



Mayor Depreo
Councilmember Maher At-Large
Councilmember Finley Ward 1
Councilmember Liese Ward 2
Councilmember Cumberland Ward 3
Ward 4

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, February 06, 2024
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.

- a. The next Regular Meeting of the City Council will be held February 20, 2024 at 6:00 p.m. in Council Chambers located at City Hall.
- b. City Hall will be closed Tuesday, February 13, 2024 for Mardi Gras.
- c. City Hall will be closed Monday, February 19, 2024 in observance of President's Day.

Council Comments.

City Manager's Report.

Public Comments on Agenda Items.

Policy Agenda.

Minutes:

1. Motion to approve the January 17, 2024 Regular Meeting Minutes.

Tabled Matters:

2. **2023-274:** Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance. (Finley)
3. **2023-408:** Discussion on whether or not donations that were made for the Diamondhead Dog Park Twin Lakes location can be refunded to the donors as it was stated at a prior city council meeting. (Depreo)

Ordinances:

Resolutions:

4. **2024-027:** Motion to adopt Resolution 2024-003 authorizing a supplemental grant application to GRPC for Federal Surface Transportation Project Funds through the Transportation Alternative Project (TAP) for additional funding in the amount of \$424,599.60 and for other related purposes

including additional matching fund commitment in the amount of \$84,919.92 for the E. Aloha Improvements Phase 2 Project.

- 5.** **2024-030:** Motion to adopt Resolution 2024-004 for Reappointment of Michael Bennett to serve as Planning and Zoning Commissioner.
- 6.** **2024-038:** Motion to adopt Resolution 2024-005 thereby authorizing the submittal of an amended application to the National Resources Conservation Service (NRCS) for Emergency Watershed Conservation Funding in the amount of \$43,000, federal share \$33,000 and local share \$10,000, for drainage system restoration at Lily Pond, committing matching funds and for other related purposes.

Consent Agenda:

- 7.** **2024-028:** Motion to approve and enter into Cooperative Service Agreement with United States Department of Agriculture in an amount not to exceed for \$5,000 for wildlife management services as needed for the period January 22, 2024 through January 23, 2025.
- 8.** **2024-033:** Motion to enter into agreement with ES&S in the amount of \$4,172.00 for the February 20, 2024 Special Election Run-off for technical support, ballot coding and support and poll book coding and support.
- 9.** **2024-035:** Motion to amend all Federal Programs Master Service Agreements to include Exhibit 1 and Exhibit 2 to comply with Code of Federal Regulations for contracts and/or purchases.
- 10.** **2024-036:** Motion to approve amendment in the amount of \$27,500 to the Master Service Agreement Work Assignment with Chiniche Engineering for Montjoy Creek Trail Project.

Action Agenda.

- 11.** **2024-026:** Motion for discussion and/or action to discuss methods to increase residents' engagement and methods to improve getting information out to residents. (Depreo)
- 12.** **2024-031:** Motion to concur with the Planning Commission recommendation to allow Word and Robin Johnston a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a pool screen enclosure within 10' of the rear property line. The property address is 7515 Turnberry Drive. The tax parcel number is 067N-1-35-002.000 and is in a R-1 zoning district. The rear yard setback is 20'. The variance requested for the pool enclosure is 10'. The Case File Number is 202300543.
- 13.** **2024-032:** Susan Joyce has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 5' of the rear property line. The property address is 684 Apona Street. The tax parcel number is 131A-0-04-067.000 and is in a R-2 zoning district. The rear yard setback is 10'. The variance requested for the accessory structure is 5'. The Case File Number is 202300565. The Planning Commission voted 3-3 resulting in no recommendation to the Council.
- 14.** **2024-034:** Motion to direct the City Manager to provide a presentation regarding new projects prior to their commencement at the City Council Meeting immediately following the official notification of affected residents, at which time, meeting rules are to be suspended to allow for a questions and answer session with meeting attendees, the parameters of which are to be set forth by the council prior to the first presentation of this kind. (Liese)

- 15.** **2024-038:** Motion to concur with the Planning Commission recommendation to deny Susan Muth request for a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a carport within 7' of the side yard property line. The property address is 10779 Lilinoe Way. The tax parcel number is 067G-1-25-285.000 and is in a MH zoning district. The side yard setback is 10'. The variance requested for the carport is 3'. The Case File Number is 202300586.

Routine Agenda.

Claims Payable

- 16.** Motion to approve Docket of Claims (DKT231422 - DKT231466) in the amount of \$72,651.69.
- 17.** Motion to approve Payroll Payables PRCLAIM01084 in the amount of \$30,306.66, PRCLAIM01085 in the amount of \$30,368.76, PRCLAIM01086 in the amount of \$2,717.26 and Docket of Claims DKT231412-DKT231421 in the amount \$49,899.09.

Department Reports

- a.** December 2023 Financials

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.



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Wednesday, January 17, 2024
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order.

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

Invocation - Councilmember Cumberland

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 2 Anna Liese - via teleconference

Ward 3 John Cumberland

Confirm or Adjust Agenda Order

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to confirm agenda.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

- a. The next Regular Meeting of the City Council will be held February 6, 2024 at 6:00 p.m. in Council Chambers located at City Hall.

City Manager's Report.

CITY MANAGER REPORT

January 16, 2024

1. Park Ten Road -The contract is for 270 Calendar Days with an end date of June 1st. Currently on schedule. Due to the weather, the project has experienced milestone delays, but will increase staff to overcome the issues caused. The contractor is currently installing the drainage pipes and electrical conduit from the treatment plant to Noma Circle.
2. Noma Drive Restoration - No work has been done on this project as the contractor is waiting on Phase 1 to make connection to multimodal path. The contract is for 150 Calendar Days with an end date of February 7th. A 45-day change order is on the agenda for approval.

- 3. Beaux Vue 2 – Bid has been awarded, currently waiting on contractor bonds and paperwork.
- 4. Bond Paving Diamondhead Drive – The contract is for 150 Calendar Days with an end date of March 6th. Again, due to the weather, the striping sub-contractor has experienced delays. The asphalt at the end of DH Drive East and Golf Club Drive is not acceptable to hold the new striping. Warren Paving will pave the area to allow for better striping in the area. The city will review all signage to assist drivers regarding the changes.
- 5. Montjoy Creek – Due to the footprint of the project having changed, it will have to be sent out on notice again. Currently waiting on the DMR notice to be sent out. The project is on hold until the notice period is complete.
- 6. Noma Drive Phase 1b – This project is out for bid. The project is to build the parking area, rebuild the boat ramp, and build the kayak launch and pier.
- 7. Kaleki Way – The project is out for bid.
- 8. Bayou Drive – Project is out for bid.
- 9. Canal Dredging – The city has received the permit from USACE to allow for the canal dredging on the south side. The project is currently under review by the RESTORE Council. The schedule is to wrap up in the next couple of weeks.
- 10. DH Lakes Road – Elliott Homes’ engineers and Covington Engineering have agreed on design. EH will notify residents with a timeline for this project to begin.
- 11. Gex Drive Lighting – The work assignment for this project is on the agenda for approval tonight. Covington has completed the topographic survey for this project.
- 12. Noma Drive Boardwalk – Engineer is working on the drawing. Working with landowners to acquire easements.
- 13. March of the Mayors for 2024 – Food-donation event. ‘March of the Mayors’ is a four-week-long event that begins on February 1st and ends on March 1st. The city will set up drop-off points where citizens can drop off a donation of 15-ounce cans of soup.

14. ARPA/GOMESA Projects – The following projects have been assigned to an engineering firm and are currently in the design phase.

- | | |
|--|---|
| a. Coon Branch – Chiniche | b. Koloa Steet @ Ala Moana – Chiniche |
| c. Lots 7 & 8 – Chiniche | d. Kolo Court – Covington |
| e. Turnberry – Covington | f. Ahuli Place – Covington |
| g. Kome Drive – Covington | h. Kalae Street – Covington |
| i. Hilo Way – West – MP Design | j. Hilo Way to Hapuna Place – MP Design |
| k. Hilo Way at Koko Street – MP Design | l. Aukai Place/DH Dr East – MP Design |
| m. DH Drive East/Kalani – Covington | n. Veterans/Substation – Covington |
| o. Fairway Drive – Covington | p. Anahola Place – Covington |

15. Detention Ponds – **No change on this project.** I have met with the POA regarding the four ponds on the golf courses identified for dredging to allow for greater stormwater detention. The POA was receptive to the plans provided by the engineer. This project will be scheduled for the first of next year.
16. Noma Drive Walking Trail – **No change on this project.** The work assignment for the engineer is on this agenda for approval. This portion will be the planning phase using Tidelands funds. The city has applied for additional funding for this project with the MS Outdoor Stewardship Grant. This project will create a walking path from Noma Drive to Montjoy Creek.
17. Dog Park – **No change on this project.** The parcel is currently being surveyed to verify a few minor points. The road right of way is being evaluated to determine if it has been dedicated and accepted by the city. The city has started the re-subdivision process. This will be a several month process that will go through P&Z and Council for approval.

Email Request Received

1. 10418 Malahini Place – Water behind home after kayak launch was completed. I am still waiting on DMR to schedule an onsite visit. I reached out to the engineer to get an update on the DMR meeting.
2. City Website – I received an email regarding our website having a few incorrect elected officials as well as current staff. I have made the changes. If you see any information that is out of date or incorrect, please let us know so we can keep our website current.
3. 73640 DH Drive North – Resident requested new asphalt to be repaired. The multimodal path was gauged from the gate of a drop trailer. I have asked public works to fix asphalt.
4. EH Silt Fencing – Resident reporting the silt fencing was breach at Twin Lakes. EH repaired the breach and installed additional hay bales to secure the area to prevent future issues.
5. South Side Canals – Received request to clean out debris from canals.
6. 10612 Lilinoe Place – Councilmember asked to address drainage concerns around this property. I have asked public works to provide an assessment.

Public Comments on Agenda Items.

Vickie Stolf - Kaleki Way Drainage

Paul Brown - 2040 Plan

Starr Chapman - Public Communication and Southside Bayou Canals

Policy Agenda.

Minutes:

1. Motion to approve the January 2, 2024 Regular Meeting Minutes.

Motion made by Ward 1 Finley, Seconded by Ward 3 Cumberland to approve the January 2, 2024 Regular Meeting Minutes.

