

Application and Certification for Payment, containing Contractor's signed certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column I on Contracts where variable retainage for line items may apply.

Application No. : 2
 Application Date : 10/30/20
 To: 10/30/20
 Architect's Project No.:

Invoice #: 220037.2

Contract : 220037- Diamondhead Roadway Improvements Phase 2

A Item No.	B Description of Work	C Scheduled Value		D Work Completed		E This Period In Place	F Materials Presently Stored (Not In D or E)	G Total Completed and Stored To Date (D+E+F)	H % (G / C)	I Balance To Finish (C-G)	Retainage
		QTY	\$AMT	Work Completed							
				From Previous Application (D+E)	This Period In Place						
1000	Preconstruction Video	1.00	263.75	1.00	263.75	0.00	0.00	263.75	100.00%	0.00	0.00
2000	Construction Layout	1.00	1,582.50	1.00	1,582.50	0.00	0.00	1,582.50	100.00%	0.00	0.00
3000	Cleanup dressing and sodding	1.00	4,747.50	1.00	4,747.50	0.00	0.00	4,747.50	100.00%	0.00	0.00
4000	Project Sign	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
5000	Stop Bar Striping	320.00	2,822.40	0.00	0.00	320.00	0.00	2,822.40	100.00%	0.00	0.00
6000	Solid Double Yellow	2,595.00	2,880.45	0.00	0.00	2,595.00	0.00	2,880.45	100.00%	0.00	0.00
7000	White Solid Line	4,815.00	5,344.65	0.00	0.00	4,815.00	0.00	5,344.65	100.00%	0.00	0.00
308100	Alt 1 Fine Grading Limestone	1.00	1,000.00	1.00	1,000.00	0.00	0.00	1,000.00	100.00%	0.00	0.00
403101	1.5IN 9.5mm ST Overlay	55,017.00	431,333.28	55,017.00	431,333.28	0.00	0.00	431,333.28	100.00%	0.00	0.00
403102	Alt 1 1.5IN 9.5mm ST	407.00	3,296.70	407.00	3,296.70	0.00	0.00	3,296.70	100.00%	0.00	0.00
403103	Alt 1 3IN 19mm ST	407.00	6,756.20	407.00	6,756.20	0.00	0.00	6,756.20	100.00%	0.00	0.00
403104	Alt 2 Makiki Drive	284.50	2,304.45	284.50	2,304.45	0.00	0.00	2,304.45	100.00%	0.00	0.00
403105	Muolea Ct Driveway Repairs	1.00	2,500.00	1.00	2,500.00	0.00	0.00	2,500.00	100.00%	0.00	0.00
406101	Makiki Drive Milling	284.50	7,112.50	284.50	7,112.50	0.00	0.00	7,112.50	100.00%	0.00	0.00
618400	Maintenance of Traffic	1.00	5,230.37	1.00	5,230.37	0.00	0.00	5,230.37	100.00%	0.00	0.00

CONTINUATION SHEET

Application and Certification for Payment, containing Contractor's signed certification is attached.
 In tabulations below, amounts are stated to the nearest dollar.
 Use Column I on Contracts where variable retainage for line items may apply.

Application No. : 2
 Application Date : 10/30/20
 To: 10/30/20
 Architect's Project No.:

Invoice # : 220037.2

Contract : 220037- Diamondhead Roadway Improvements Phase 2

A Item No.	B Description of Work	C Scheduled Value		D Work Completed		E This Period In Place	F Materials Presently Stored (Not In D or E)	G Total Completed and Stored To Date (D+E+F)	H % (G / C)	I Balance To Finish (C-G)	Retainage	
		QTY	\$AMT	From Previous Application (D+E)								
620100	Mobilization	1.00	10,000.00	1.00	10,000.00	0.00	0.00	1.00	10,000.00	100.00%	0.00	0.00
CO1-3	Makiki Drive Base Course	284.50	4,722.70	284.50	4,722.70	0.00	0.00	284.50	4,722.70	100.00%	0.00	0.00
CO1-2	Makiki Drive Base Repairs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
Grand Totals			491,897.45		456,807.43	7.50	0.00	491,897.45	100.00%	0.00	24,594.87	

AIA[®] Document G706A[™] – 1994

Contractor's Affidavit of Release of Liens

PROJECT: <i>(Name and address)</i> <i>Diamondhead Roadway Improvements Phase 2</i>	ARCHITECT'S PROJECT NUMBER: <i>730-1000-14</i>	OWNER <input type="checkbox"/>
	CONTRACT FOR: <i>Asphalt Paving</i>	ARCHITECT <input type="checkbox"/>
		CONTRACTOR <input checked="" type="checkbox"/>
TO OWNER: <i>(Name and address)</i> <i>City of Diamondhead 6000 Diamondhead Circle Diamondhead, MS 39525</i>	CONTRACT DATED: <i>June 23, 2020</i>	SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

STATE OF: *MS*

COUNTY OF: *Harrison*

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

CONTRACTOR: *(Name and address)*

Warren Paving Inc.

BY: **11211 Reichold Road
Gulfport, MS 39503**

(Signature of authorized representative)

[Signature]
Joel Moody, Project Manager
(Printed name and title)



Subscribed and sworn to before me on this date: *12/3/2020*

Notary Public: *[Signature]*

My Commission Expires: *8-7-24*

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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CONSENT OF SURETY TO FINAL PAYMENT

AIA Document G707

- OWNER
- ARCHITECT
- CONTRACTOR
- SURETY
- OTHER

Bond No. 107277284

TO OWNER:
(Name and address)

City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

PROJECT:
(Name and address)

Diamondhead Roadway Improvements - Phase 2 in the City of Diamondhead, MS

ARCHITECT'S PROJECT NO.:

CONTRACT FOR:

CONTRACT DATED: June 23, 2020

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Travelers Casualty and Surety Company of America
One Tower Square
Hartford, CT 06183

, SURETY,

on bond of
(Insert name and address of Contractor)

Warren Paving, Inc.
P. O. Box 572
Hattiesburg, MS 39403

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to
(Insert name and address of Owner)

City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: December 1, 2020
(Insert in writing the month followed by the numeric date and year.)

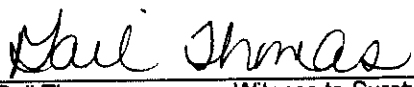
Travelers Casualty and Surety Company of America

(Surety)

By: 
(Signature of authorized representative)

Joshua T. Jones Attorney-in-Fact

(Printed name and title)

Attest: 
(Seal): Gail Thomas Witness to Surety



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Joshua T. Jones of Ridgeland, Mississippi, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 3rd day of February, 2017.



State of Connecticut

City of Hartford ss.

By: Robert L. Raney
Robert L. Raney, Senior Vice President

On this the 3rd day of February, 2017, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2021



Marie C. Tetreault
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 1st day of December, 2020



Kevin E. Hughes
Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney-in-Fact and the details of the bond to which the power is attached.

Client#: 1972318

526WARREPAV1

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/23/2020

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 any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER McGriff Insurance Services 1020 Highland Colony Parkway Suite 302 Ridgeland, MS 39157	CONTACT NAME: Darlene Manley
	PHONE (A/C, No, Ext): 601 790-8514 FAX (A/C, No): 601-607-7341 E-MAIL ADDRESS: darlene.manley@mcgriffinsurance.com
INSURED Warren Paving Inc. P.O. Box 572 Hattiesburg, MS 39403	INSURER(S) AFFORDING COVERAGE NAIC #
	INSURER A : Zurich American Insurance Company 16535
	INSURER B : Travelers Property Casualty Co of Amer 25674
	INSURER C : Great American Insurance Company 16691
	INSURER D :
	INSURER E :

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

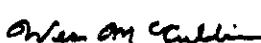
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE 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.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	X	X	GLO673337001	03/01/2020	03/01/2021	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COM/OP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY	X	X	BAP673337101	03/01/2020	03/01/2021	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$10000			ZUP71N21392	12/04/2019	03/01/2021	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		X	WC980945703	03/01/2020	03/01/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
C	Excess Liability			TUE033022711	12/04/2019	03/01/2021	\$15,000,000 occ \$15,000,000 agg

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Diamondhead Roadway Improvements - Phase 2 in the City of Diamondhead, MS

CERTIFICATE HOLDER

CANCELLATION

City of Diamondhead 5000 Diamondhead Circle Diamondhead, MS 39525	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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2020-350

Item No. 14.

918 Howard Ave. Suite F
Biloxi, MS 39530
(228)388-1950

RECEIVED
DEC 03 2020
BY: *Garlin*

City of Diamondhead
Michael Reso
5000 Diamondhead circle
Diamondhead, ms 39525

Invoice number 12566
Date 12/02/2020

Project 0275.20.003 CITY HALL PARKING LOT

Professional Services through December 02, 2020

PO # 2020-0591

Description	Contract Amount	Total Billed	Percent Complete	Prior Billed	Remaining	Current Billed
Task 1 - Topographic Survey	3,000.00	3,000.00	100.00	0.00	0.00	3,000.00
Task 2 - Civil Engineering	10,500.00	3,000.00	28.57	0.00	7,500.00	3,000.00
Task 3 - Electrical - Parking Lot Lighting	2,500.00	0.00	0.00	0.00	2,500.00	0.00
Task 4 - Bid and Construction Phase Services	6,000.00	0.00	0.00	0.00	6,000.00	0.00
Total	22,000.00	6,000.00	27.27	0.00	16,000.00	6,000.00

Invoice total **6,000.00**

Approved by:

Gerrod W. Kilpatrick
Principal

Remit Payment to:
Machado | Patano
918 Howard Ave., Suite F
Biloxi, MS 39530

All payment terms are NET 30, unless otherwise noted

2020-350

Item No. 14.



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

December 10, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Payment to Machado Patano – City Hall Parking Lot Design

Attached for your review and consideration is an invoice for payment in the amount of \$6,000 from Machado Patano for the City Hall Parking Lot Design.

If you find this document to be in order, please authorize payment of the invoice presented.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Reso', is written over a faint, larger version of the signature.

Michael Reso
City Manager

MR:jk



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

December 10, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Payments to Digital Engineering

Attached for your review and consideration for payment are invoices from Digital Engineering as follows:

\$3,440.00 for Roadway Improvements Phase 3
\$2,261.50 for GIS Maintenance

If you find these invoices to be in order, please proceed with payment approval.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Reso', is written over the printed name.

Michael Reso
City Manager

MR:jk

2020-351

Item No. 15.



RECEIVED
DEC 03 2020
BY: *Garber*

December 2, 2020

Mr. Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Re: Engineering Master Services Agreement (2018)
Work Order No. 15 GIS Maintenance FY21
DE Invoice No.: 730-1000-80

Dear Mr. Reso:

Attached please find Invoice No. 80 for professional services on the above referenced project in the amount of **\$2,261.50** in accordance with our agreement.

Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING

L. Bruce Newton, P.E.
Executive Vice-President

LBN/chc

cc: Mr. Thomas P. Hickey

Enclosures

December 2, 2020
Project No: B7301000.00
Invoice No: 80

Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Project B7301000.00 Master Services Agreement

Professional Services from November 1, 2020 to November 28, 2020

Phase 015 GIS System Maintenance FY21

Professional Personnel

	Hours	Rate	Amount
Newton, Leonard	2.00	135.00	270.00
Prine, Michael	2.00	50.00	100.00
Shurley, Christina	19.50	97.00	1,891.50
Totals	23.50		2,261.50
Total Labor			2,261.50
		Total this Phase	\$2,261.50
		Total this Invoice	\$2,261.50

BILLING LIMITS

Total Amount of Work Order	Previous Fee Billed	Total this Invoice	Remaining Balance
\$12,000.00	\$1,891.50	\$2,261.50	\$7,847.00

Billing Backup

Wednesday, December 2, 2020

10:35:55 AM

Digital Engineering & Imaging, Inc.