MOTION CARRIED UNANIMOUSLY

Tabled Matters:

- 2. **2023-274:** Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance. (Finley)

NO ACTION TAKEN

- 3. **2023-408:** Discussion on whether or not donations that were made for the Diamondhead Dog Park Twin Lakes location can be refunded to the donors as it was stated at a prior city council meeting. (Depreo)

NO ACTION TAKEN

Resolutions:

- 4. **2024-011: PUBLIC HEARING-** Motion to adopt Resolution 2024-002 to adjudicate that the uninhabited residence located at 9782 Limu Place (parcel #067G-1-25-143.00) is a menace to the public health, safety and general welfare of the community. Authorization to advertise for bids and/or obtain quotes or utilize city resources to perform the necessary services to mow the grass, remove trees or shrubbery limbs from the property and to dispose of said debris properly, assess the costs to said property and for other related purposes. Property owner is Paula Page.

2024-011: PUBLIC HEARING - Mayor Depreo opened the Public Hearing in the matter of 9782 Limu Place (parcel #067G-1-25-143.00) and called on three (3) occasions for property owner Paula Page with no response.

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to adopt Resolution 2024-002 to adjudicate that the uninhabited residence located at 9782 Limu Place (parcel #067G-1-25-143.00) is a menace to the public health, safety and general welfare of the community. Authorization to advertise for bids and/or obtain quotes or utilize city resources to perform the necessary services to mow the grass, remove trees or shrubbery limbs from the property and to dispose of said debris properly, assess the costs to said property and for other related purposes. Property owner is Paula Page.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 1 Finley, Seconded by Ward 3 Cumberland to approve the following consent agenda items.

5. **2024-012:** Motion to approve Compensation for Election Commissioners, Poll Workers and Clerks for the City Council Ward 4 Special Election.
6. **2024-013:** Motion to approve Pay Request 2 in the amount of \$914,381.01 to Warren Paving, Inc. for Diamondhead Bond Paving Project.
7. **2024-014:** Motion to approve Pay Application 4 in the amount of \$433,970.51 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
8. **2024-015:** Motion to accept substantial completion of the Makiki Drive Drainage Improvements Project as of November 21, 2023.
9. **2024-016:** Motion to approve payment in the amount of \$7,014.40 to Bottom 2 Top Construction, LLC for the Makiki Drive Drainage Improvements Project .
10. **2024-017:** Motion to approve Change Order No. 1 for forty five (45) additional days to the contract with Moran Hauling for the Noma Drive Improvements with no change to contract price.
11. **2024-018:** Motion to approve payments to MP Design Group in the amount of \$6,000.00 for Diamondhead Drive E & Aukai Pl, in the amount of \$6,000.00 for Hilo Way at Koko St, in the amount of \$6,000.00 for Hilo Way to Hapuna Pl, in the amount of \$6,000.00 for Hilo Way West & and in the amount of \$7,000.00 for Hilo Way Drainage.
12. **2024-019:** Motion to approve payment in the amount of \$80,619.60 to Covington Civil & Environmental, LLC for for Commercial District Transformation Project Site Development Reviews, in the amount of \$21,430.64 for Commercial District Noma Drive Improvements and in the amount of \$24,000.00 for Kome Drive and Fairway Drive Project.
13. **2024-020:** Motion to approve amendment to Work Assignment with Covington Civil and Environmental, LLC in the amount of \$18,800.00 for the Gex Drive Lightning and Irrigation Replacement.
14. **2024-023:** Motion to approve the purchase of .9 pine savannah mitigation credits (.3 acres) from Wetland Solutions' Devil Swamp (Phase I) Mitigation Bank in the amount of \$3,750.00 for the Noma Drive Improvements Project all pursuant to US Army Corps of Engineers Permit SAM-2022-00117-AMR.
15. **2024-024:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$2,345.00 for Canal Dredging, in the amount of \$2639.50 for Pond Remediation and in the amount of \$2034.50 for Coon Branch Drainage.
16. **2024-025:** Motion to approve payments to Pickering Firm, Inc. in the amount of \$2,767.50 for Lily Pond Dredging and in the amount of \$5,400.00 for Diamondhead Drive East Retention Pond.

Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland
Voting Nay: Mayor Depreo

MOTION CARRIED

Action Agenda.

- 17. 2024-021:** Motion for authorize City Manager to implement a Project Presentation agenda item under the presentation agenda for all new City projects prior to the project being on the agenda to advertise to bid. (Depreo)

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher for authorize City Manager to implement a Project Presentation agenda item under the presentation agenda for all new City projects prior to the project being on the agenda to advertise to bid.

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher to amend motion to authorize City Manager to implement a Project Presentation agenda item under the presentation agenda for all new City projects at the 60% submittal for the project prior to the project being on the agenda to advertise to bid.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Cumberland
Voting Nay: Ward 2 Liese

MOTION CARRIED

- 18. 2024-022:** Motion for authorize City Manager to work with Diamondhead resident, Scout Nathan Pyron, on securing easements (in the city's name) which will allow him to implement his Eagle Scout Project creating over 2 miles of trails within the City of Diamondhead for residents to enjoy. (Depreo)

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher for authorize City Manager to work with Diamondhead resident, Scout Nathan Pyron, on securing easements (in the city's name) which will allow him to implement his Eagle Scout Project creating over 2 miles of trails within the City of Diamondhead for residents to enjoy.

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher to amend motion to authorize City Manager to discuss the Eagle Scout Project creating over 2 miles of trails within the City of Diamondhead and report back to Council the cost associated with securing the easement.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

- 19. Motion to approve Docket of Claims (DKT231372 - DKT231408) in the amount of \$1,702,956.70.

Motion made by Ward 1 Finley, Seconded by Ward 3 Cumberland to approve Docket of Claims (DKT231372 - DKT231408) in the amount of \$1,702,956.70.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland

MOTION CARRIED UNANIMOUSLY

Department Reports

- a. November 2023 Financials

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve November 2023 Financials.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland

MOTION CARRIED UNANIMOUSLY

- b. Department Reports

Court

Police

Code Enforcement

Building

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve the following Department Reports.

Court

Police

Code Enforcement

Building

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items - None

Adjourn/Recess.

At 6:55 p.m. with no further business to come before the council, motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to adjourn.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk

City of Diamondhead, MS
Request for Council Action

TO: Mayor/Council/City Clerk

FROM: S. Finley Ward 1

DATE: 07/10/2023

Ordinance Resolution Agreement Info Only Work Session Other

AGENDA LOCATION: Consent Agenda Regular Agenda


AGENDA DATE REQUESTED

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance.

REQUIRED SIGNATURE

REQUESTED BY:



COUNCIL ACTION:

Approved Denied Tabled/Deferred Info Only Completed:

Agenda Item #2023- 408

City of Diamondhead, MS
Request for Council Action

TO: Members of Council
FROM: Mayor Depreo

Ordinance Resolution Agreement Info Only Work Session Other

AGENDA LOCATION: Consent Agenda Regular Agenda

AGENDA DATE REQUESTED

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Discussion on whether or not donations that were made for the Diamondhead Dog Park Twin Lakes location can be refunded to the donors as it was stated at a prior city council meeting.

REQUIRED SIGNATURES

REQUESTED BY:
City Manager:
City Attorney:

COUNCIL ACTION:
 Approved Denied Tabled/Deferred Info Only Completed:



Transportation Alternative Project (TAP) Resolution

A RESOLUTION of the City of Diamondhead (Hereinafter referred to as “APPLICANT”) AUTHORIZING the filing of an APPLICATION for Federal Surface Transportation (STP) for E. Aloha Improvements, Phase II (Hereinafter referred to as “PROJECT”) and COMMITTING the necessary NON-FEDERAL MATCHING FUNDS for said project, and ASSURANCE OF THE City of Diamondhead(APPLICANT) TO ACTIVATE THE PROJECT IN THE FY 2024 AND BEGIN CONSTRUCTION BY 2024.

WHEREAS, the City of Diamondhead (APPLICANT) is submitting an supplemental application to the MPO for additional funding in the amount \$424,599.60 (80% federal \$339,679.68) in funding from the Federal Surface Transportation Program (STP) for the E. Aloha Improvements, Phase II (project) to be included in the Transportation Alternative Project (TAP) and,

WHEREAS, the Gulf Regional Planning Commission (GRPC) is the Metropolitan Planning Organization (MPO) for the Mississippi Gulf Coast; and

WHEREAS, Gulf Regional Planning Commission administers Surface Transportation Block Grant fund (STBG) to local jurisdictions within the MPO’s designated urbanized area and under the guidance and direction of the Mississippi Gulf Coast MP’s Technical Coordinating Committee and the Transportation Policy Committee; and

WHEREAS, on September 24, 2015, the MPO’s Transportation Policy Committee of the Mississippi Gulf Coast MPO adopted a Complete Streets Policy for the region that includes firm, but reasonable, language that required both new and reconstruction roadway projects utilizing federal transportation funds on the Mississippi Gulf Coast, to include measures to accommodate bicycles, pedestrians and transit to the extent possible; and,

WHEREAS, GRPC will review and evaluate said PROJECT based on goals set by the Mississippi Gulf Coast MPO and rank against other projects submitted for funding consideration; and,

WHEREAS, the commitment of local matching funds of at least twenty percent (20%) is required for STBG funding consideration; and,

WHEREAS, STBG funding is limited, and additional cost increases cannot be expected or be more than twenty percent (20%); and

WHEREAS, STBG-funded projects must comply with the Mississippi Department of Transportation (MDOT) *Project Development Manual for Local Public Agencies*.

NOW, THEREFORE BE IT RESOLVED, that City of Diamondhead is authorized to execute and file a project application for funding under the Surface Transportation Block Grant (STBG) and, be it further

RESOLVED, that if approved for funding, APPLICANT will provide \$84,919.92 in additional non-federal matching funds; and, be it further

RESOLVED, that if approved for funding, APPLICANT must complete the PROJECT as described in the project application; and, be it further

RESOLVED, that if approved for funding, APPLICANT understands that the PROJECT must be activated as indicated on this resolution and construction begin as indicated on this resolution project application and systematically moved toward completion as prescribed in this resolution and the project application; and, be it further

RESOLVED, that a signed copy of this resolution will be transmitted to the Mississippi Gulf Coast MPO in conjunction with the filing of the project application for funding.

I, Nancy Depreo (hereby certify that the foregoing resolution was duly and regularly introduced by Councilmember _____, seconded by Councilmember _____, and adopted at a regular meeting of the City Council of Diamondhead on the 6th day of February, 2024 by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

seal

Nancy Depreo, Mayor

Attest:

Jeannie Klein, City Clerk

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DIAMONDHEAD RE-APPOINTING MICHAEL BENNETT TO SERVE AS A PLANNING AND ZONING COMMISSIONER FOR THE CITY OF DIAMONDHEAD.

WHEREAS, the Mayor and Council (the governing body) for the City of Diamondhead serve as the appointing authority to the City of Diamondhead Planning and Zoning Commission pursuant to Ordinance 2012-003; and,

WHEREAS, the term of Commissioner Michael Bennett (Ward 1) will expire on March 2024; and

WHEREAS, with reappointment, Michael Bennett will continue serving as Planning & Zoning Commissioner for a term of four (4) years beginning April 1, 2024 and ending March 2028;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the City of Diamondhead do hereby appoint Michael Bennett, a resident of Ward 1, to serve as Commissioner to be seated on the Planning and Zoning Commission for the City of Diamondhead for a four (4) year term expiring March 2028.

SO BE IT RESOLVED, this the _____ day of _____, 2024.

The above and foregoing Resolution of the Mayor and Council of the City of Diamondhead, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the matter being put to a vote, the result was as follows:

	Aye	Nay	Abstain
Councilmember Finley	_____	_____	_____
Councilmember Liese	_____	_____	_____
Councilmember Cumberland	_____	_____	_____
Ward 4 Vacant	_____	_____	_____
Councilmember Maher	_____	_____	_____
Mayor Depreo	_____	_____	_____

SEAL

APPROVED _____
Mayor Nancy Depreo

ATTEST: _____
Jeannie Klein, City Clerk

seal

RESOLUTION AUTHORIZING SUBMITTAL OF AN AMENDED APPLICATION 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 \$43,000 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 “Lily 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 \$43,000, the NRCS federal share would be \$33,000 and the City of Diamondhead agrees to provide matching funds of \$10,000 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 \$10,000 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 amended grant application and further that the City is obligated to match at least \$10,000 funds whether it- be cash, in-kind service(s) or a combination of both to meet the requirements for this grant application.

RESOLVED, this the 6th day of February, 2024.

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 Liese	___	___	___
Councilmember Cumberland	___	___	___
Ward 4 - Vacant	___	___	___
Councilmember Maher	___	___	___
Mayor Depreo	___	___	___

ATTEST:

 JEANNIE KLEIN, CITY CLERK

 NANCY DEPREO, MAYOR

(SEAL)

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

1. Applicant Organization Name City of Diamondhead

2. Unique Official Project Title Streambank stabilization of Lily Pond
For project tracking prior to assignment of identifying number and limited to 40 characters

3. Applicant Unique Entity Identifier (UEI) K9M1T71V8JM9

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

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

4. Administrative Contact

Name Jeannie Klein Phone 228-222-4626
Title City Clerk/Comptroller Email jklein@diamondhead.ms.gov

5. Program Contact

Name Jon McCraw Phone 228-222-4626
Title City Manager Email jmccraw@diamondhead.ms.gov

6. Program Director

Name Jon McCraw Phone 228-222-4626
Title City Manager Email jmccraw@diamondhead.ms.gov

7. Signatory Official

Name Jon McCraw Phone 228-222-4626
Title City Manager Email jmccraw@diamondhead.ms.gov

8. Key Personnel:

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

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

None

Application for Federal Assistance SF-424

*1. Type of Submission:		*2. Type of Application		* If Revision, select appropriate letter(s):	
<input type="checkbox"/> Preapplication		<input checked="" type="checkbox"/> New			
<input checked="" type="checkbox"/> Application		<input type="checkbox"/> Continuation		* Other (Specify)	
<input type="checkbox"/> Changed/Corrected Application		<input type="checkbox"/> Revision			

*3. Date Received: 02/07/2024	4. Applicant Identifier:
----------------------------------	--------------------------

5a. Federal Entity Identifier: 45-4475966	*5b. Federal Award Identifier:
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State Use Only:

6. Date Received by State:	7. State Application Identifier:
----------------------------	----------------------------------

8. APPLICANT INFORMATION:

*a. Legal Name: City of Diamondhead

*b. Employer/Taxpayer Identification Number (EIN/TIN): 45-4475966	*c. UEI: K9M1T71V8JM9
--	--------------------------

d. Address:

*Street 1:	5000 Diamondhead Circle
Street 2:	
*City:	Diamondhead
County/Parish:	
*State:	MS
*Province:	
*Country:	USA: United States
*Zip / Postal Code	39525-4260

e. Organizational Unit:

Department Name:	Division Name:
------------------	----------------

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	Mr.	*First Name:	Jon
Middle Name:			
*Last Name:	McCraw		
Suffix:			

Title: City Manager

Organizational Affiliation:

*Telephone Number: 228-222-4626	Fax Number: (228) 222-4390
---------------------------------	----------------------------

*Email: jmccraw@diamondhead.ms.gov

Application for Federal Assistance SF-424
*9. Type of Applicant 1: Select Applicant Type: C: City or Township Government Type of Applicant 2: Select Applicant Type: Pick an applicant type Type of Applicant 3: Select Applicant Type: Pick an applicant type *Other (Specify)
*10. Name of Federal Agency: USDA Natural Resources Conservation Service
11. Catalog of Federal Domestic Assistance Number: 10.923 CFDA Title: EWP
*12. Funding Opportunity Number: N/A *Title: N/A
13. Competition Identification Number: N/A Title: N/A
14. Areas Affected by Project (Cities, Counties, States, etc.): Lily Pond, Diamondhead
*15. Descriptive Title of Applicant's Project: Streambank stabilization with rock riprap-Devil's Elbow
Attach supporting documents as specified in agency instructions

Application for Federal Assistance SF-424

16. Congressional Districts Of:
*a. Applicant: 04 *b. Program/Project: MS-04

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:
*a. Start Date: 06/01/2024 *b. End Date: 07/31/2024

18. Estimated Funding (\$):

*a. Federal	\$ 33,000
*b. Applicant	\$ 10,000
*c. State	\$ 0
*d. Local	\$ 0
*e. Other	\$ 0
*f. Program Income	\$ 0
*g. TOTAL	\$ 43,000

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on _____.

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

***20. Is the Applicant Delinquent On Any Federal Debt?**
 Yes No

If "Yes", explain:

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. *First Name: Jon
 Middle Name: T
 *Last Name: McCraw
 Suffix:

*Title: City Manager

*Telephone Number: 228-222-4626 Fax Number: 228-222-4390

* Email: jmccraw@diamondhead.ms.gov

*Signature of Authorized Representative: _____ *Date Signed: 02/07/2023

WS Agreement Number: 24-7228-9001-RA
WBS: AP.RA.OTCS.WS.ER28
[optional] Cooperator PO: _____

2024-028

COOPERATIVE SERVICE AGREEMENT
between
CITY OF DIAMONDHEAD, MISSISSIPPI and
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
WILDLIFE SERVICES (WS)

ARTICLE 1

The purpose of this agreement is to cooperate in a wildlife damage management project as described in the attached Work Plan.

ARTICLE 2

APHIS-WS has statutory authority under the Acts of March 2, 1931, 46 Stat. 1468-69, 7 U.S.C. §§ 8351-8352, as amended, and December 22, 1987, Public Law No. 100-202, § 101(k), 101 Stat. 1329-331, 7 U.S.C. § 8353. , to cooperate with States, local jurisdictions, individuals, public and private agencies, organizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs for zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety.

ARTICLE 3

APHIS-WS and the Cooperator agree:

1. The Cooperator will provide payment upon receipt of monthly/quarterly bill to "USDA, APHIS" in the amount of \$ 5,000.
2. The performance of wildlife damage management actions by APHIS-WS under this agreement is contingent upon a determination by APHIS-WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable federal statutes. APHIS-WS will not make a final decision to conduct requested wildlife damage management actions until it has made the determination of such compliance.
3. Nothing in this agreement shall prevent APHIS-WS from entering into separate agreements with any other organization or individual for the purpose of providing wildlife damage management services exclusive of those provided for under this agreement.
4. The Cooperator certifies that APHIS-WS has advised the Cooperator there may be private sector service providers available to provide wildlife damage management services that the Cooperator is seeking from APHIS-WS.
5. The performance of wildlife damage management actions by APHIS-WS under this agreement is contingent upon a determination by APHIS-WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable federal statutes. APHIS-WS will not make a final decision to conduct requested wildlife damage management actions until it has made the determination of such compliance.
6. The cooperating parties agree to coordinate with each other before responding to media requests on work associated with this project.

ARTICLE 4

This agreement is contingent upon the passage by Congress of an appropriation from which expenditures may be legally met and shall not obligate APHIS-WS upon failure of Congress to so appropriate. This agreement also may be reduced or terminated if Congress only provides APHIS-WS funds for a finite period under a Continuing Resolution.

ARTICLE 5

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this agreement or to any benefit to arise there from.

ARTICLE 6

APHIS-WS assumes no liability for any actions or activities conducted under this agreement except to the extent that recourse or remedies are provided by Congress under the Federal Tort Claims Act (28 USC 1346(b), 2401(b), 2671-2680). This agreement is not a procurement contract (31 U.S.C. 6303), nor is it considered a grant (31 U.S.C. 6304). In this agreement, APHIS-WS provides goods or services on a cost recovery basis to nonfederal recipients, in accordance with all applicable laws, regulations and policies.

This agreement shall become effective 01/22/2024 and shall continue until 01/23/2025. This agreement may be amended or terminated at any time by mutual agreement of the parties in writing. Further, in the event the Cooperator does not, for any reason, provide necessary funds, APHIS-WS is relieved of the obligation to provide services under this agreement.

As required by Debt Collection Improvement Act of 1996:
Cooperator's Tax ID: 45-4475966
APHIS-WS's Tax ID: 41-0696271

Jon McCraw, City Manager
5000 Diamondhead Circle
Diamondhead, MS 39525

Kristina Godwin, State Director
USDA Aphis – WS
P O Drawer FW
Mississippi State, MS 39762

WS Agreement Number: 24-7228-9001-RA
 WBS:AP.RA.OTCS.WS.ER28
 [optional] Cooperator PO: _____

WORK PLAN

Wildlife Species: Feral Swine, Resident Canada Geese

Description of Damage: Feral swine damage to general property within the community. Canada geese present a health and safety hazard as well as a threat of collision with aircraft.

Location: Diamondhead, MS

Services Provided: Feral Swine and Resident Canada Geese trapping and carcass disposal. A quarterly report will also be provided to the Cooperator

FINANCIAL PLAN

Cost Element		Full Cost
Personnel Compensation		\$3,700
Travel		
Vehicles		\$304.77
Other Services		
Supplies and Materials		\$300
Equipment		
Subtotal (Direct Charges)		\$4,304.77
Pooled Job Costs [for non-Over-the Counter projects]	11.00%	
Indirect Costs	16.15%	\$695.23
Aviation Flat Rate Collection		
Agreement Total		\$5,000
The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed:		

Financial Point of Contact/Billing Address:

Cooperator Name, Address, Phone Number, Email

Jeannie Klein, City Clerk
 5000 Diamondhead Circle
 Diamondhead, MS 39525
 228-222-4626
jklein@diamondhead.ms.gov

APHIS-WS State Office Name, Address, Phone Number, Email

Gwen Morris, Budget Analyst
 P O Drawer FW
 Mississippi State, MS 39762
 662-722-2012
gwendolyn.l.morris@usda.gov



February 1st, 2024
 Re: Municipal Election Support
 Quote # - ESS-1579

Jeannie Klein
 Diamondhead City Hall
 5300 Diamondhead Circle
 Diamondhead, MS 39525
Office- 228-222-4626 **Fax:** 228-222-4390
Email: jklein@diamondhead.ms.gov

Dear Ms. Klein,

ES&S is pleased to offer to you the following pricing for your 2024 Municipal Election Support.