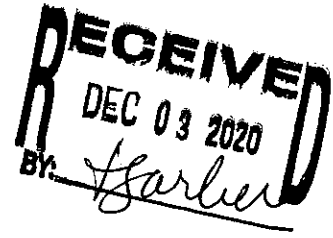
Invoice 80 Dated 12/2/2020

Project B7301000.00 Master Services Agreement

Phase 015 GIS System Maintenance FY21

Professional Personnel

			Hours	Rate	Amount
0044	10 - Newton, Leonard	11/2/2020	1.00	135.00	135.00
0044	10 - Newton, Leonard	11/4/2020	1.00	135.00	135.00
0052	50 - Prine, Michael	11/13/2020	2.00	50.00	100.00
0121	35 - Shurley, Christina	11/2/2020	1.00	97.00	97.00
0121	35 - Shurley, Christina	11/4/2020	2.00	97.00	194.00
0121	35 - Shurley, Christina	11/12/2020	4.00	97.00	388.00
0121	35 - Shurley, Christina	11/13/2020	4.50	97.00	436.50
0121	35 - Shurley, Christina	11/14/2020	4.00	97.00	388.00
0121	35 - Shurley, Christina	11/15/2020	2.00	97.00	194.00
0121	35 - Shurley, Christina	11/16/2020	2.00	97.00	194.00
Totals			23.50		2,261.50
Total Labor					2,261.50
				Total this Phase	\$2,261.50
				Total this Project	\$2,261.50
				Total this Report	\$2,261.50



December 2, 2020

Mr. Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Re: Engineering Master Services Agreement (2018)
Work Order No. 16 Roadway Improvements Project Ph. 3
DE Invoice No.: 730-1000-81

Dear Mr. Reso:

Attached please find Invoice No. 81 for professional services on the above referenced project in the amount of **\$3,440.00** in accordance with our agreement.

Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING

L. Bruce Newton, P.E.
Executive Vice-President

LBN/chc

cc: Mr. Thomas P. Hickey

Enclosures

Michael Reso
 City of Diamondhead
 5300 Diamondhead Circle
 Diamondhead, MS 39525

December 2, 2020
 Project No: B7301000.00
 Invoice No: 81

Project B7301000.00 Master Services Agreement
Professional Services from November 1, 2020 to November 28, 2020

Phase 016 Roadway Improvements Ph. 3
 Task 20 Design

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Design	19,440.00	94.856	18,440.00	15,000.00	3,440.00
Bidding	3,000.00	0.00	0.00	0.00	0.00
Construction Administration	7,800.00	0.00	0.00	0.00	0.00
Record Drawings	2,000.00	0.00	0.00	0.00	0.00
Total Fee	32,240.00		18,440.00	15,000.00	3,440.00
	Total Fee				3,440.00
			Total this Task		\$3,440.00
			Total this Phase		\$3,440.00
			Total this Invoice		\$3,440.00



5000 Diamondhead Circle
Diamondhead, MS 39525
Ph: 228-222-4626
FX: 228-222-4390

APPLICATION FOR VARIANCE REQUEST

RECEIVED
OCT 21 2020
BY: _____

Case Number: _____

Date 10-22-2020

Applicant: Ray Sheward + Scott King

Applicant's Address: 17911 Lanai St. D'Head, MS 39525

Applicant's Email Address: 14116 Kscottking@gmail.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) 504-236-6788

Property Owner: Ray Sheward + Scott King

Owner's Mailing Address: _____

Owner's Email Address: SAME

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) _____

Tax Roll Parcel Number: 067N-1-35-0-093.000

Physical Street Address: 17420 Turnberry Way D'Head, MS 39525

Legal Description of Property: Lot 174A Replat of Glen Eagle Phase 1

Zoning District: R 1

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height)

To build a single family home within 6.8ft of the South property line. In accordance with article 5.4.2 G the zoning ordinance allows to follow the plated covenants. A combination lot allows a minimum of 5ft on one side yard and 10ft on other side yard having a total combination side yard of 15ft.

REQUIRED ITEM A

Property Owner Ray Sheward + Scott King

Street Address 7420 Turnberry Way D'Head, MS 39525

Statement Describing Variance Request

To build a single family home within 6.8ft of the south property line.

The reasons why it complies with the criteria for variances:

- 1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?

Response:

See Attached paperwork
for responses below.

- 2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?

Response:

- 3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?

Response:

- 4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?

Response:

Attachment

Item No. 16.

City of Diamondhead Board Members

The applicants, Ray Sheward and Scott King, came to me, Hannah Home Builders, LLC, with plans already in existence for Lot 174A 7420 Twinberry Way, Glen Eagle. Unbeknownst to them, their house plans that they have been working diligently on, will not meet the set back requirements on the South side of property. The one applicant has a terminal illness and much time and money has already been spent on the plans process.

Working with Mr. Levy, the surveyor, even pushing the home back further will not benefit, due to the topography of the land and the wetlands being so close.

The neighbor on the South side has granted his blessing / approval for this variance. Also, the home will only be in the owners easement and does not interfere with the required drainage easement between the two said properties. The neighbor owns two lots and stated that he will be constructing his home in the center of his lots therefore will not create a "foot close of home" look.

The home is going to be a beautiful addition to Glen Eagle and Diamondhead proper. We sincerely thank the board for giving much consideration for this request being that so much time and money has been spent. The applicants are eagerly ready to proceed with their new home in Diamondhead?

Due to the nature of the land in this area, we are grateful for your consideration of this widening of 3.2ft on the South side of property. Hopefully this will bring a nice needed welcoming of 2021 to these applicants and their Welcome to Diamondhead, MS.

Thank you,
 Melissa Wood
 Hannah Home Builders, LLC

WETLAND LINE
(BCD DI AT)

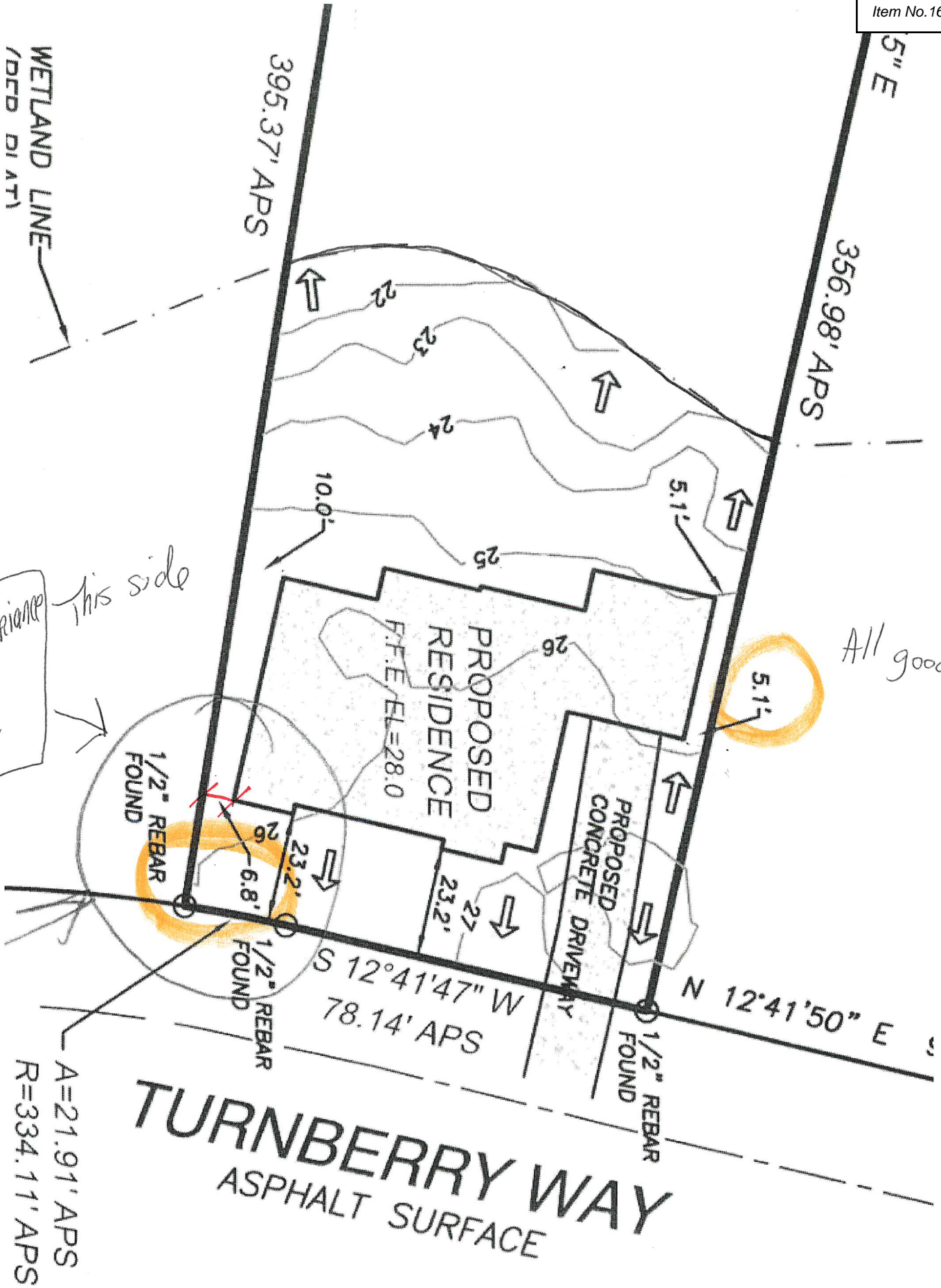
395.37' APS

5" E
356.98' APS

Need Variance
3.2

This side

All good!



A=21.91' APS
R=334.11' APS

TURNBERRY WAY
ASPHALT SURFACE

In consider
this survey
supervision
profes

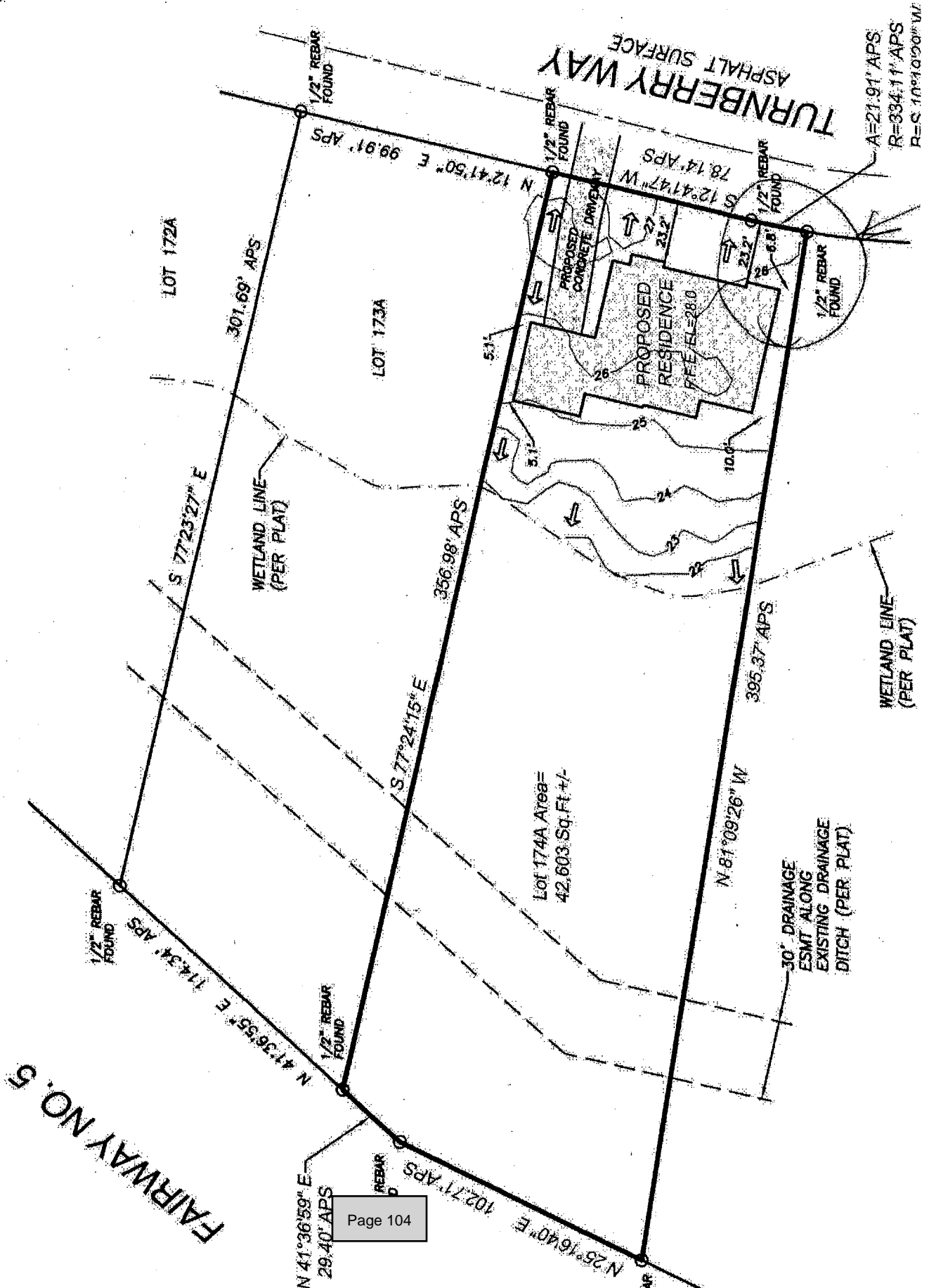
Item No. 16.