February 20th, 2024, Municipal Runoff Election Support

2 Days of Election Technician Support

ElectionWare Ballot Coding & Support

Pollbook Coding & Support

Total - \$4,172.00

Considerations that impact pricing:

1. Pricing is valid for 60 days.
2. Price includes all travel and expenses.
3. All Sales, Services and Licenses are subject and bound to the terms and conditions of ES&S.

Thank you again for the opportunity to quote your Municipal Election support. We would ask that you please approve this proposal by signing and returning so that we can secure the necessary resources needed to support this service. Please feel free to call with any questions you might have.

Sincerely,

Bill Lowe
 Election Systems & Software
 102 Business Park Drive Suite G
 Ridgeland, MS 39157
 Phone – 601-922-2476
 Fax – 601-922-8475

Election Official Approval

EXHIBIT II
APPENDIX II TO PART 200 – CONTRACT PROVISIONS FOR NON-FEDERAL ENTITY
CONTRACTS UNDER FEDERAL AWARDS
CITY OF DIAMONDHEAD
ARPA PROJECTS

Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by [41 U.S.C. 1908](#), must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under [41 CFR Part 60](#), all contracts that meet the definition of “federally assisted construction contract” in [41 CFR Part 60–1.3](#) must include the equal opportunity clause provided under [41 CFR 60–1.4\(b\)](#), in accordance with Executive Order 11246, “Equal Employment Opportunity” ([30 FR 12319](#), [12935](#), [3 CFR Part, 1964–1965 Comp.](#), p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at [41 CFR part 60](#), “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended ([40 U.S.C. 3141–3148](#)). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act ([40 U.S.C. 3141–3144](#), and [3146–3148](#)) as supplemented by Department of Labor regulations ([29 CFR Part 5](#), “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act ([40 U.S.C. 3145](#)), as supplemented by Department of Labor regulations ([29 CFR Part 3](#), “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must 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 or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act ([40 U.S.C. 3701–3708](#)). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with [40 U.S.C. 3702](#) and [3704](#), as supplemented by Department of Labor regulations ([29 CFR Part 5](#)). Under [40 U.S.C. 3702](#) of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of [40 U.S.C. 3704](#) are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. 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.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under [37 CFR § 401.2 \(a\)](#) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of [37 CFR Part 401](#), “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act ([42 U.S.C. 7401–7671q.](#)) and the Federal Water Pollution Control Act ([33 U.S.C. 1251–1387](#)), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act ([42 U.S.C. 7401–7671q](#)) and the Federal Water Pollution Control Act as amended ([33 U.S.C. 1251–1387](#)). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see [2 CFR 180.220](#)) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at [2 CFR 180](#) that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible

under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment ([31 U.S.C. 1352](#))—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by [31 U.S.C. 1352](#). Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See [§ 200.323](#).

(K) See [§ 200.216](#).

(L) See [§ 200.322](#).

EXHIBIT I
ATTACHMENT C – SUBAWARD TERMS AND CONDITIONS FOR CONTRACTED
PARTIES
CITY OF DIAMONDHEAD
ARPA PROJECTS

1. AUTHORITY TO PARTICIPATE IN THIS AGREEMENT

The Contracted Party certifies that (a) it is either a 1) state agency, 2) a validly organized business that is authorized to do business in the state of Mississippi, 3) a nongovernmental organization, or 4) a political subdivision of the state of Mississippi with valid authority to enter into this agreement and; (b) entry into and performance under this agreement is not restricted or prohibited by any loan, security, financing, contractual, or other agreement of any kind; and (c) notwithstanding any other provision of this Agreement to the contrary, that there are no existing legal proceedings, either voluntary or otherwise, which may adversely affect its ability to perform its obligations under this agreement.

2. DEBARMENT AND SUSPENSION

Contractor/Contracted Parties certifies to the best of its knowledge and belief, that it:

A. is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transaction by any federal department or agency or any political subdivision or agency of the State of Mississippi;

B. has not, within a three (3) year period preceding this Agreement, been convicted of or had a civil judgment rendered against it 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 contract under a public transaction;

C. has not, within a three (3) year period preceding this Agreement, been convicted of or had a civil judgment rendered against it for a 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;

D. is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of these offenses enumerated in Article 2.B. and Article 2.C., above; and,

E. has not, within a three (3) year period preceding this Agreement, had one or more public transactions (federal, state, or local) terminated for cause or default.

This agreement is subject to 31 C.F.R. Part 19.

3. INDEMNIFICATION

To the extent allowed by state law, Contracted Party agrees to indemnify and save, release

or related in any way to this Project is commenced before the end of the ten (10) year period, therecords shall be retained for one (1) year after all issues arising out of the action are finally resolved or until the end of the ten (10) year period, whichever is later.

Contracted Party is not required to retain the above-mentioned records for the ten (10) year period prescribed in this Section and the “Right to Audit” provision only if all of the following conditions are satisfied:

A. Contracted Party has provided all of the documents described above and in the “Right to Audit” provision to MDEQ prior to the expiration of the ten (10) year retention period and a certification stating the same is simultaneously provided in writing to MDEQ;

B. No audit, litigation or other action arising out of or related in any way to this Project is commenced before Contracted Party provides the records and corresponding certification to MDEQ, in which case, Contracted Party shall retain the records until all issues arising out of the action are finally resolved; and

C. Contracted Party provides MDEQ a minimum of thirty (30) days written notice before providing the above-mentioned records and corresponding certification.

6. RECORD RETENTION AND RIGHT TO AUDIT

The Contracted Party shall maintain and retain books, documents, papers, financial records and other records, including electronic records, as may be prescribed by the MDEQ or by applicable federal and state laws, rules, and regulations. Contracted Party shall retain these records for a period of ten (10) years after final payment. These records shall be made available during the term of the Agreement and the subsequent ten (10) year period for examination, transcription, and audit by MDEQ, the Mississippi State Auditor’s Office, its designees, or other authorized bodies, including the Office of Inspector General. If any litigation, claim, investigation, or audit relating to this Agreement or an activity funded under the Agreement is started before the expiration of the ten (10) year period, the records must be retained until all litigation, claims, investigations, or audit findings involving the records have been resolved and final action taken.

7. RIGHT TO INSPECT WORK; SITE ACCESS

MDEQ and their representatives, invitees, and consultants shall have access and the right to conduct announced and unannounced onsite and offsite physical visits to inspect all Work hereunder. Upon request by MDEQ, Contracted Party shall provide MDEQ and its representatives, invitees, and consultants with the opportunity to participate in site inspections, meetings, and/or teleconferences, as appropriate, related to the performance of the Work.

8. CONFLICT OF INTEREST

The Contracted Party covenants that he presently has no interest and shall not acquire any interest direct or indirect in the Project that is the subject to this Agreement or any parcels therein, where applicable, or any other interest which would conflict in any manner or degree with the performance of his services hereunder. The Contracted Party further covenants that, in the performance of this agreement, no person having any such interest shall be employed.

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 – Amendment

CITY OF DIAMONDHEAD
WORK ASSIGNMENT
NO _____

ENGINEER’S PROJECT NUMBER: - 17-057 Montjoy Creek Trail Project

This Work Assignment is executed in accordance with the Master Services Agreement entered into by the City of Diamondhead Mississippi and Chiniche Engineering & Surveying on the 29th day of October 2021.

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

- 1. Amendment for Basic Services for additional surveying, permitting coordination and design for trail way location adjustments.

WORK ASSIGNMENT TERM [No new Work Assignments shall be executed after October 28, 2021.

This WORK ASSIGNMENT shall be effective upon the latest date of execution hereof and continue until insert Work Assignment Termination date here, 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

{{{Attach at the end of “Exhibit C” the progress schedule, including a not to exceed date}}}

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 \$27,500 (Total of all Charges) without the prior written consent of both parties. 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	Principal Engineer	162.00
Christina Shurley	Senior Professional Engineer	145.00
Alex Bertagnolli	Senior Cad	90.00

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 of Diamondhead

Authorized Signature

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

Printed Name: _____

Signature: _____

ATTEST: _____

EXHIBIT "D" FEES 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 of Diamondhead
Attn: Finance Department
5000 Diamondhead Circle
Diamondhead, MS 39525

Date _____

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

PROFESSIONAL SERVICES IN ACCORDANCE WITH MASTER SERVICES AGREEMENT

Engineer's Project No _____ Mississippi

City Work Assignment No. _____

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)

Engineer's Project No

Hancock 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}

{Print or Type}

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: _____
Authorized Officer or Agent

Date

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 E-Verify operated by the U. S. Citizenship and Immigration Services of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration.

MASTER SERVICE AGREEMENT RATES

Classification

Labor Hourly Rate

Principal Engineer.....	\$162.00
Senior Professional Engineer (held P.E. License minimum 10 years.....)	\$145.00
Senior Professional Engineer (held P.E. License minimum 5 years).....	\$125.00
Professional Engineer (licensed P.E.).....	\$105.00
Senior Project Manager (minimum 15 Year Experience	\$115.00
Project Engineer.....	\$95.00
Professional Land Surveyor.....	\$98.00
Survey Crew Chief.....	\$68.00
Instrument Person	\$41.00
Senior CAD Technician (minimum 15 Years Experience).....	\$90.00
Senior CAD Technician (minimum 15 Years Experience).....	\$80.00
CAD Technician	\$70.00
Clerical	\$50.00
Senior Administration (minimum 15 Years Experience).....	\$80.00
Resident Project Representative	\$75.00
Engineering/Specification Technician	\$65.00
Student Intern/Co-op.....	\$40.00
Scientist	\$85.00
Biologist	\$115.00
1 man GPS Survey Crew	\$150.00
2 man GPS Survey Crew	\$175.00
Drone (minimum charge, up to half day).....	\$350.00
Drone (more than half day to all day	\$475.00

2024-026

Agenda Item #2023-_____

City of Diamondhead, MS
Request for Council Action

TO: Members of Council
FROM: Mayor Depreo

Ordinance Resolution Agreement Info Only Work Session Other

AGENDA LOCATION: Consent Agenda Regular Agenda

AGENDA DATE REQUESTED

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Motion for discussion and/or action to discuss methods to increase residents' engagement and methods to improve getting information out to residents.

REQUIRED SIGNATURES

REQUESTED BY:
City Manager:
City Attorney:

COUNCIL ACTION: Approved Denied Tabled/Deferred Info Only Completed:



5000 Diamondhead Circle · Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: City Council and City Manager

FROM: J. Pat Rich, Development Coordinator

A handwritten signature in blue ink that reads "J. Pat Rich".

DATE: January 30, 2024

SUBJECT: Word and Robin Johnston Rear Yard Setback Variance

Mr. and Mrs. Johnston requested a variance to the 20' rear yard setback of 10' to construct a screened pool enclosure.

- The depth of this lot narrows from 129.6' to 115.6'.
- All other setbacks, including the pool, are met.
- Since the pool enclosure is attached to the home, the setback is 20'.
- The pool enclosure will not block the view of the course by any neighboring residents.
- A similar variance was granted on the same street.

The Planning & Zoning Commission voted 6-0 to recommend to allow the variance.



Commissioner Bennett
Commissioner Brewer
Commissioner Debrow
Commissioner Flowers
Commissioner Harwood
Commissioner Layel
Commissioner Nicaud

AGENDA

PLANNING AND ZONING COMMISSION

Tuesday, January 23, 2024

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Statement of Purpose

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

2. Approval of December 12, 2023 minutes.

New Business

*Passed
6-0*

3. Word and Robin Johnston have filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a pool screen enclosure within 10' of the rear property line. The property address is 7515 Turnberry Drive. The tax parcel number is 067N-1-35-002.000. The property is in a R-1 zoning district. The rear yard setback is 20'. The variance requested for the pool enclosure is 10'. The Case File Number is 202300543.
4. Susan Joyce has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 5' of the rear property line. The property address is 684 Apona Street. The tax parcel number is 131A-0-04-067.000. The property is in a R-2 zoning district. The rear yard setback is 10'. The variance requested for the accessory structure is 5'. The Case File Number is 202300565.
5. Susan Muth has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a carport within 7' of the side yard property line. The property address is 10779 Lilinoe Way. The tax parcel number is 067G-1-25-285.000. The property is in a MH zoning district. The side yard setback is 10'. The variance requested for the carport is 3'. The Case File Number is 202300586.

Unfinished Business

6. Presentation on Zoning Code Re-write by Bob Barber with Orion Planning.
7. Tree Ordinance Re-write introduction.

Open Public Comments to Non-Agenda Items



5000 Diamondhead Circle · Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: January 22, 2024

NATURE OF REQUEST: Word and Robin Johnston have filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a pool screen enclosure within 10' of the rear property line.

The property address is 7515 Turnberry Drive. The tax parcel number is 067N-1-35-002.000. The property is in the R-1 zoning district. The rear yard setback is 20'. The variance requested for the pool enclosure is 10'. The Case File Number is 202300543.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: January 23, 2023

RECOMMENDATION TO PLANNING COMMISSION: To **approve** the variance as petitioned.

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

- A. That special conditions and circumstances *do* 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. *Lot depth narrows from 129.6' to 115.6' which does not allow the screened pool enclosure to meet the 20' setback.*
- 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. *There are many other screened pool enclosures in R-1 as well as on the golf course. A similar variance was approved at 7433 Turnberry Drive in January of 2022.*
- C. That special conditions and circumstances, if any, *do not* result from the actions of the applicant. *The plans for the 4,500 SF home were adapted to fit on the lot. This is the only variance requested. The applicant was not aware the screened pool enclosure would require a 20' setback.*
- 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 *does* observe the spirit of the Ordinance and *will not* change the character of the district (area).
- G. The Variance *will* 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.



5000 Diamondhead Circle ·
Diamondhead, MS 39525-3260
Phone: 228.222.4626 Fax: 228-222-4390
www.diamondhead.ms.gov

TO: Word and Robin Johnston and adjacent property owners

FROM: J. Pat Rich, Development Coordinator *J. Pat Rich*

DATE: December 29, 2023

SUBJECT: Variance request before the Planning & Zoning Commission

Word and Robin Johnston have filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a pool screen enclosure within 10' of the rear property line.

The property address is 7515 Turnberry Drive. The tax parcel number is 067N-1-35-002.000. The property is in a R-1 zoning district. The rear yard setback is 20'. The variance requested for the pool enclosure is 10'. The Case File Number is 202300543.

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 period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, January 23, 2024, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

If you have any questions or comments or would like to review the application, you may contact J. Pat Rich, Development Coordinator, at 228-242-1613.

**NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS**

Word and Robin Johnston have filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a pool screen enclosure within 10' of the rear property line.

The property address is 7515 Turnberry Drive. The tax parcel number is 067N-1-35-002.000. The property is in a R-1 zoning district. The rear yard setback is 20'. The variance requested for the pool enclosure is 10'. The Case File Number is 202300543.

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 period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, January 23, 2024, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

If you have any questions or comments or would like to review the application, you may contact J. Pat Rich, Development Coordinator, at 228-242-1613.



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

APPLICATION FOR VARIANCE REQUEST

Case Number: 202300543

Date 11/13/23

Applicant: WORD and Robin Johnston

Applicant's Address: 7515 Turnberry N

Applicant's Email Address: wordjohnston@gmail.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) _____
601-517-0728

Property Owner: WORD and Robin Johnston

Owner's Mailing Address: PO Box 1107 Mt Olive MS 39119

Owner's Email Address wordjohnston@gmail.com

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) _____
601-517-0728

Tax Roll Parcel Number: 067N-1-35-002000

Physical Street Address: _____

Legal Description of Property: _____

Zoning District: _____

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

ADD A SCREEN ENCLOSURE AND 1 SECTION IS WITHIN 10' OF PROPERTY LINE. HEIGHT OF STRUCTURE IS SAME HEIGHT AS GUTTER @ 12'2" THERE IS APPROX 68' FROM GOLF CART PATH AND I BELIEVE THIS WAS DISCUSSED WITH BOB JONES BEFORE HE RETIRED. THANKYOU. JEFF JASSBY

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Variance 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 Variance 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 back to the Planning Commission for review.

The Public Hearing will be held on January 23, 2024 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.


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 ()

REQUIRED ITEM A

Property Owner _____

Street Address _____
Statement Describing Variance Request

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: _____

2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLIANT 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: _____

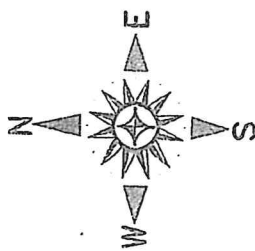
4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?

Response: _____

LEGAL DESCRIPTION:

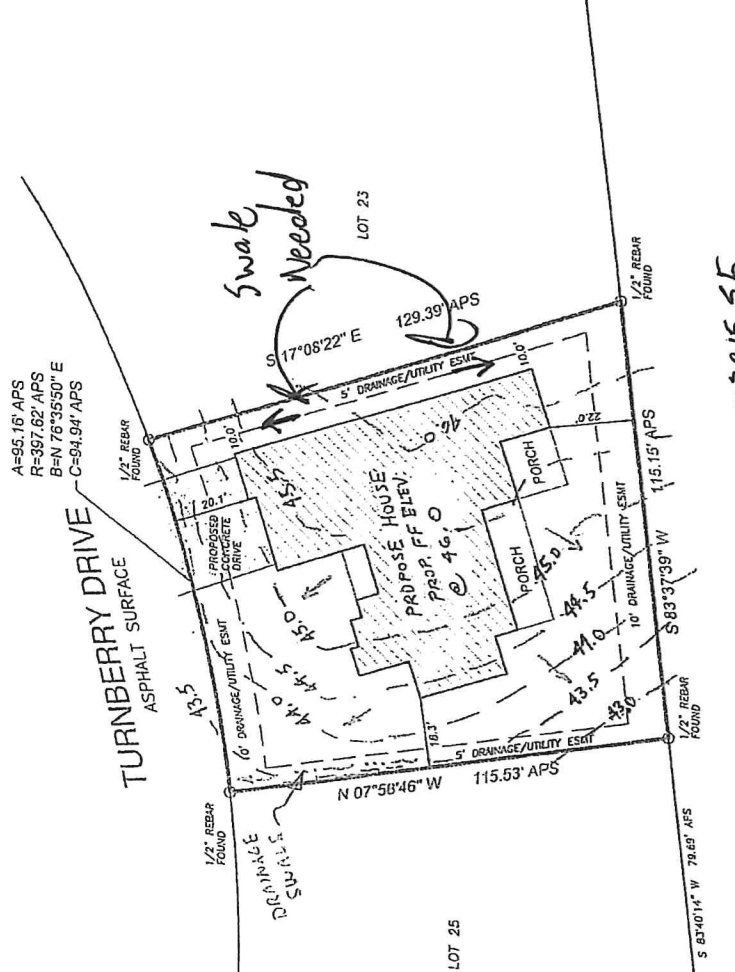
A survey of Lot 24, Glen Eagle at Diamondhead Subdivision, Phase 1, City of Diamondhead, Hancock County, Mississippi.

PLOT PLAN AND DRAINAGE PLAN



LEGEND:

- ☉ CENTERLINE
- IRON ROD FOUND
- IRON ROD SET
- ⊙ IRON PIPE FOUND
- ⊞ FENCE CORNER POST
- ⊘ POWER POLE
- APS AS PER SURVEY
- APR AS PER RECORD



12,229.15 SF

REFERENCES:

- 1) DEED BOOK 2005 PAGE 2777
- 2) PLAT OF GLEN EAGLE S/D

BEARINGS REFERENCED TO GEODETIC BY GPS OBSERVATIONS

NOTES:
 Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. This survey meets Mississippi minimum requirements for a class "B" survey. Survey is valid only if print has original seal and signature of surveyor. No flood zone determination was performed as a part of this survey. An accurate determination can be made by ordering a FEMA Elevation Certificate.