Duk

LEGAL DESCRIPTION:

A survey of Lot 174A, Repla
Phase 1, City of Diamondhe

DRAINAGE PLAN



Date: October 21, 2020

To: City of Diamondhead

Re: Application for variance request

I am in agreement that the proposed construction of a single dwelling residence to be located on lot 174A - 7420 Turnberry Way in the Glen Eagle section of Diamondhead, MS, may be constructed 5 feet from my property line (Lot 173A - 7434 Turnberry Way).

Signature: Kenneth J. Van Stelle

Date: 10-21-2020

Printed Name: Kenneth J. Van Stelle

Signature: Christy Van Stelle

Date: 10-21-2020

Printed Name: Christy Van Stelle

Signature: K. Scott King

Date: October 21, 2020

Printed Name: K. Scott King

Signature: C. Ray Sheward

Date: 10-21-20

Printed Name: C. Ray Sheward

Date: October 21, 2020

To: City of Diamondhead

Re: Application for variance request

I am in agreement that the proposed construction of a single dwelling residence to be located on lot 174A - 7420 Turnberry Way in the Glen Eagle section of Diamondhead, MS, may be constructed 5 feet from my property line (lot 175A - Turnberry Way).

Signature: Chad Ambrose

Date: 10/21/20

Printed Name: Chad Ambrose

Signature: K. Scott King

Date: October 21, 2020

Printed Name: K. Scott King

Signature: C. Ray Sheward

Date: 10/21/20

Printed Name: C. Ray Sheward



5000 Diamondhead Circle, Diamondhead, MS 39525

Phone: (228) 222.4626

FAX: (228) 222-4390

www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: December 8, 2020

CASE FILE NUMBER: 202000466

APPLICANT: Ray Sheward and Scott

King

PROPERTY OWNER: Ray Sheward and

Scott King

TAX PARCEL NUMBER: 067N-1-35-0-093.000

PHYSICAL STREET ADDRESS: 7420 Turnberry Way

LEGAL DESCRIPTION: Glen Eagle Phase 1, Lot 174A

ZONING DISTRICT: R - 1

TYPE OF APPLICATION: Variance

NATURE OF REQUEST: Mr. Ray Sheward and Mr. Scott King have filed an application requesting a variance from the Zoning Ordinance (Article 5.4.2 G) to construct a house within 6.8' from the side yard (south) property line. The case file number is 202000466.

The newly assigned property address is 7420 Turnberry Way. The tax parcel number is 067N-1-35-0-093.000. The legal description is replat of Glen Eagle Phase 1, Lot 174A. The property is located in a R-1 zoning district. The minimum side yard setback is 10 feet due to this property being a combination lot allowed by the covenants.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: December 8, 2020

ACTION BY THE PLANNING COMMISSION: In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

FINDINGS: The Planning Commission may recommend granting a variance provided affirmative findings of fact are made on each of the following

A. That special conditions and circumstances exist which are peculiar to the land,

structure or building involved and which are not applicable to other lands, structures or buildings in the same district. By way of example, special conditions or circumstances peculiar to land could include irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions.

- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

NOTES: In recommending that any variance be granted, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with the zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the zoning ordinance and punishable as determined within the zoning ordinance.

Under no circumstances shall the Planning Commission or Mayor and City Council grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.

RECOMMENDATION TO PLANNING COMMISSION: To deny the variance as petitioned;

The staff recommends to deny the variance based on the following findings of fact.

- A. That no special conditions and circumstances exist which are peculiar to the land, structure or building involved. The lot is basically rectangular in shape. The overall design and area of the proposed house did not take into account for the setbacks. The applicant states that "much time and money have been spent on the plans process". The minimum heating and cooled square feet requirement is 2000 square feet. The proposed house has a heating and cooled area of 2836 with a total square footage of 3910.

Based on the statement of the applicant, no benefit is gained by pushing the structure further back due to the topography and the wetland delineation. Using the same house plan, a hardship would exist and the possibility of changing the foundation to a chain wall rather than slab on grade.



5000 Diamondhead Circle
Diamondhead, MS 39525
Ph: 228-222-4626
FX: 228-222-4390

Item No. 17.

APPLICATION FOR CONDITIONAL USE

Case Number: 202000481

Date 11-3-2020

Applicant: MARGARET F NUTKINS

Applicant's Address: 7604 FAIRWAY DRIVE DIAMONDHEAD MS 39525

Applicant's Email Address: MARGAR1000@yahoo.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) 407-342-7865

Property Owner: MARGARET F NUTKINS

Owner's Mailing Address: 7604 FAIRWAY DR DIAMONDHEAD MS 39525

Owner's Email Address MARGAR1000@yahoo.com

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) 407-342-7865

Tax Roll Parcel Number: 067P-0-35-066.000

Physical Street Address: 7604 FAIRWAY DRIVE DIAMONDHEAD MS 39525

Legal Description of Property: LOT 6 FAIRWAY ESTATES #1

Zoning District: R-1

State Purpose of Request: VACATION RENTAL

Statement – 7604 Fairway Drive is my primary residence. Upon occasion, I would like the opportunity to rent to vacationers to our City. I am applying for a Conditional Use Variance for such purposes.

E – The Site Plan is attached, which shows the existing structure and the parking availability.

E iv – There will be NO proposed site improvements that include parking and loading areas, pedestrian, and vehicular access, landscaping areas, utility or service areas, fencing and screening and lighting.

E v – The nature of the operation will be to occasionally host guests visiting the Diamondhead community and provide them with quality accommodations and a pleasurable experience.

E vii – The entrance to the two-car garage and the circular driveway can spaciouly accommodate 5 full size vehicles.

A – The States of California, Texas and the California Coastal Commission, have all found and upheld appeals that define vacation rentals as a residential use. Therefore, conformance with regulations and standards established by the Zoning Regulations is satisfied.

B – Since this facility is a residential home, it is compatible with existing abutting sites.

C – There are no unfavorable effects or impacts on other residential properties in the area.

D – There are no modifications being done to the property that would be harmful to public health, safety, morals or general welfare.

E – There will be no significant increase of vehicular or pedestrian traffic to the area other than regular residential activity.

F – There will be no need for protection of persons and property from flood or water damage, odors, fire, noise, glare and similar hazards or impacts other than any residential property.

G – There will be no additional lighting, signs or traffic control that will have an adverse affect on my property or adjacent properties.

H – There will be no need for loading facilities and there is ample space for parking for 5 full size automobiles. There will be no need for on street parking.

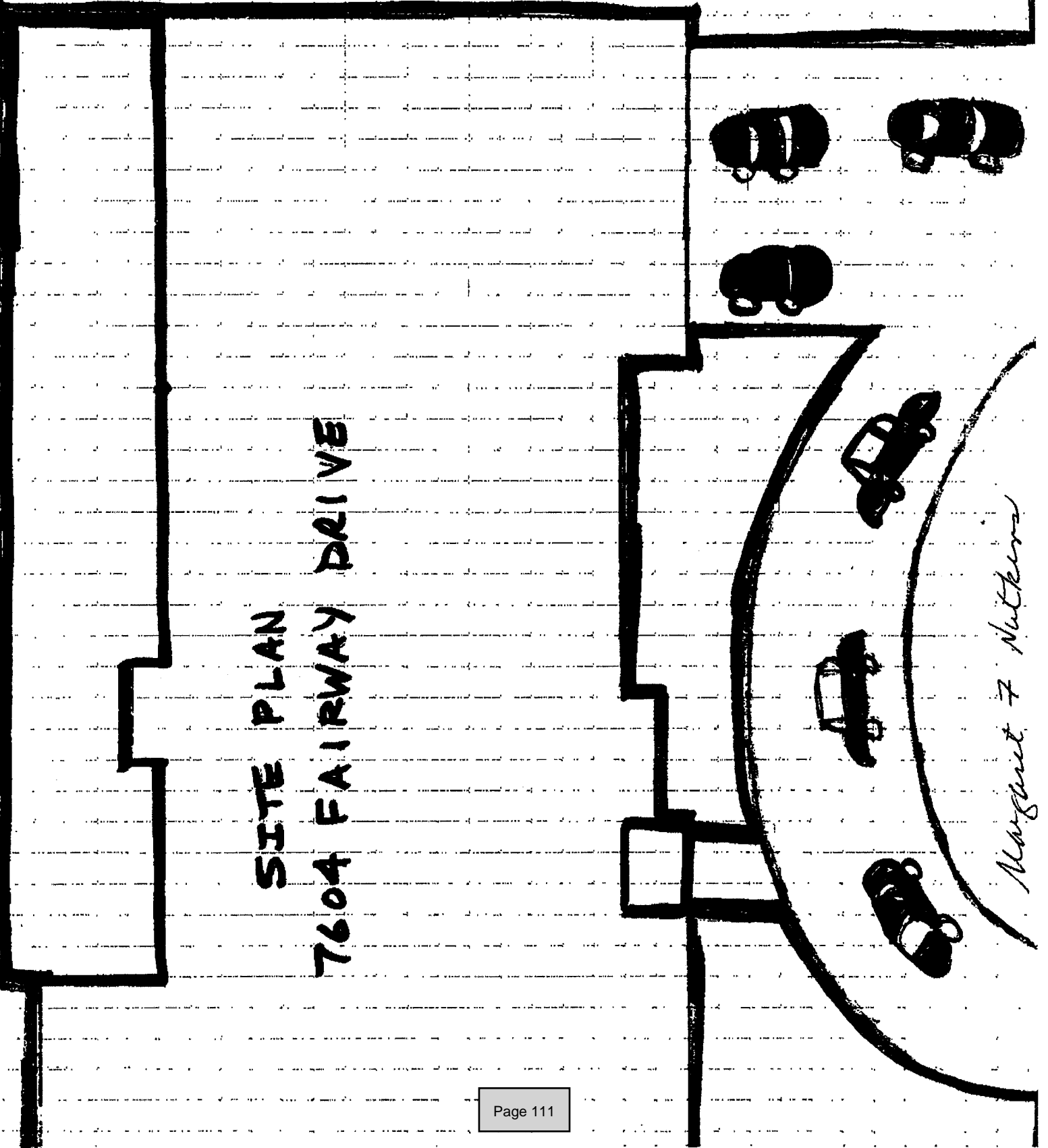
J – The proposed use is for residential use of property for vacation purposes and is harmonious and complimentary to existing and adjacent land use.

I – There will be no changes to the structure of the building, which is compatible with adjacent structures, being residential homes.

K – There should be no further conditions to approve the variance since there are no unfavorable impacts on surrounding areas.

L – Nothing in the conditional use of the property can be determined to be a detriment to the public health, safety or welfare or materially injurious to properties in the vicinity.

**SITE PLAN
7604 FAIRWAY DRIVE**



Margaret F. Nutkins

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Conditional Use in the City of Diamondhead, I (we) understand the following:

The application fee of \$100.00 must be paid prior to the acceptance of the application. Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.

As the applicant or owner/s, I (we), or the designed representative, must be present at the public hearing.

That all information provided with this application is true and correct to the best of my knowledge.

That this application represents only property owned by me (us) and that any other adjoining property owners must apply for a request on his own behalf.

That all required attachments have been provided to the City of Diamondhead.

That additional information may be required by the Planning Commission prior to final disposition.

The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred to the Planning Commission for review.

The Public Hearing will be held on Dec 8, 2020 at 6 p.m. in the Council Chambers of the Diamondhead City Hall.

If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing. If such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

If the application is denied by the City Council, a new application for the subject property may not be submitted for one (1) year from the date of denial.