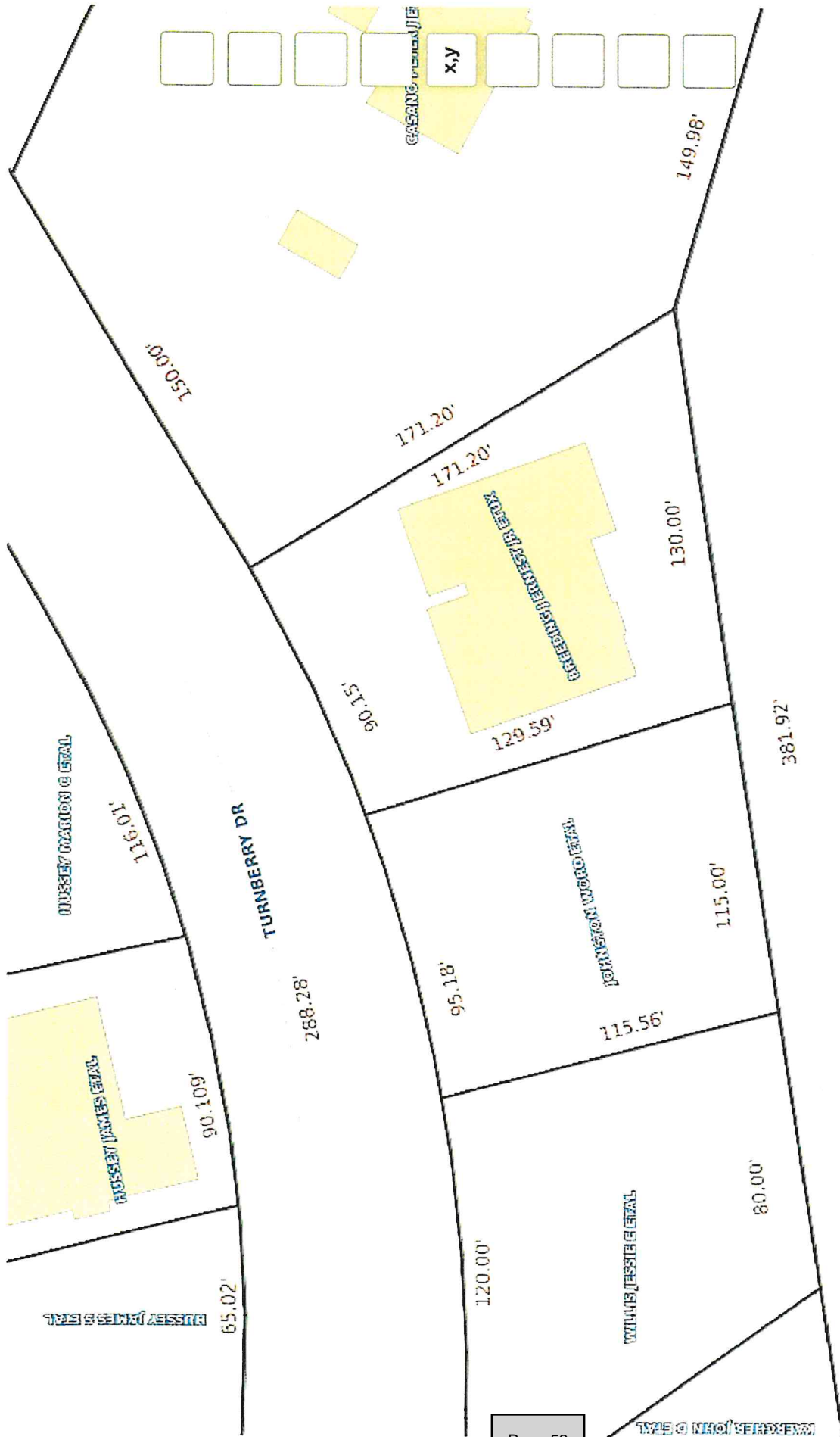


In consideration of the fee paid, I declare that this survey made by me or under my immediate supervision is true and correct to the best of my professional knowledge, information, and belief.

Duke Levy
 Duke Levy, RLS #1722

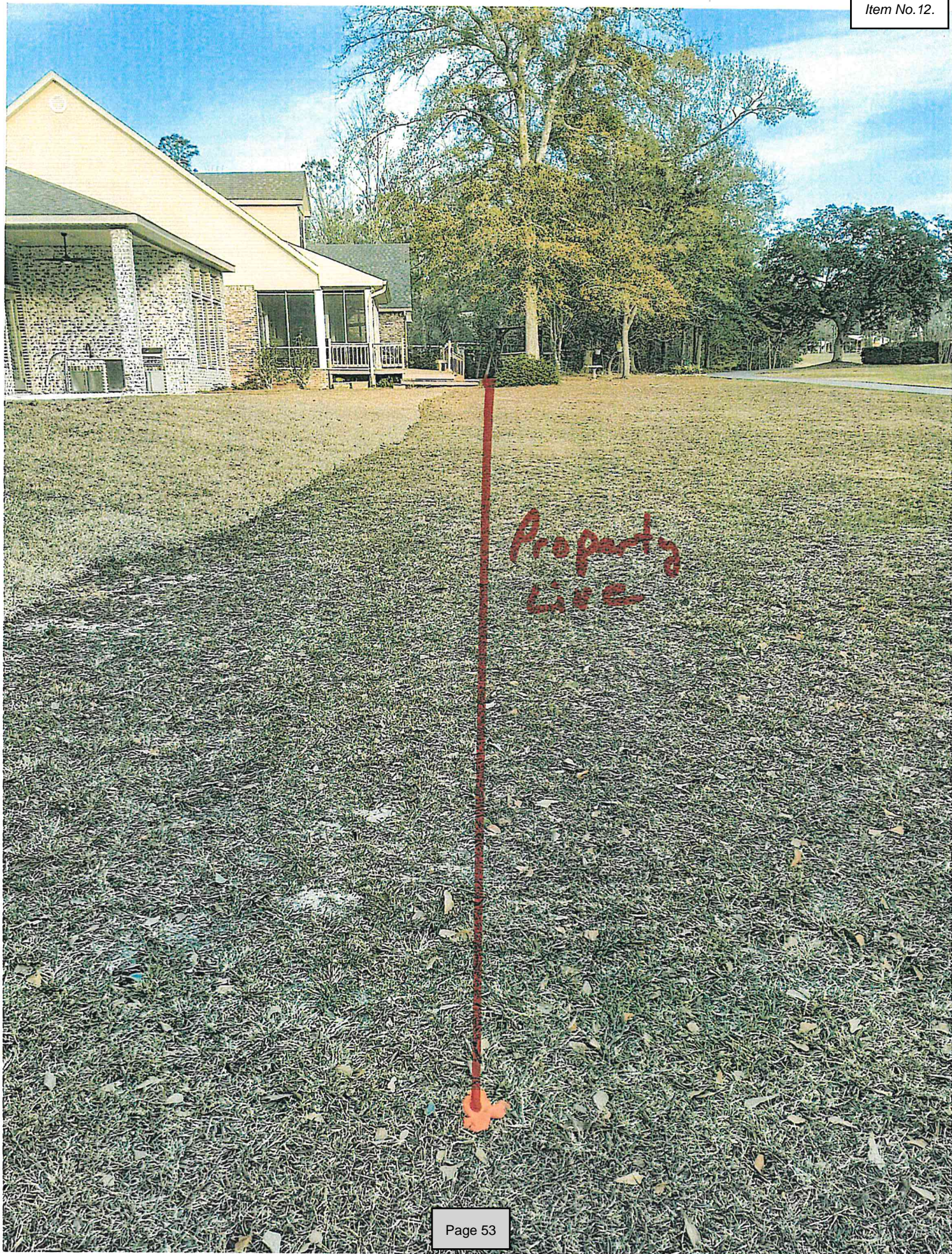
DUKE LEVY & ASSOCIATES, P.A.
 4412 LEISURE TIME DRIVE
 DIAMONDHEAD, MS 39625
 (228) 343-9891 PHONE

SCALE: 1" = 30'	DATE: 10-06-2022
DRAWING: WO# 2022-256	REVISED: 12-30-2022
CLIENT: Jeff Jassby	



PREPARED BY: TURNBERRY COUNTRY CLUB & POA INC









5000 Diamondhead Circle · Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: City Council and City Manager

FROM: J. Pat Rich, Development Coordinator *J. Pat Rich*

DATE: January 30, 2024

SUBJECT: Susan Joyce Rear Yard Setback Variance

Ms. Joyce requested a variance to the 10' rear yard setback of 5' to construct an accessory structure, shed.

- Work was started on this project without a permit. The contractor was to pull the permit.
- When Ms. Joyce applied for the permit, she was advised to stop work until she received a variance. She complied.
- There are no special conditions and circumstances. There is room in the backyard for the shed to meet all setbacks.
- Staff recommendation was to deny the variance based on the literal interpretation of the reasons for granting a variance.

The Planning & Zoning Commission voted 3-3 which resulted in no recommendation to the Council.



Commissioner Bennett
Commissioner Brewer
Commissioner Debrow
Commissioner Flowers
Commissioner Harwood
Commissioner Layel
Commissioner Nicaud

AGENDA PLANNING AND ZONING COMMISSION

Tuesday, January 23, 2024

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Statement of Purpose

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

2. Approval of December 12, 2023 minutes.

New Business

3. Word and Robin Johnston have filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a pool screen enclosure within 10' of the rear property line. The property address is 7515 Turnberry Drive. The tax parcel number is 067N-1-35-002.000. The property is in a R-1 zoning district. The rear yard setback is 20'. The variance requested for the pool enclosure is 10'. The Case File Number is 202300543.
4. Susan Joyce has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 5' of the rear property line. The property address is 684 Apona Street. The tax parcel number is 131A-0-04-067.000. The property is in a R-2 zoning district. The rear yard setback is 10'. The variance requested for the accessory structure is 5'. The Case File Number is 202300565.
5. Susan Muth has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a carport within 7' of the side yard property line. The property address is 10779 Lilinoe Way. The tax parcel number is 067G-1-25-285.000. The property is in a MH zoning district. The side yard setback is 10'. The variance requested for the carport is 3'. The Case File Number is 202300586.

*No Recommendation
3-3
Vote*

Unfinished Business

6. Presentation on Zoning Code Re-write by Bob Barber with Orion Planning.
7. Tree Ordinance Re-write introduction.

Open Public Comments to Non-Agenda Items



5000 Diamondhead Circle · Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: January 22, 2024

NATURE OF REQUEST: Susan Joyce has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 5' of the rear property line.

The property address is 684 Apona Street. The tax parcel number is 131A-0-04-067.000. The property is in the R-2 zoning district. The rear yard setback is 10'. The variance requested for the accessory structure is 5'. The Case File Number is 202300565.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: January 23, 2023

RECOMMENDATION TO PLANNING COMMISSION: To **deny** the variance as petitioned.

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

- A. That special conditions and circumstances *do not* 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. *Lot depth is sufficient to meet both the rear yard setback and residence setback requirements.*
- B. That literal interpretation of the provisions of this title *would not* 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, if any, *do* result from the actions of the applicant. *No request for a permit was submitted.*
- D. That granting the variance requested *will* 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 not* represent the minimum variance that will afford relief and *will not* represent the least modification possible of the regulation in issue.
- F. The Variance *does not* observe the spirit of the Ordinance and *will* change the character of the district (area).
- G. The Variance *will not* observe the spirit of the Comprehensive Plan.
- H. That the Variance requested *will* result in any change in use or density of the subject property.



5000 Diamondhead Circle ·
Diamondhead, MS 39525-3260
Phone: 228.222.4626 Fax: 228-222-4390
www.diamondhead.ms.gov

TO: Susan Joyce and adjacent property owners

FROM: J. Pat Rich, Development Coordinator *J. Pat Rich*

DATE: December 29, 2023

SUBJECT: Variance request before the Planning & Zoning Commission

Susan Joyce has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 5' of the rear property line.

The property address is 684 Apona Street. The tax parcel number is 131A-0-04-067.000. The property is in a R-2 zoning district. The rear yard setback is 10'. The variance requested for the accessory structure is 5'. The Case File Number is 202300565.

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 period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, January 23, 2024, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

If you have any questions or comments or would like to review the application, you may contact J. Pat Rich, Development Coordinator, at 228-242-1613.

**NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS**

Susan Joyce has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 5' of the rear property line.

The property address is 684 Apona Street. The tax parcel number is 131A-0-04-067.000. The property is in a R-2 zoning district. The rear yard setback is 10'. The variance requested for the accessory structure is 5'. The Case File Number is 202300565.

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 period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, January 23, 2024, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

If you have any questions or comments or would like to review the application, you may contact J. Pat Rich, Development Coordinator, at 228-242-1613.



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

APPLICATION FOR VARIANCE REQUEST

Case Number: 202300565

Date 12/1/23

✓ Applicant: Susan Joyce

Applicant's Address: 684 Apona St. Diamondhead, MS 39525

Applicant's Email Address: cottondog@gmail.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) 404-643-3221

Property Owner: Susan Leuter Joyce

Owner's Mailing Address: 684 Apona St. Diamondhead, MS 39525

Owner's Email Address cottondog@gmail.com

Owner's Contact Number: (Home) n/a (Work) n/a (Cell) 404-643-3221

Tax Roll Parcel Number: 131A-0-01-007.000

Physical Street Address: 684 Apona St. Diamondhead, MS

Legal Description of Property: _____

Zoning District: R-2

✓ State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) Variance of 5' to RYSB for Accessory Structure

REQUIRED ITEMS:

- A. A statement describing the variance request and all the reasons why it complies with the criteria for variances provided in Section 2.6.5, specifically.
THE CONDITIONS FOR GRANTING A VARIANCE: (SEE ATTACHED SHEET #4)
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?
 2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
 3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?
 4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?
- B. The property address and the name and mailing address of the owner of each lot within 300 feet of the subject property and a map with parcels keyed to the ownership and address data.
- C. Site plans, preliminary building elevation, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to their variance application:
- i. Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
 - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
 - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
 - iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvement related to or necessitated by the proposed use.
 - v. The Zoning Administrator may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
 - vi. A fee established by the City Council shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.
- D. Payment of fee for Variance request: \$100.00 as per Ordinance 2012-020

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Variance 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 Variance 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 back to the Planning Commission for review.

The Public Hearing will be held on Jan 23, 2024 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.

+ Susan Gage
Signature of Applicant

Susan Gage
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 ()

REQUIRED ITEM A

Property Owner Susan Joyce

Street Address 484 Apena St Diamondhead

Statement Describing Variance Request

The rear wall of my shed is only 5ft. from neighbors fence. I will provide proper drainage for the shed.

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: Yes. Just my storage/art shed.

- 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: No. others will not be effected by the storage/art shed.

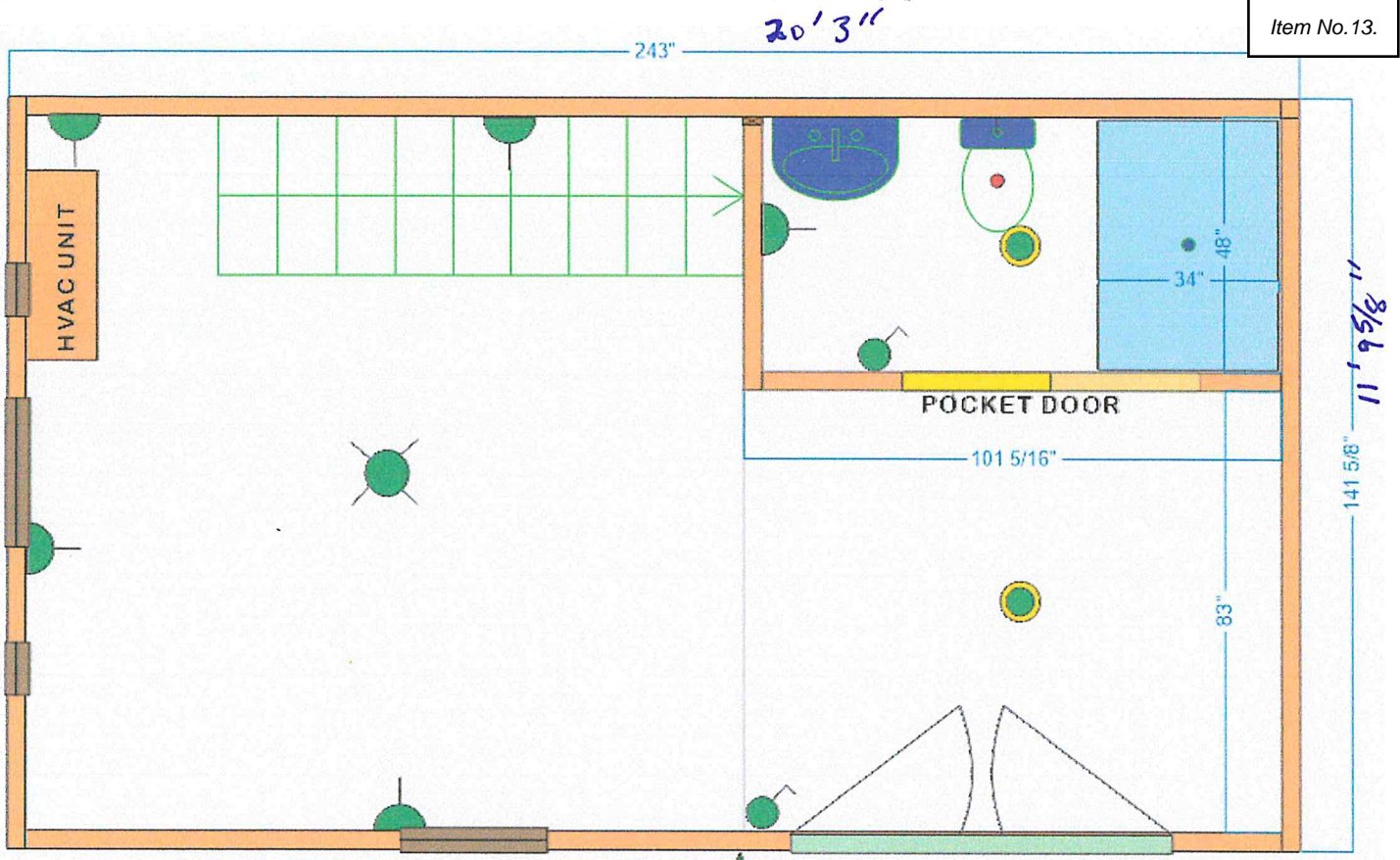
- 3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?

Response: Yes. It was caused by the previous contractor who assumed that the universal space of 5ft. applied to Diamondhead.

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

Response: All neighbors and owners of similar properties are accepting of the storage/art shed and are prepared to join me on 1/23/24

Item No. 13.