Margaret F. Nutkins
Signature of Applicant

Signature of Property Owner

_____ For Official Use Only _____

- \$100.00
- Copy of Deed, Lease or Contract
- Site Plan
- Parking Spaces
- List of Property Owner
- Application Signed
- Written Project Description
- Drainage Plan NA ()
- Notarized Statement NA ()

10.21.2020

RESORTS ON THE COAST

7604

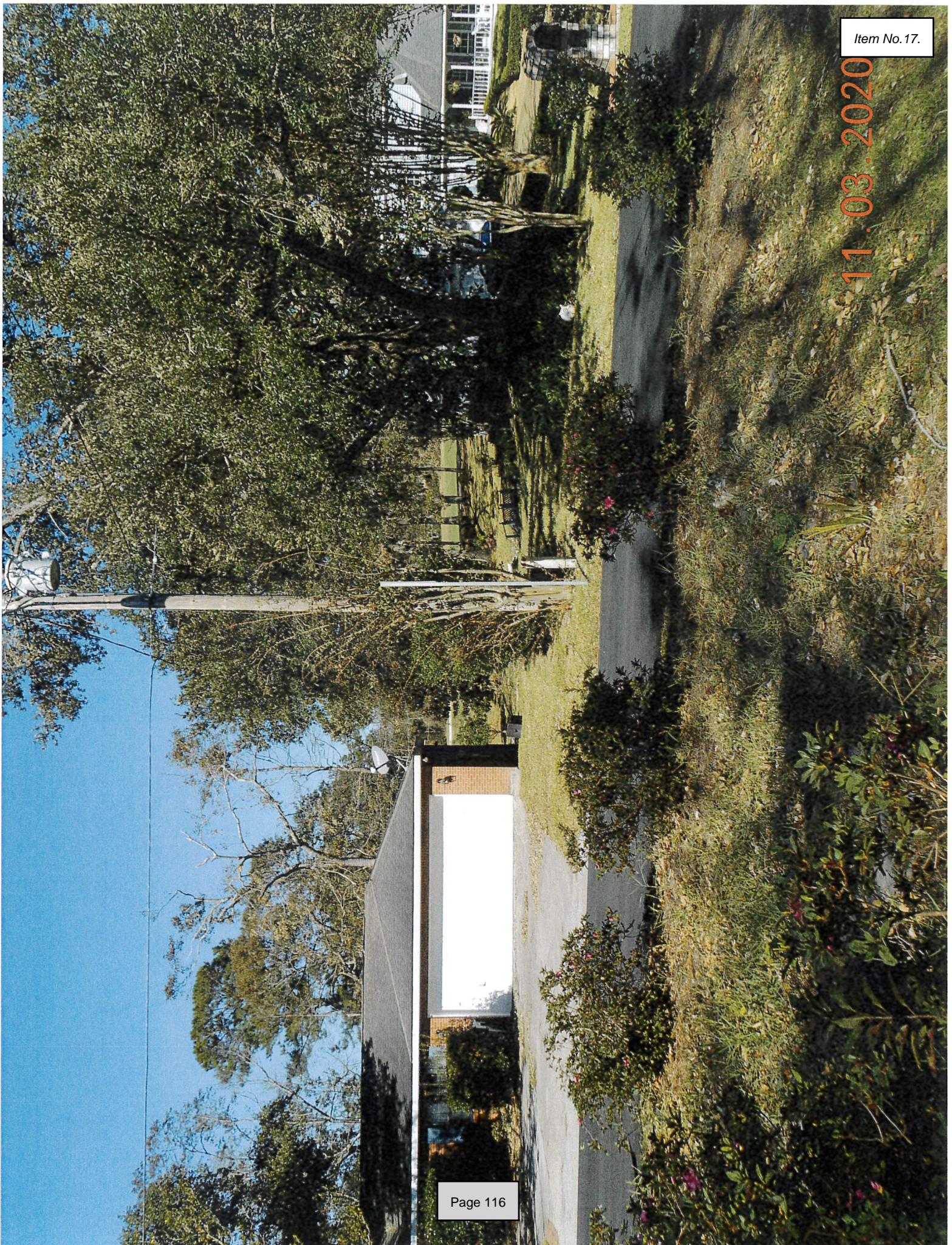
11.03.2020



11-03-2020

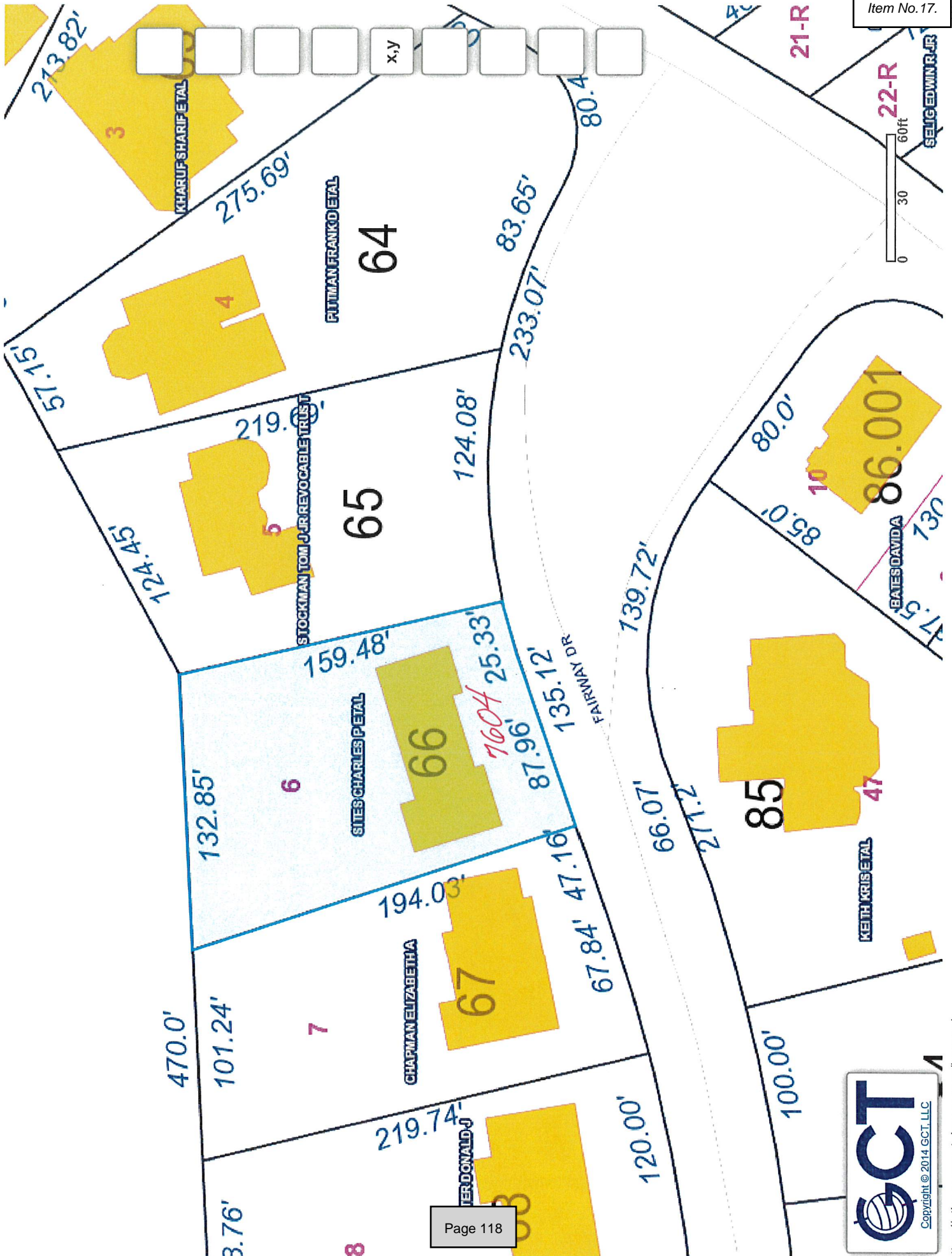


11.03.2020



11.03.2020





Item No. 17.



To: Ronald R. Jones and Pat Rich, CBO Building Officials

Subject: Request for Conditional Use Permit

First, I would like to thank you for the opportunity to obtain a Conditional Use Permit. Please allow me to share a little bit about me and my perspective on some of the issues that have come up.

I am an Army veteran, a registered nurse, a widowed, sole female proprietor who started a business to give people visiting Diamondhead a quality place to stay. I started my business "Resorts On The Coast" with my first townhouse in Highpoint. Even with the Covid-19 crisis, I found it to be hugely successful and the guests have been wonderful. I have had a variety of people come through such as couples visiting their grandchildren, couples just wanting a get-away together, families who were just interested in the nearby beaches, individuals who have contracts at Stennis and needed a place to stay and numerous guests who have come to golf. The one thing they all had in common when I spoke with them is that they were concerned that it was getting harder and harder to find nice accommodations in Diamondhead. This sparked my interest in being able to offer accommodations for more people who want to visit Diamondhead as a group. I have geared my marketing to Family Reunions, Off Campus Business Meetings, and golf groups coming for tournaments. I wanted a place where they could golf, relax, cook and eat together.

Mr. Donald Walter presented a petition to the neighbors and I have no idea how it was presented or what he told them. He certainly did not present it to me to give me the opportunity to vote no. So, I would like to speak to the most common objections of having a vacation rental in your neighborhood.

Mr. Walter describes the access to Fairway Estates. He states that short term rentals reduce the safety and convenience of vehicular and pedestrian circulation in the vicinity and that it generates additional traffic that presents a potentially dangerous traffic situation in front of 7604 near a blind section of Fairway Dr. The entrance is engineered for two directional traffic, separated by an island which creates a safety barrier. Regardless of how the entrance is described, it has no bearing on my situation. Apparently, Mr. Walter has no idea what a vacation rental is. This is not a retail store generating tons of traffic coming and going. The property has ample parking for 6 cars so there will never be any reason to park on the street. The vacation rental will not bring in any more traffic than if Mr. Walter had family come visit once-a-month. This is my home, and these are my guests. Vacation rentals do not generate pedestrian or vehicular traffic beyond that is reasonably expected to be generated by a residential unit. I have consulted with Leigh Simpson & Associates, a national company, who states traffic safety in front of 7604 Fairway is the least of this City's worries. No intersection in this City is busier than Aloha Drive and Gex Drive. There are double yellow lines on Aloha Drive, yet traffic can turn left into Burger King crossing 2 lanes. At the very least there should be some type of barrier preventing left turn. People can enter Burger

King on Gex Drive and also with a right-hand turn from Aloha Drive. Traffic safety definition lines to prevent head on collisions or accidents are not visible on the streets with the exception of one area of Golf Club Drive. Areas in the City need safety barriers to prevent vehicles from driving off the road and into the ditches. One example is on Alakoko Place where the ditch is not maintained because of its depth, which is at least 5-foot-deep on a curve.

Mr. Walter points out R-1 "Purpose" stating that short term rentals allow use of this property which does not perform a function appropriate to the Fairway Estates residential environment. Running a vacation rental out of one's home is no different than selling Amway or Avon from home or babysitting in the home. Since Covid-19 there are more businesses than ever running from homes. Furthermore, I am not conducting any business in the home at all. All business transactions are done on the internet. This is nothing more than a home occupation. In the February 28, 2019 version of the Code of Ordinances. Part II, Appendix A, Article 4.18 B states that home occupations are allowed within the City of Diamondhead subject to securing a permit from the zoning administrator.

The Supreme Courts of Texas, in Tarr v Timberwood ruled that occupants to whom Tarr rented to, used the home for a 'residential purpose' no matter how short-lived.

Washington Supreme Court, Wilkinson v Chiwawa Communities Association, ruled that if a vacation renter uses a home for the purposes of eating, sleeping and other residential purposes, this use is residential, not commercial, no matter how short the rental duration. It also stated that the owner's receipt of rental income whether on short or long-term rentals in no way detracts or changes the residential characteristics of the use by the tenant. Nor does the payment of business and occupational taxes or lodging taxes detract from the residential character of such use to make the use commercial in character.

Again, a third ruling, in Florida's First District Court of Appeals in Santa Monica Beach POA v Acord, ruled in favor of the owner because the uses of the tenant were for residential use and not commercial. So, as you can see courts in Florida, Texas, and California, as well as the California Coastal Commission, have found and upheld appeals that define vacation rentals as a residential use, rather than a commercial one.

While a hotel is a hotel today and will be the same hotel tomorrow, a vacation rental could be occupied by resident owners this week, short-term renters over a holiday weekend, and then go back to being a full-time residence again. Vacation rentals are without question, a residential use, and enjoy this flexibility under the law. Attempts to commercialize or redefine vacation rentals as hotels are tantamount to a ban or severely limiting action by states and municipalities because commercialization could ultimately wipe out this activity due to zoning restrictions like yours in Diamondhead. It might also make other owners susceptible to infrastructure changes such as fire and safety upgrades, ADA requirements, and health inspections. Because vacation rentals are a residential use, the implementation of Page 120 special requirements effectively changes the nature of the structure and would act as a deterrent to those looking to

offer their homes as a vacation rental accommodation for travelers. The City of Diamondhead is going to need to address this zoning restriction regardless of my asking for a variance. With that said, allowing vacation rentals in the R1 areas is no different than allowing them in the condominium complexes. There are full time residents in Highpoint as well as vacation rentals and long-term rentals. In fact, my neighbor, Mike Turner, is a full time resident and has had no concerns or complaints regarding my visitors. Having a vacation rental on Fairway Drive is no different than having one on Highpoint Drive.

Mr. Walter's first bullet point – that short term rentals in Fairway Estates would detract from the basic elements of this well balanced and attractive residential area. I have spent a quarter of a million dollars to make this happen at my Fairway property. It is a beautiful property that I am very proud of. I would be happy for each of you to visit the AIRbnb or VRBO website to view my property for yourselves. I have single handedly cleaned the yard after 2 hurricanes to include the area of the golf course all the way to the cart path. I have painted shutters and updated the interior of my home. Whether or not my home is my full-time residence, or a vacation rental does not change the attractiveness of my home. I have improved this property extremely from its dilapidated condition and I have only had it for 3 months. If Mr. Walter thinks that my residence detracts from the attractiveness of the neighborhood, then why did he not take it up with the previous owner?

Bullet point # 2 is that Mr. Walter thinks that a vacation rental will have a negative effect on property values. Craig Kalkut, vice president of government affairs at the American Hotel & Lodging Association states that a home with "rentable" features might sell for more money according to some realtors. He also said there is evidence that vacation home sales are going up because these sorts of platforms have become a more common way to book a vacation. There is not a lot of data regarding this argument but all you have to do is ask a local realtor what impact a "mother-in-law suite" or a "pool house" has on the value of a home and they will tell you that the value is increased because of the rental potential.

Vacation rentals can bring a positive economic impact to a city or county in several ways. For example, they can provide a city with an additional income through tax revenues. At the same time vacation rental guests can benefit the community in the terms of economic infusion because guests will spend their money in other visitor related amenities such as restaurants, bars and golf courses. This provides the tax revenue to operate this city. Additionally, it can help residents make ends meet or enable young families to go on a holiday while retirees stay in their home. Many cities are approving vacation rentals in the hope to attract tourists as they currently lack good lodging as is the case in Diamondhead.

Another argument is that many people think that vacation rentals are just party houses that create noise. Noise and parties were one of the reasons that I opted to use the house as a vacation rental instead of looking for a long-term tenant. I felt short-term guests would create less wear and tear and that I would have more control over who

was in the house. Platforms like AirBnB, VRBO and Home Away include rating systems that evaluate both guests and hosts. Hosts can set rules prohibiting parties and specifying parking rules. My rental has ample parking for 6 automobiles and there will not be parking on the street. Hosts who get loud or unruly guests can turn to the rental platforms for recourse; in dire cases, guests may be asked to leave the property. However, there is ample motivation for guests to be on their best behavior because they know hosts will rate them following their stay. Conversely, living next to a loud long-term renter can be a big problem, and it can take more than a year to evict an un-neighborly tenant. In addition, the City of Diamondhead has a noise ordinance so my guest will be under even more supervision. Since I have been doing business, I have not had one complaint regarding my properties or guests.

Another argument is that some people think that living next to a vacation rental is like living next to a vacant house. The argument here is the lack of a consistent neighbor who is in the house every day. Most short-term guests stay over the weekend, so when a house is rented Thursday through Sunday each week, it is vacant Monday through Wednesday. The argument that the house is unoccupied half the time doesn't hold water for several reasons.

First, a vacation rental looks nothing like a vacant house. Vacant houses have peeling paint, overgrown yards. Vacant homes do not contribute to the neighborhood for example the home next to Patty Willis. That home has been vacant for years, is unsightly and is even a hazard due to a swimming pool. I could point out a few more Diamondhead houses that do not contribute to the neighborhood. My property has a maintained yard, new paint, clean windows. On the days it is unoccupied, I am cleaning and doing maintenance. I keep my properties in top condition because I want good ratings from my guests.

Second, the vacant-house argument reaches into the realm of trying to control how neighbors use their home. If the house was occupied by a long-term renter or owner who travels three days a week for a job, neighbors could not possibly expect the City to entertain complaints about the house being vacant.

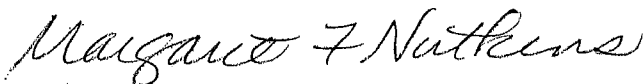
I had put a sign on my mailbox. This is my residence and I do receive mail for Resorts On The Coast at this mailbox. I understand how that can be interpreted as advertising, so I have removed the sign. I was happy that I put the sign up as I have been up front about what I am trying to accomplish. I am not hiding anything from anyone.

In closing, I want to be among other people across the City operating short-term rentals that are not within the condominium complexes. At the time of this writing, there were at least 9 on the same websites as mine. Some were whole house rentals; some were private rooms for rent and one had a guest suite for rent. All I know is that we are all renting with care and thought. I am sensitive to my neighbor's concerns and I care about the neighborhood my home is in. I am asking for a variance but want you to know that this ordinance could prove costly for vacation rental owners and seemingly aims to force regular folks like me out. This Page 122 have those out-of-town corporate hosts without local competition. Local hosts like me spend their money in

Diamondhead and we always recommend local businesses to our guests. If we are all driven away that will only leave corporations and money that does not go back into Diamondhead. As a vacation rental host and neighborhood advocate, I would like to see locals – not out of town corporations – flourish within neighborhoods and Diamondhead as a whole.

I would like to say that the granting of the proposed Conditional Use Variance will not be detrimental to the public health, safety and general welfare. It will not adversely affect the established character and planned character of the surrounding vicinity. It will not be injurious to the uses, planned uses, property, or improvements adjacent to, and in the vicinity of the home. The granting of the Variance is consistent and compatible with the intent of the goals, objectives and policies of the City's Comprehensive Plan. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced. The use will not introduce hazardous conditions at the site and there will be no public health, safety or community endangerment.

Please take into consideration my thoughts and concerns for a growing City of Diamondhead and a growing business called "Resorts On The Coast". Thank you.



Margaret F Nutkins

December 8, 2020

CC: Leigh Simpson & Associates



5000 Diamondhead Circle, Diamondhead, MS 39525

Phone: (228) 222.4626

FAX: (228) 222-4390

www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: December 8, 2020

CASE FILE NUMBER: 202000481

APPLICANT: Margaret Nutkins

PROPERTY OWNER: same as

applicant

TAX PARCEL NUMBER: 067P-0-35-066.000

PHYSICAL STREET ADDRESS: 7604 Fairway Drive

LEGAL DESCRIPTION: Fairway Estates, Lot 6

ZONING DISTRICT: R-1

TYPE OF APPLICATION: Conditional Use Permit

NATURE OF REQUEST: Ms. Margaret F. Nutkins has filed an application requesting a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow short term vacation rental for 30 days or less in a R-1 district. The tax parcel number is 067P-0-35-066.000 The street address is 7604 Fairway Drive. Case file number is 202000481.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: December 8, 2020

ACTION BY THE PLANNING COMMISSION: In accordance with the Comprehensive Zoning Ordinance Article 2.5.5, the Commission may recommend approval of a Conditional Use Permit as the permit was applied for or in a modified form or subject to conditions, or may recommend denial of the application.

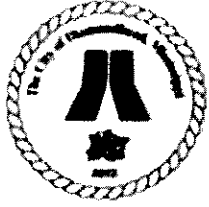
FINDINGS: The Zoning Administrator and the Commission shall review and evaluate and make the following findings before recommending approval of a Conditional Use Permit application using the following criteria:

- A. Conformance with applicable regulations and standards established by the Zoning Regulations.
- B. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
- C. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use.
- D. Modifications to the site or proposed use would result in increased compatibility, or would mitigate potentially unfavorable impacts, or necessary to conform to applicable regulation and standards and to protect the public health, safety, morals, and general welfare.

- E. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area; existing zoning and land uses in the area.
- F. Protection of persons and property from flood or water damage, odors, fire, noise, glare, and similar hazards or impacts.
- G. Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties.
- H. Adequacy and convenience of off-street parking and loading facilities.
- I. That the proposed use is in accordance with the objectives of this Zoning Ordinance and the purposes of the district in which the site is located.
- J. That the proposed use and site development, together with any modifications applicable thereto, will be compatible with existing or permitted uses and structures in the vicinity, in accordance with the following standards:
 - i. The proposed use will be located within the district so as to be harmonious with and complimentary to adjacent and existing land uses.
 - ii. The structure resulting from the granting of a conditional use will be architecturally compatible with other existing or proposed structures in the neighborhood in which it is to be located. For the purpose of this criterion, the term "neighborhood" shall mean an area extending 750 feet in all directions from the lot line of the proposed structure.
 - iii. For the purposes of determining architectural compatibility, consideration shall be given to: building mass and style; roof types, pitch and material; façade treatment and materials; window and door styles; eaves and porches; trim; gables and dormers; gutters; chimneys; walls, fences, hedges and other landscape elements; colors; driveway material; signage; dimensional setbacks and building orientation on the lot; and other such features as may be appropriately considered by the Planning Commission.
 - iv. For the purpose of assessing the architectural compatibility, existing structures which may not be an architectural asset to the neighborhood shall not be considered in determining the appropriateness of a conditional use application.
- K. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.
- L. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

RECOMMENDATION TO PLANNING COMMISSION: To **grant** the Conditional Use Permit with the following conditions:

1. No more than five cars can be parked on the premises.
2. Occupancy not to exceed ten people.
3. Additional conditions as required by the Commission.



City of Diamondhead, MS

Docket of Claims Register

Item No. 18.

APPKT01365 - October 2020 Payroll Payables

By Docket/Claim Number

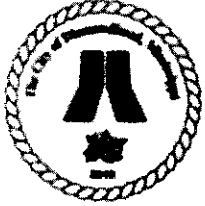
Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount	
							Line	Amount
DKT157798	Blue Cross Blue Shield of MS	10/07/2020	INV0003652	MONTHLY PREMIUM	650-140-112.00	BCBS Withheld/Payable		12,801.24
		10/21/2020	INV0003675		650-140-112.00		BCBS Withheld/Payable	6,400.62
								6,400.62
DKT157799	Colonial Life	10/07/2020	INV0003639	EE PREMIUM	650-140-113.00	Colonial Withheld		59.26
			INV0003640		650-140-113.00	Colonial Withheld		140.36
			INV0003641	Critical Illness	650-140-113.00	Colonial Withheld		53.89
			INV0003642	EE Premium	650-140-113.00	Colonial Withheld		18.17
			INV0003643	EE PREMIUM	650-140-113.00	Colonial Withheld		119.44
			INV0003644		650-140-113.00	Colonial Withheld		73.20
			INV0003645		650-140-113.00	Colonial Withheld		105.43
		10/21/2020	INV0003662		650-140-113.00	Colonial Withheld		59.26
			INV0003663		650-140-113.00	Colonial Withheld		140.36
			INV0003664	Critical Illness	650-140-113.00	Colonial Withheld		53.89
			INV0003665	EE Premium	650-140-113.00	Colonial Withheld		18.17
			INV0003666	EE PREMIUM	650-140-113.00	Colonial Withheld		119.44
			INV0003667		650-140-113.00	Colonial Withheld		73.20
			INV0003668		650-140-113.00	Colonial Withheld		105.43
		DKT157800	Guardian	10/07/2020	INV0003647	ER Life Ins Over 65	650-140-113.01	Guardian Withheld/Payable
	INV0003648			ER Guardian Life	650-140-106.00	Garnishment Withheld		1.94
	INV0003649			EE PREMIUM	650-140-113.01	Guardian Withheld/Payable		288.77
	INV0003650			ER BENEFIT LIFE INS MONTHLY PREMIUM	650-140-113.01	Guardian Withheld/Payable		85.14
	INV0003651			EE PREMIUM	650-140-113.01	Guardian Withheld/Payable		65.35
10/21/2020	INV0003670			ER Life Ins Over 65	650-140-113.01	Guardian Withheld/Payable		7.53
	INV0003671			ER Guardian Life	650-140-106.00	Garnishment Withheld		1.94
	INV0003672			EE PREMIUM	650-140-113.01	Guardian Withheld/Payable		288.67
	INV0003673			ER BENEFIT LIFE INS MONTHLY PREMIUM	650-140-113.01	Guardian Withheld/Payable		84.92
	INV0003674			EE PREMIUM	650-140-113.01	Guardian Withheld/Payable		65.34
DKT157801	Internal Revenue Service	10/07/2020	INV0003658	Federal Payroll Taxes	650-140-122.00	Social Security Withheld/Payable		8,341.80
			INV0003659		650-140-122.01	Medicare Withheld/Payable	4,752.24	
			INV0003660		650-140-123.00	Federal Withholding Tax	1,111.48	
							2,478.08	

Docket of Claims Register - Council

APPKT01365 - October 2020

Item No. 18.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount
							Line Amount
DKT157802	Internal Revenue Service						8,506.50
		10/21/2020	INV0003681	Federal Payroll Taxes	650-140-122.00	Social Security Withheld/Payable	4,826.64
			INV0003682		650-140-122.01	Medicare Withheld/Payable	1,128.90
			INV0003683		650-140-123.00	Federal Withholding Tax	2,550.96
DKT157803	Morgan White Group						1,274.47
		10/07/2020	INV0003654	Morgan White	650-140-112.01	Morgan White Payable	616.75
		10/21/2020	INV0003677		650-140-112.01	Morgan White Payable	657.72
DKT157804	MS Department of Employment Security						526.71
		07/01/2020	INV0003504	Payroll Unemployment Taxes	650-140-136.00	State Unemployment Payable	103.36
		07/15/2020	INV0003529		650-140-136.00	State Unemployment Payable	81.13
		07/29/2020	INV0003538		650-140-136.00	State Unemployment Payable	92.21
		08/12/2020	INV0003564		650-140-136.00	State Unemployment Payable	51.36
		08/26/2020	INV0003586		650-140-136.00	State Unemployment Payable	52.03
		09/09/2020	INV0003612		650-140-136.00	State Unemployment Payable	67.07
		09/23/2020	INV0003635		650-140-136.00	State Unemployment Payable	79.55
DKT157805	MS Department of Human Services						223.86
		10/07/2020	INV0003656	M Ladner	650-140-106.00	Garnishment Withheld	223.86
DKT157806	MS Department of Human Services						223.86
		10/21/2020	INV0003679	M Ladner	650-140-106.00	Garnishment Withheld	223.86
DKT157807	MS Department of Revenue Payroll						2,188.00
		10/07/2020	INV0003657	Payroll State Withholding Taxes	650-140-134.00	State Withholding Tax	1,079.00
		10/21/2020	INV0003680		650-140-134.00	State Withholding Tax	1,109.00
DKT157808	Symantec Corporation						32.97
		10/07/2020	INV0003653	LifeLock	650-140-113.03	Identity Theft-Life Lock Payable	16.49
		10/21/2020	INV0003676		650-140-113.03	Identity Theft-Life Lock Payable	16.48
DKT157809	Systematized Benefits and Administrators Inc						5,064.00
		10/07/2020	INV0003646	Deferred Compensation	650-140-110.00	Deferred Compensation Withheld/Payable	2,541.00
		10/21/2020	INV0003669		650-140-110.00	Deferred Compensation Withheld/Payable	2,523.00
DKT157810	Teladoc						78.20
		10/07/2020	INV0003655	Teladoc	650-140-112.02	Teledoc Payable	44.20
		10/21/2020	INV0003678		650-140-112.02	Teledoc Payable	34.00
						Total Claims: 13	Total Payment Amount: 41,298.24



City of Diamondhead, MS

Packet: PYPKT01044 - 12.01.2020 Monthly Payroll
Payroll Set: DiamondHead - DH

PRCLAIM

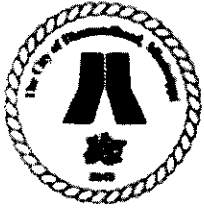
Item No. 18.

My Payroll Check Register

Report Summary

Pay Period: 11/1/2020-11/30/2020

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	5	2,650.90
Total	5	2,650.90



City of Diamondhead, MS

PRCLAIM
My Payroll Check Register

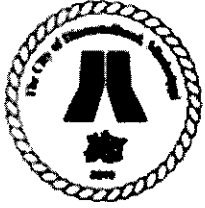
Item No. 18.

Report Summary

Pay Period: 11/9/2020-11/22/2020

Packet: PYPKT01045 - 12.02.2020 Regular Payroll (less deductions)
Payroll Set: DiamondHead - DH

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	32	34,565.63
Total	32	34,565.63

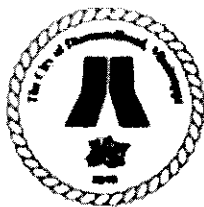


City of Diamondhead, MS

Packet: PYPKT01046 - N Depreo Reversal 12/1/2020
Payroll Set: DiamondHead - DH

PRCLAIM Item No. 18.
My Payroll Check Register
Report Summary
Pay Period: 11/1/2020-11/30/2020

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	1	-1,121.70
Voided Checks	0	0.00
Direct Deposits	1	384.80
Total	2	-736.90



City of Diamondhead, MS

Docket of Claims Register - Item No. 18.

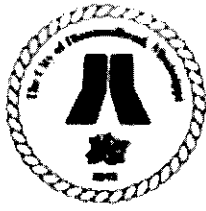
APPKT01373 - November 2020 Payroll Payables

By Docket/Claim Number

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount Line Amount
DKT157840	Blue Cross Blue Shield of MS						12,801.24
		11/04/2020	INV0003698	MONTHLY PREMIUM	650-140-112.00	BCBS Withheld/Payable	6,400.62
		11/18/2020	INV0003724		650-140-112.00	BCBS Withheld/Payable	6,400.62
DKT157841	Colonial Life						1,346.94
		11/04/2020	INV0003685	EE PREMIUM	650-140-113.00	Colonial Withheld	59.26
			INV0003686		650-140-113.00	Colonial Withheld	140.36
			INV0003687	Critical Illness	650-140-113.00	Colonial Withheld	53.89
			INV0003688	EE Premium	650-140-113.00	Colonial Withheld	18.17
			INV0003689	EE PREMIUM	650-140-113.00	Colonial Withheld	119.44
			INV0003690		650-140-113.00	Colonial Withheld	73.20
			INV0003691		650-140-113.00	Colonial Withheld	105.43
		11/18/2020	INV0003711		650-140-113.00	Colonial Withheld	110.92
			INV0003712		650-140-113.00	Colonial Withheld	140.36
			INV0003713	Critical Illness	650-140-113.00	Colonial Withheld	68.85
			INV0003714	EE Premium	650-140-113.00	Colonial Withheld	28.23
			INV0003715	EE PREMIUM	650-140-113.00	Colonial Withheld	178.10
			INV0003716		650-140-113.00	Colonial Withheld	94.90
			INV0003717		650-140-113.00	Colonial Withheld	155.83
DKT157842	Guardian						879.42
		11/04/2020	INV0003693	ER Life Ins Over 65	650-140-113.01	Guardian Withheld/Payable	7.53
			INV0003694	ER Guardian Life	650-140-106.00	Garnishment Withheld	1.94
			INV0003695	EE PREMIUM	650-140-113.01	Guardian Withheld/Payable	288.77
			INV0003696	ER BENEFIT LIFE INS MONTHLY PREMIUM	650-140-113.01	Guardian Withheld/Payable	73.53
			INV0003697	EE PREMIUM	650-140-113.01	Guardian Withheld/Payable	65.35
		11/18/2020	INV0003719	ER Life Ins Over 65	650-140-113.01	Guardian Withheld/Payable	7.53
			INV0003720	ER Guardian Life	650-140-106.00	Garnishment Withheld	1.94
			INV0003721	EE PREMIUM	650-140-113.01	Guardian Withheld/Payable	288.67
			INV0003722	ER BENEFIT LIFE INS MONTHLY PREMIUM	650-140-113.01	Guardian Withheld/Payable	81.06
			INV0003723	EE PREMIUM	650-140-113.01	Guardian Withheld/Payable	63.10
DKT157843	Internal Revenue Service						9,255.89
		11/04/2020	INV0003704	Federal Payroll Taxes	650-140-122.00	Social Security Withheld/Payable	5,092.98
			INV0003705		650-140-122.01	Medicare Withheld/Payable	1,191.16
		INV0003706		650-140-123.00	Federal Withholding Tax	2,971.75	

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
								328.70
DKT157844	Internal Revenue Service	11/02/2020	INV0003708	Federal Payroll Taxes	650-140-122.00	Social Security Withheld/Payable	258.30	
			INV0003709		650-140-122.01	Medicare Withheld/Payable	60.40	
			INV0003710		650-140-123.00	Federal Withholding Tax	10.00	
								9,721.32
DKT157845	Internal Revenue Service	11/18/2020	INV0003730	Federal Payroll Taxes	650-140-122.00	Social Security Withheld/Payable	5,357.52	
			INV0003731		650-140-122.01	Medicare Withheld/Payable	1,253.02	
			INV0003732		650-140-123.00	Federal Withholding Tax	3,110.78	
								1,267.45
DKT157846	Morgan White Group	11/04/2020	INV0003700	Morgan White	650-140-112.01	Morgan White Payable	616.75	
		11/18/2020	INV0003726		650-140-112.01	Morgan White Payable	650.70	
								223.86
DKT157847	MS Department of Human Services	11/04/2020	INV0003702	M Ladner	650-140-106.00	Garnishment Withheld	223.86	
								223.86
DKT157848	MS Department of Human Services	11/18/2020	INV0003728	M Ladner	650-140-106.00	Garnishment Withheld	223.86	
								2,459.00
DKT157849	MS Department of Revenue Payroll	11/04/2020	INV0003703	Payroll State Withholding Taxes	650-140-134.00	State Withholding Tax	1,183.00	
		11/18/2020	INV0003729		650-140-134.00	State Withholding Tax	1,276.00	
								32.97
DKT157850	Symantec Corporation	11/04/2020	INV0003699	LifeLock	650-140-113.03	Identity Theft-Life Lock Payable	16.49	
		11/18/2020	INV0003725		650-140-113.03	Identity Theft-Life Lock Payable	16.48	
								5,928.00
DKT157851	Systematized Benefits and Administrators Inc	11/04/2020	INV0003692	Deferred Compensation	650-140-110.00	Deferred Compensation Withheld/Payable	2,964.00	
		11/18/2020	INV0003718		650-140-110.00	Deferred Compensation Withheld/Payable	2,964.00	
								85.00
DKT157852	Teladoc	11/04/2020	INV0003701	Teladoc	650-140-112.02	Teledoc Payable	39.10	
		11/18/2020	INV0003727		650-140-112.02	Teledoc Payable	45.90	
								Total Claims: 13
								Total Payment Amount: 44,553.65



City of Diamondhead, MS

Docket of Claims Register

Item No. 19.

APPKT01378 - DOCKET 12/15/2020

By Docket/Claim Number

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157853	Amazon com LLC	12/15/2020	1YT7-TXWD-T1VD	CARGO NET SEAT POCKETS	001-301-501.00	Supplies	53.94	53.94
DKT157854	BEAU KING	12/15/2020	12042020	TRAVEL REIMBURSEMENT	001-280-615.00	Travel & Training	118.84	118.84
DKT157855	Belinda I Taylor	12/15/2020	12082020	POLL WORKER	001-140-693.00	Other - Elections	175.00	175.00
DKT157856	BELL, MICHAEL	12/15/2020	52343	REPAIR LANDSCAPE LIGHTING ON GEX DRIVE	001-301-635.00	Professional Fees - R&M Outside Services	403.75	922.65
			52348	Electrical Service on street light	001-301-635.00	Professional Fees - R&M Outside Services	518.90	
DKT157857	CAROL MYERS	12/15/2020	10202020	POLL WORKER	001-140-693.00	Other - Elections	185.00	185.00
DKT157858	Coast Electric Power Association	12/15/2020	021-NOV	HARBOR CIR 8 #1 -- NOVEMBER	001-301-630.00	Utilities - Streetlights & Other	38.13	325.45
			022-NOV	HARBOR CIR 8 #2 -- NOVEMBER	001-301-630.00	Utilities - Streetlights & Other	129.35	
			023-NOV	HARBOR CIR 8 #3 -- NOVEMBER	001-301-630.00	Utilities - Streetlights & Other	38.13	
			024-NOV	HARBOR CIR 8 #4 -- NOVEMBER	001-301-630.00	Utilities - Streetlights & Other	38.13	
			025-NOV	I10 & YACHT CLUB DR -- NOVEMBER	001-301-630.00	Utilities - Streetlights & Other	38.86	
			026-NOV	NOVEMBER ELECTRIC BILL	001-301-630.00	Utilities - Streetlights & Other	42.85	
DKT157859	Covington Civil and Environmental LLC	12/15/2020	16175.08-18	WORK ASSIGNMENT #8	001-140-601.00	Professional Fees - Consulting	2,497.50	2,497.50

Docket of Claims Register - Council

APPKT01378 - DOC Item No. 19. 0

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157860	CSpire Cell Service	12/15/2020	10000111902	MONTHLY CELL PHONE SERVICE -- NOVEMBER	001-100-632.00	Telephone - Cell	47.14	1,119.02
					001-140-632.00	Telephone - Cell	47.14	
					001-280-632.00	Telephone - Cell	91.23	
					001-301-632.00	Telephone - Cell	489.04	
					001-200-612.00	Internet	341.90	
					001-280-632.00	Telephone - Cell	102.57	
DKT157861	Cspire Internet Service	12/15/2020	1595147	INTERNET & PHONE RENTAL	001-140-612.00	Internet	208.99	650.16
					001-140-643.00	Rent - Phone System	441.17	
DKT157862	Deep South Equipment Company	12/15/2020	H17972	REPLACE DOOR GLASS	001-301-571.00	Repairs & Maintenance - Equipment	564.95	564.95
DKT157863	Diamondhead Property Owners Association Inc	12/15/2020	122020	COMMERCIAL LEASE--DECEMBER	001-301-640.00	Rentals	1,000.00	1,000.00
DKT157864	Diamondhead True Value	12/15/2020	11/2020	SUPPLIES FOR NOVEMBER	001-140-501.00	Supplies	3.74	135.12
					001-140-501.00	Supplies	0.81	
					001-301-570.00	Repairs & Maintenance - Vehicle	1.87	
					001-301-501.00	Supplies	20.94	
					001-301-501.00	Supplies	10.99	
					001-301-501.00	Supplies	23.99	
					001-140-501.00	Supplies	34.30	
DKT157865	Digital Engineering and Imaging Inc	12/15/2020	80	MONTHLY MAINTENANCE TO GIS SYSTEM	001-301-601.00	Professional Fees - Consulting	2,261.50	5,701.50
			81	ENGINEERING SERVICE/ROADWAY IMPROVEMENTS PHASE 3	001-301-602.00	Professional Fees - Engineering	3,440.00	
DKT157866	Don Hopes	12/15/2020	12082020	COMMISSION FOR MAYOR AND WARD 1 ELECTIONS	001-140-693.00	Other - Elections	1,105.00	1,105.00

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line	Payment Amount
							Amount	
DKT157867	Eagle Energy	12/15/2020	28433	FUEL FOR PUBLIC WORKS	001-301-525.00	Fuel		1,551.38
			28434		001-301-525.00	Fuel	674.91	
							876.47	
DKT157868	Election Systems & Software	12/15/2020	1174781	MUNICIPAL ELECTION SUPPORT	001-140-693.00	Other - Elections	3,605.00	3,605.00
DKT157869	Enmon Enterprises	12/15/2020	MGC12200097	DECEMBER JANITORIAL	001-140-681.00	Other Services & Charges	2,100.00	2,100.00
DKT157870	Fire Code Compliance LLC	12/15/2020	20-106	FIRE EXTINGUISHER/VENT HOOD INSPECTION	001-140-635.00	Professional Fees - Repair & Maint Outside Serv	165.00	165.00
DKT157871	FirstPoint Inc	12/15/2020	8594	BACKGROUND CHECK	001-301-698.00	Misc. Services - Drug Testing & Other	87.00	87.00
DKT157872	Fuelman	12/15/2020	NP59201400	FUEL FOR THE WEEK ENDING 11/29/2020	001-200-525.00	Fuel	363.79	800.07
			NP59277221	FUEL FOR THE WEEK ENDING 12/06/2020	001-200-525.00	Fuel	390.22	
					001-280-525.00	Fuel	46.06	
DKT157873	GERALD SCHUMM JR	12/15/2020	12082020	POLL WORKER	001-140-693.00	Other - Elections	175.00	175.00
DKT157874	GERARD HEBERT	12/15/2020	1308	TUNE TWO PIANOS	001-140-635.00	Professional Fees - Repair & Maint Outside Serv	440.00	440.00
DKT157875	Hancock County Chamber of Commerce	12/15/2020	DH 11 2020	DIGITAL MARKETING -- NOVEMBER	001-140-605.00	Professional Fees - IT	1,000.00	1,000.00
DKT157876	Hancock County Sheriffs Office	12/15/2020	2020-DH-011H	INMATE HOUSING FOR NOVEMBER 2020	001-200-689.00	Prisoner's Expense	820.00	820.00
DKT157877	Hancock County Solid Waste	12/15/2020	940	NOVEMBER WASTE COLLECTION	401-322-680.00	Other Services & Charges	39,618.50	39,618.50
DKT157878	Ingrid Amberg	12/15/2020	12082020	POLL WORKER	001-140-693.00	Other - Elections	195.00	195.00
DKT157879	JO Collins	12/15/2020	3937-1	FIRST FLOOR RENOVATIONS	001-140-901.00	Capital Outlay - Building	7,327.00	12,440.00
					001-140-901.00	Capital Outlay - Building	5,113.00	

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Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157880	Julie S Boudreaux	12/15/2020	12082020	COMMISSION FOR MAYOR AND WARD 1 ELECTIONS	001-140-693.00	Other - Elections	1,105.00	1,105.00
DKT157881	King Waste Services LLC	12/15/2020	8242	DUMPSTER RENTAL	001-140-640.00	Rentals	800.00	800.00
DKT157882	Kirks Tire Pros	12/15/2020	47023 47409	REPAIR/PATCH TIRE FLAT REPAIR	001-200-570.00 001-200-570.00	Repairs & Maintenance - Vehicle Repairs & Maintenance - Vehicle	16.00 31.80	47.80
DKT157883	Law offices of Derek R Cusick PLLC	12/15/2020	193 194 195 196	GENERAL MATTERS PLANNING AND ZONING FOR NOVEMBER CITY PROSECUTOR FOR NOVEMBER LONGANECKER V COD	001-140-603.00 001-280-603.00 001-110-603.00 001-140-603.00	Professional Fees - Legal Professional Fees - Legal Professional Fees - Legal Professional Fees - Legal	7,876.25 1,250.00 3,000.00 500.00	12,626.25
DKT157884	Lowe's Home Improvement	12/15/2020	84867	PAINT/STAIN FOR KAYAK LAUNCH	001-301-501.00	Supplies	161.50	161.50
DKT157885	Machado Patano PLLC	12/15/2020	12566	WORK ASSIGNMENT 00-16-2020	001-280-602.00	Professional Fees - Engineering	6,000.00	6,000.00
DKT157886	Marcella Sue Favre	12/15/2020	12082020	COMMISSION FOR MAYOR AND WARD 1 ELECTIONS	001-140-693.00	Other - Elections	1,105.00	1,105.00
DKT157887	Marvin J Bobinger III	12/15/2020	122020	LOBBYING SERVICES FOR DECEMBER	001-653-601.00	Professional Fees - Consulting	3,000.00	3,000.00
DKT157888	Mow Life LLC	12/15/2020	4690	PUBLIC WORKS SUPPLIES	001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00 001-301-571.00	Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment	79.90 49.90 64.00 230.85 153.90 18.00 48.00 52.00 24.00 18.00 119.85 30.00	888.40

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157889	MS Department of Public Safety	12/15/2020	11/2020	SPECIAL ASSESSMENTS	650-110-131.00	State Assessments Payable	183.49	183.49
DKT157890	MS Municipal Court Clerk Association	12/15/2020	10012020	ANNUAL MEMBERSHIP DUES	001-110-623.00	Membership Dues/Fees	90.00	90.00
DKT157891	MS Municipal Workers Compensation Group	12/15/2020	0383WC2020-3	WORKERS COMP INSURANCE	001-140-625.00	Insurance	10,632.04	10,632.04
DKT157892	MS Power Company	12/15/2020	12012020	LPR FOR DECEMBER	001-200-681.00	Other Services & Charges	1,265.00	1,265.00
DKT157893	MUSE HOLDINGS, LLC	12/15/2020	INV-0032	WEEKLY SAFETY TOPICS	001-301-623.00	Membership Dues/Fees	249.00	249.00
DKT157894	Naomi J Lassus	12/15/2020	12082020	POLL WORKER	001-140-693.00	Other - Elections	175.00	175.00
DKT157895	Napa of Bay St Louis	12/15/2020	11/2020	NOVEMBER PURCHASE ORDER	001-301-571.00	Repairs & Maintenance - Equipment	39.98	104.13
					001-301-571.00	Repairs & Maintenance - Equipment	19.19	
					001-301-571.00	Repairs & Maintenance - Equipment	-39.98	
					001-301-571.00	Repairs & Maintenance - Equipment	8.10	
					001-301-571.00	Repairs & Maintenance - Equipment	23.95	
					001-301-571.00	Repairs & Maintenance - Equipment	8.51	
					001-301-571.00	Repairs & Maintenance - Equipment	7.30	
					001-200-570.00	Repairs & Maintenance - Vehicle	37.08	
DKT157896	NextSite LLC	12/15/2020	418	RETAIL CONSULTING SERVICES FOR 2021	001-653-601.00	Professional Fees - Consulting	11,000.00	11,000.00
DKT157897	Nina S Day	12/15/2020	12082020	POLL WORKER	001-140-693.00	Other - Elections	185.00	185.00
DKT157898	North Bay Auto	12/15/2020	36328	OIL CHANGE -- 100400	001-200-570.00	Repairs & Maintenance - Vehicle	40.28	80.56
					001-200-570.00	Repairs & Maintenance - Vehicle	40.28	
DKT157899	Orion Planning and Design	12/15/2020	3119	Consulting services 25 yr Comp plan	001-140-601.00	Professional Fees - Consulting	1,404.00	1,404.00
DKT157900	RONALD LAYEL	12/15/2020	12082020	POLL WORKER	001-140-693.00	Other - Elections	175.00	175.00

Docket of Claims Register - Council

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Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount				
DKT157901	S&L Office Supplies	12/15/2020	83685	OFFICE SUPPLIES	001-140-501.00	Supplies	9.19	533.05				
							19.14					
							12.76					
							19.14					
							42.10					
							3.23					
							77.46					
							99.63					
							16.12					
							16.61					
							197.70					
							19.97					
							DKT157902		Sea Coast Echo	12/15/2020	09/30/20	BUDGET ADOPTION AD
09/30/2020	Adv. Ordinance - Town Center	001-140-620.00	Advertising	21.36								
11/04-11-18	WARD 1 ELECTION NOTICE	001-140-693.00	Other - Elections	577.50								
11/11	P&Z ADVERTISEMENT	001-280-620.00	Advertising	61.52								
11/11/2020	DEBRIS REMOVAL AND MONITORING ADVERTISEMENT	001-140-620.00	Advertising	151.28								
		001-140-620.00	Advertising	181.20								
11/18/2020	P & Z PUBLIC HEARING	001-280-620.00	Advertising	44.36								
DKT157903	South MS Business Machines Gulfport	12/15/2020	382281	COPY CHARGES FOR NOVEMBER	001-140-506.00	Copier Usage/Maintenance	153.80	153.80				
DKT157904	Southern Printing	12/15/2020	203985	EMBROIDERY SERVICES FOR POLICE	001-200-535.00	Uniforms	134.00	186.00				
							203986		001-200-535.00	Uniforms	52.00	
DKT157905	State Treasurer	12/15/2020	11/2020	COURT ASSESSMENT/FINE FOR NOVEMBER	650-110-131.00	State Assessments Payable	2,232.96	2,322.96				
							650-110-131.01		Court Bond Fees Payable	90.00		

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line	Amount	Payment Amount
DKT157906	SunSouth LLC	12/15/2020	3807672	FA"523 FA"522 MOWER REPAIR	001-301-571.00	Repairs & Maintenance - Equipment		2,125.00	
								3.42	
								3.42	
								25.20	
								25.20	
								2.04	
								2.04	
								16.38	
								16.38	
								352.40	
								352.40	
								23.64	
								23.64	
								27.72	
								27.72	
								4.34	
								4.34	
								564.96	
								564.96	
								9.68	
	9.68								
	12.50								
	12.50								
	20.22								
	20.22								
<hr/>									
DKT157907	TEMCO of GULF COAST INC	12/15/2020	23188111920	REPAIR TO KITCHEN EQUIPMENT	001-140-635.00	Professional Fees - Repair & Maint Outside Serv		986.67	
								428.00	
								233.67	
								255.00	
								25.00	
	45.00								
<hr/>									
DKT157908	Timothy A Kellar Chancery Clerk	12/15/2020	112020	TAX SALE REDEMPTIONS FOR NOVEMBER	001-140-694.00	Collection Fees		480.00	480.00
<hr/>									
DKT157909	TransUnion Risk and Alternative Data Solutions Inc	12/15/2020	5859551-202011-1	BACKGROUND CHECK FEE	001-110-681.00	Other Services & Charges		100.00	100.00
<hr/>									
DKT157910	UniFirst Corporation	12/15/2020	105 0911707	UNIFORM RENTAL FOR THE WEEK ENDING 11/30/2020	001-301-535.00	Uniforms		128.69	128.69

Docket of Claims Register - Council

APPKT01378 - DO Item No. 19. 0

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157911	WageWorks	12/15/2020	1120-DR42799	COBRA FOR NOVEMBER	001-140-625.00	Insurance	40.00	40.00
DKT157912	Warran Automotive, Inc	12/15/2020	021840	DUMPTRUCK REPAIRS	001-301-635.00	Professional Fees - R&M Outside Services	550.00	2,741.00
					001-301-635.00	Professional Fees - R&M Outside Services	220.00	
					001-301-635.00	Professional Fees - R&M Outside Services	1,971.00	
DKT157913	Warren Paving	12/15/2020	2	Roadway Improvement Phase 2	001-301-912.01	Capital Outlay - Paving	34,841.31	35,478.32
					104-301-912.00	Capital Outlay - Streets/Drainage	0.01	
					001-301-912.01	Capital Outlay - Paving	212.51	
					104-301-912.00	Capital Outlay - Streets/Drainage	36.19	
			39517	FOB SC1 ASPHALT	001-301-581.00	Asphalt	192.86	
			39520		001-301-581.00	Asphalt	195.44	
DKT157914	Waste Management	12/15/2020	0729517-4768-1	NOVEMBER DUMPSTER RENTAL	001-140-681.00	Other Services & Charges	59.23	59.23
DKT157915	Webster Electric Co Inc	12/15/2020	2943	TROUBLESHOOT HIGH MAST LIGHTS	001-301-635.00	Professional Fees - R&M Outside Services	425.00	425.00
DKT157916	YVONNE CATONE	12/15/2020	12082020	POLL WORKER	001-140-693.00	Other - Elections	175.00	175.00
Total Claims: 64							Total Payment Amount:	176,088.94

12/04/2020 9:09 AM
 PROJECTS: THRU ZZZZZZZZZZ
 PROJECT TYPE: All
 CONTRACTORS: All
 APPLIED DATES: 0/00/0000 THRU 99/99/9999
 STATUS INCLUDED: Opened, Complet

PROJECT MASTER REPORT

PAGE:
 REPORT SEQUENCE: Project
 - All Contract
 EXP
 ISSUED DATES: 11/01/2020 THRU 11/30/20

November 2020
Permits By Type

CONTRACTOR CLASS: All

Item No.a

*** SEGMENT RECAP ***

PROJECT SEGMENT	# OF SEGMENTS	BALANCE
B01-SFR - SINGLE FAMILY RESIDENTI	12	828.75
B02-ADD - RESIDENTIAL ADDITION	3	0.00
B03-REM - RESIDENTIAL REMODEL	1	0.00
B04-ACC - RESIDENTIAL ACCESSORY	5	0.00
B05-REP - RESIDENTIAL REPAIR	13	0.00
B10-DIS - RESIDENCE DISASTER REPA	8	0.00
B30-DIS - COMMERCE DISASTER REPAI	1	0.00
CATCHBASIN - CATCH BASIN	12	0.00
CULVERT - CULVERT	14	0.00
DRIVE/PARK - DRIVEWAY/PARKING ARE	12	0.00
ELEC-COM - COMMERCIAL ELECTRICAL	2	200.00
ELEC-CTP - COMMERCIAL TEMP POLE	1	50.00
ELEC-RES - RESIDENTIAL ELECTRICAL	19	2,260.00
ELEC-RTP - RESIDENTIAL TEMP POLE	14	700.00
ELES-RES - RESIDENTIAL SERVICE CH	1	0.00
FENCE-RES - RESIDENTIAL FENCE	9	0.00
FLAT-RES - RESIDENTIAL FLATWORK	5	81.00
GAS-RES - RESIDENTIAL GAS	13	600.00
MECH-COM - COMMERCIAL MECHANICAL	1	55.00
MECH-RES - RESIDENTIAL MECHANICAL	3	0.00
PLB-COM - COMMERCIAL PLUMBING	1	45.00
PLB-RES - RESIDENTIAL PLUMBING	12	495.00
POOL-RES - SWIMMING POOL	1	0.00
PZ-01 - DEVELOPMENT	2	0.00
PZ-05 - CONDITIONAL USE	1	0.00
SIGN - SIGN	1	0.00
TRAIL-COM - COMMERCIAL TRAILER	2	0.00
*** TOTALS ***	169	5,314.75

Item No.a

INC CODE: * - All
TASK CODE: * - ALL
STATUS: * - All

USER: * - All
GROUP: * - All
PRIORITY: * - All
TYPE:

ORIGINATION: 0/00/0000 THRU 99/99/99
DUE: 0/00/0000 THRU 99/99/99
RESOLUTION: 11/01/2020 THRU 11/30/20.

November 2020

Inspections By Type

STATUS	PRIORITY									TOTAL
	1	2	3	4	5	6	7	8	9	
ACTIVE										298
CLOSED	298									298
VOIDED										
SUSPENDED										
TOTALS	298									298

INCIDENT CODE	COUNT
BRICK TIE	4
BUILDING FINAL	10
CONCRETE SLAB FOUND	10
CULVERT FINAL	3
CULVERT SITE	8
DWV TEST	16
ELECTRICAL FINAL	8
ELECTRICAL ROUGH	9
FLATWORK FINAL	1
FOOTINGS/COLUMNS	13
FORMS	3
FRAMING	16
GAS PRESSURE TEST	1
HIGH WIND CONNECTORS	10
HOLE COMPACTION TEST	4
MECHANICAL FINAL	4
MECHANICAL ROUGH	9
MISCELLANEOUS	4
PARK/DRIVEWAY FINAL	4
PLAN REVIEW	22
PLUMBING BLD DRAIN	10
PLUMBING BLD SEWER	6
PLUMBING FINAL	6
PLUMBING ROUGH	13
PLUMBING WATER SVC	6
POOL FINAL	1
PROGRESS	1
SHEATHING-ROOF	16
SHEATHING-WALL	12
SITE	29
SITE FINAL	9
SLAB COMPACT TEST	5
TEMP ELECTRIC POWER	5
TEMP POWER POLE	12
TERMITE CERTIFICATE	6
WATER PRESSURE TEST	2
TOTAL INCIDENTS	298

CODE ENFORCEMENT

Item No.a.

Code Violations 7/6/2020-12/9/2020	Total	Closed	Open
Abandoned Vehicles	10	6	4
Abandoned/Dilapidated/Deteriorated House (unoccupied)	2	1	1
Advertising/Solicitation			0
ATV			0
Boats	24	18	6
Camper	11	8	3
Cars in Yard	18	14	4
Construction Equipment	3	3	0
Dumpster (commercial)	2	1	1
Dumpster (residential)			0
Fence	10	6	4
Furniture in Yard			0
Golf Carts			0
Graffiti			0
High Grass (overgrown)/Shrubs	10	6	4
Jet Ski	4	3	1
Lack of Maintenance (structure)			0
Permit	26	18	8
POD	1	1	0
RV	10	8	2
Signs	12	6	6
Slab/Driveway Removal			0
Trailers	27	22	5
Trash & Rubbish	21	14	7
Trash Cans			0
Unapproved Structure			0
Cumulative Totals	191	135	56



Diamondhead Monthly Response Time Report

October 2020	Number of Emergency Calls*	Response Time Compliance %
Diamondhead	118	72%

***Emergency calls are defined as all Priority 1 calls, which are emergency life-threatening calls. These are the emergency calls AMR is responsible to report as regulated by the county contract.**

The average response time for all Priority 1(emergency life-threatening calls) listed above **without claiming any exceptions is 16:48**

List of exceptions in accordance with the current agreement:

Road Construction / Traffic	1
Incorrect address	0
Scene Not Secure	0
Multiple Emergency Calls / Saturation	13
Multiple Unit Response	0
Severe Weather	10
Patient Refused	7
No Patient Found	3
Train or Drawbridge	0
Total	34

Respectfully,

James Carver
Manager of Operations/EMS Chief
AMR MS Gulf Coast
James.Carver@amr.net

<p>**Priority Levels for Calls including emergency and non-emergency: P1- Emergency Life-threatening P2- Emergency Non-Life threatening P3- Non-Emergency, Non-scheduled P4- Non-Emergency, Scheduled Severe Weather includes responses during a declared disaster. There was a period of suspended response due to weather</p>

BALANCE	CODE	DESCRIPTION	NUMBER
80.00	PRIV	PRIVILEGE LICENSE	9

TOTAL: 9
80.00

↑12/11/2020 11:25 AM
T L I C E N S E M A S T E R R E P O R
PAGE: 6
LICENSES: ALL SORTED BY: LICENSE NUMBER
EFFECTIVE DATES: 11/01/2020 TO 11/30/2020
LICENSE CODES: Include: PRIV-MFG, PRIV-RET, PRIV-SERV , PRIV-WH
EXPIRATION DATES: 0/00/0000 TO 99/99/9999
CLASSES: All
COMMENT: NONE SELECTED
STATUS: ALL
PAY STATUS: ALL
CITY LIMITS: INSIDE, OUTSIDE

REPORT CODE SUMMARY

BALANCE	CODE	DESCRIPTION	NUMBER
20.00	CONT-TREE	TREE CONTRACTOR	4
60.00	HANDY	HANDYMAN	5

TOTAL: 9
80.00

↑12/11/2020 11:25 AM
T L I C E N S E M A S T E R R E P O R
PAGE: 7
LICENSES: ALL SORTED BY: LICENSE NUMBER
EFFECTIVE DATES: 11/01/2020 TO 11/30/2020
LICENSE CODES: Include: PRIV-MFG, PRIV-RET, PRIV-SERV , PRIV-WH
EXPIRATION DATES: 0/00/0000 TO 99/99/9999
CLASSES: All
COMMENT: NONE SELECTED
STATUS: ALL
PAY STATUS: ALL
CITY LIMITS: INSIDE, OUTSIDE

SORT OPTION: License Number

PRINT OPTIONS

PRINT FEE DETAIL: YES
PRINT COMMENT: NO
PRINT MONTHLY RECAP YES
PRINT CHARGES: YES
PRINT BALANCE: YES
PRINT LICENSE NOTES: NO
PRINT PERIOD NOTES: NO

END OF REPORT