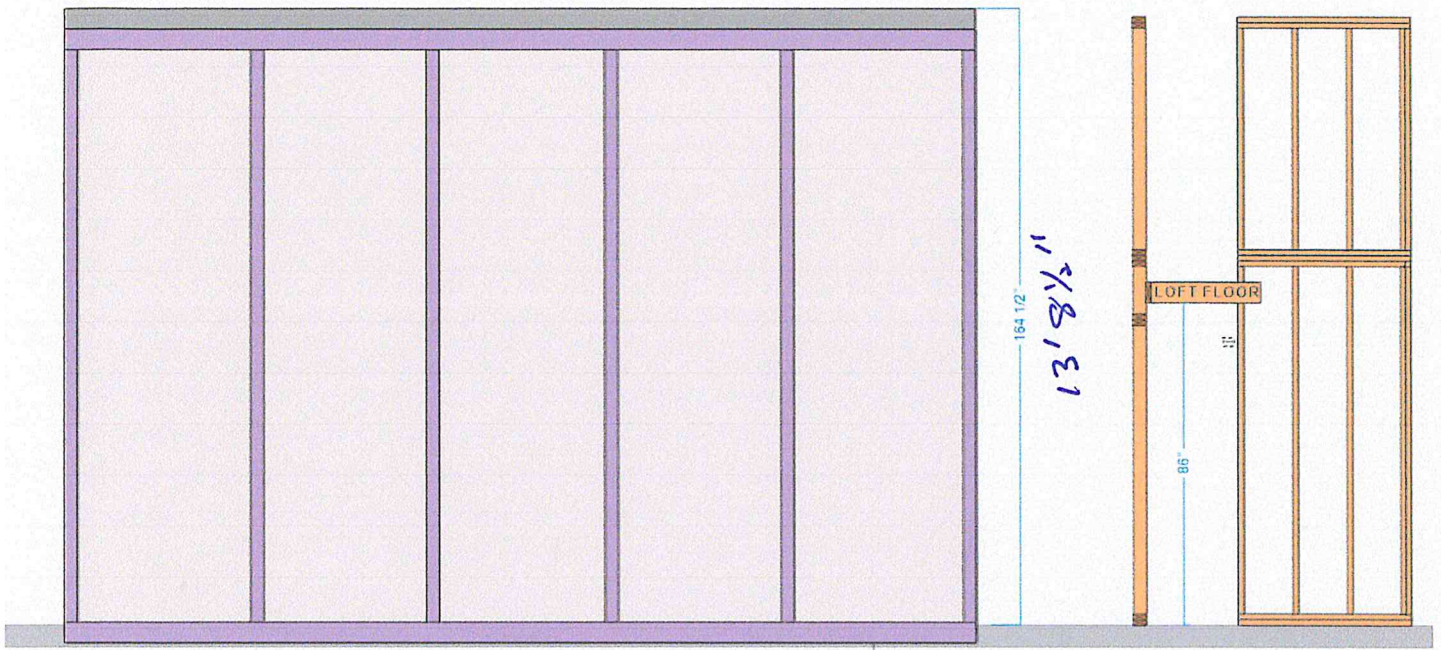
FIRST FLOOR

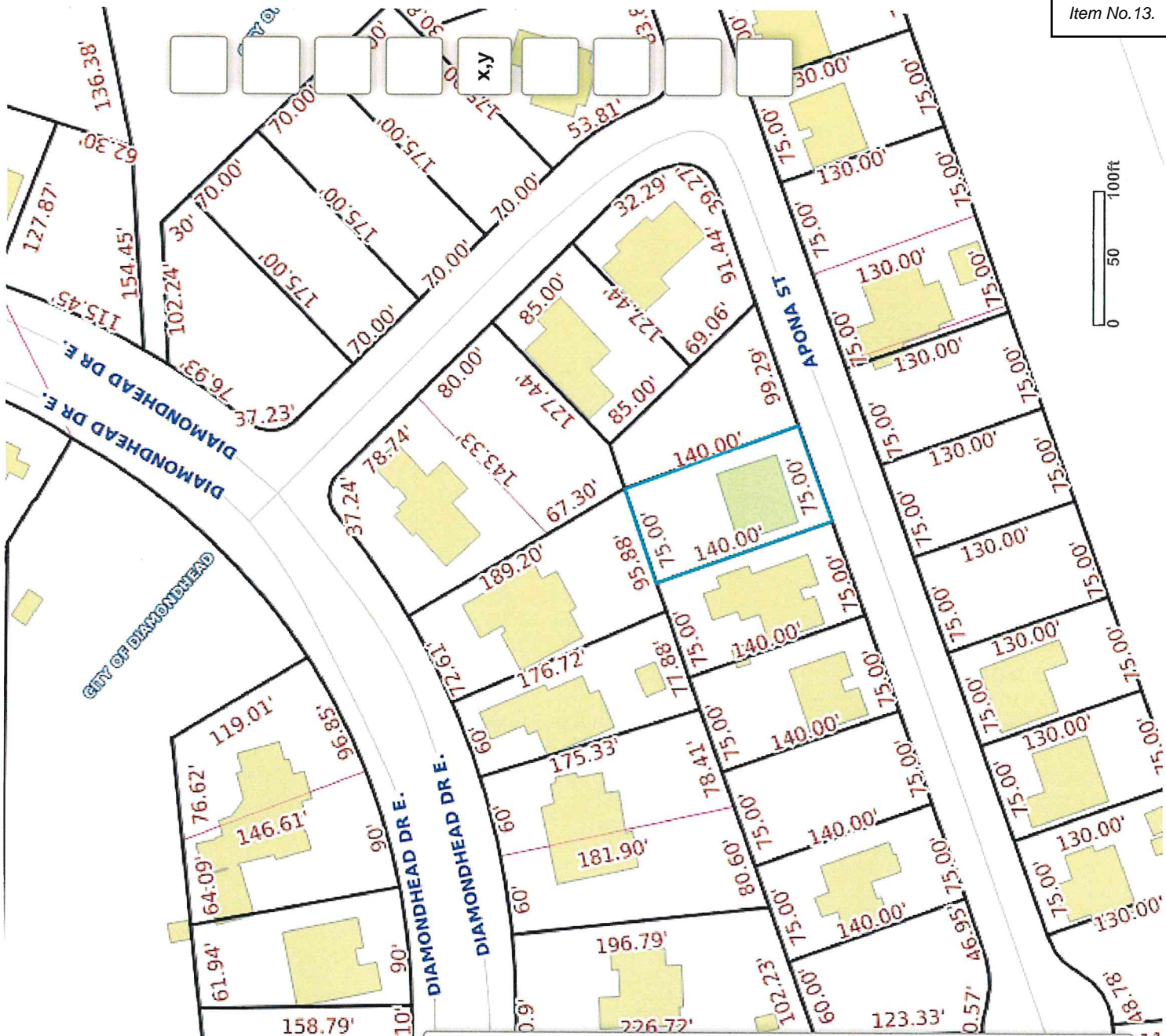
SYMBOL KEY

	LIGHT		SWITCH
	CEILING FAN		OUTLET
			CAN LIGHT

240 sq ft.

Item No. 13.





131A-0-01-067.000

Parcel Number: 131A-0-01-067.000
 Owner Name: JOYCE SUSAN C (TRUSTEE)
 Owner Address: 684 APONA ST
 Owner City, State ZIP: DIAMONDHEAD, MS 39525
 Physical Address: 684 APONA ST
 Improvement Type: RES
 Year Built: 1978
 Base Area: 1697
 Adjusted Area: 2117
 Actual Total Value: 113735
 Taxable Total Value: 0
 Estimated Tax: 483.04
 Homestead Exemption: Yes
 Deed Book: 2021
 Deed Page: 12961
 Legal Description 1: 87 BLK 9 UN 5 PH
 2 DIAMONDHEAD
 Legal Description 2:
 Legal Description 3:

Close Export

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Agenda Item #2022-_____

City of Diamondhead, MS
Request for Council Action

TO: City Council

FROM: Anna Liese

DATE: 1/31/24

Ordinance Resolution Agreement Info Only Work Session Other

AGENDA LOCATION: Consent Agenda Regular Agenda

AGENDA DATE REQUESTED

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Motion to direct the city manager to provide a presentation regarding new projects prior to their commencement at the city council meeting immediately following the official notification of affected residents, at which time, meeting rules are to be suspended to allow for a question and answer session with meeting attendees, the parameters of which are to be set forth by the council prior to the first presentation of this kind.

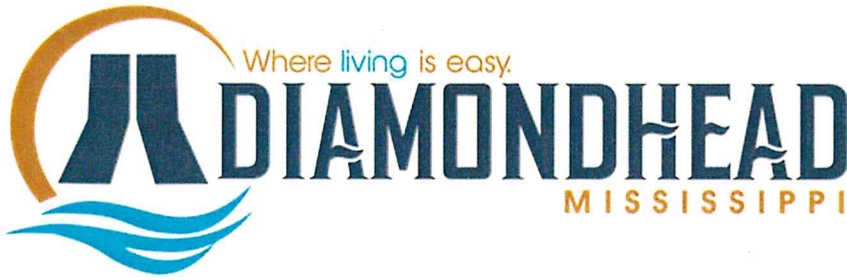
REQUIRED SIGNATURE

REQUESTED BY:

Anna Liese

COUNCIL ACTION:

Approved Denied Tabled/Deferred Info Only Completed:



5000 Diamondhead Circle · Diamondhead, MS 39525
Phone: 228.222.4626 Fax: 228-222-4390
www.diamondhead.ms.gov

TO: City Council and City Manager

FROM: J. Pat Rich, Development Coordinator 

DATE: January 30, 2024

SUBJECT: Susan Muth Side Yard Setback Variance

Ms. Muth requested a variance to the 10' side yard setback of 3' to construct a carport within 7' of the side yard property line. This is a manufactured home in the MH district.

- The dealer did not install the home according to the site plan.
- Inspections were requested after all plumbing, electrical and mechanical completed.
- Carport was under construction during inspection. Work halted until variance approval.
- Carports are required in MH district.
- Had the installers followed the site plan, a variance would not have been required.

The Planning & Zoning Commission voted 3-3 and therefore no recommendation is made to the Council. The staff recommendation was to approve the variance.



Commissioner Bennett
Commissioner Brewer
Commissioner Debrow
Commissioner Flowers
Commissioner Harwood
Commissioner Layel
Commissioner Nicaud

AGENDA PLANNING AND ZONING COMMISSION

Tuesday, January 23, 2024
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order

Statement of Purpose

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

2. Approval of December 12, 2023 minutes.

New Business

3. Word and Robin Johnston have filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a pool screen enclosure within 10' of the rear property line. The property address is 7515 Turnberry Drive. The tax parcel number is 067N-1-35-002.000. The property is in a R-1 zoning district. The rear yard setback is 20'. The variance requested for the pool enclosure is 10'. The Case File Number is 202300543.
4. Susan Joyce has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 5' of the rear property line. The property address is 684 Apona Street. The tax parcel number is 131A-0-04-067.000. The property is in a R-2 zoning district. The rear yard setback is 10'. The variance requested for the accessory structure is 5'. The Case File Number is 202300565.
5. Susan Muth has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a carport within 7' of the side yard property line. The property address is 10779 Lilinoe Way. The tax parcel number is 067G-1-25-285.000. The property is in a MH zoning district. The side yard setback is 10'. The variance requested for the carport is 3'. The Case File Number is 202300586.

Denied
6-0

Unfinished Business

6. Presentation on Zoning Code Re-write by Bob Barber with Orion Planning.
7. Tree Ordinance Re-write introduction.

Open Public Comments to Non-Agenda Items



5000 Diamondhead Circle · Diamondhead, MS 39525

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: January 22, 2024

NATURE OF REQUEST: Susan Muth has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a carport within 7' of the side yard property line.

The property address is 10779 Lilinoe Way. The tax parcel number is 067G-1-25-285.000. The property is in a MH zoning district. The side yard setback is 10'. The variance requested for the carport is 3'. The Case File Number is 202300586.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: January 23, 2023

RECOMMENDATION TO PLANNING COMMISSION: To **approve** the variance as petitioned.

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

- A. That special conditions and circumstances *do* 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. *Installation of manufactured home did not follow the site plan and created the variance request.*
- 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. *Carports are required by the zoning ordinance.*
- C. That special conditions and circumstances, if any, *do not* result from the actions of the applicant. *The applicant was unable to be on-site at the installation of the manufactured home.*
- 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. *Carports are required by the zoning ordinance.*
- 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 *does* observe the spirit of the Ordinance and *will not* change the character of the district (area).
- G. The Variance *will* 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.

**NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS**

Susan Muth has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a carport within 7' of the side yard property line.

The property address is 10779 Lilinoe Way. The tax parcel number is 067G-1-25-285.000. The property is in a MH zoning district. The side yard setback is 10'. The variance requested for the carport is 3'. The Case File Number is 202300586.

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 period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, January 23, 2024, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

If you have any questions or comments or would like to review the application, you may contact J. Pat Rich, Development Coordinator, at 228-242-1613.



5000 Diamondhead Circle ·
Diamondhead, MS 39525-3260
Phone: 228.222.4626 Fax: 228-222-4390
www.diamondhead.ms.gov

TO: Susan Muth and adjacent property owners

FROM: J. Pat Rich, Development Coordinator *J. Pat Rich*

DATE: December 29, 2023

SUBJECT: Variance request before the Planning & Zoning Commission

Susan Muth has filed an application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a carport within 7' of the side yard property line.

The property address is 10779 Lilinoe Way. The tax parcel number is 067G-1-25-285.000. The property is in a MH zoning district. The side yard setback is 10'. The variance requested for the carport is 3'. The Case File Number is 202300586.

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 period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, January 23, 2024, at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

If you have any questions or comments or would like to review the application, you may contact J. Pat Rich, Development Coordinator, at 228-242-1613.



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

APPLICATION FOR VARIANCE REQUEST

Case Number: 202300586

Date 12/15/23

Applicant: SUSAN Muth

Applicant's Address: 10779 Lilinoe Way

Applicant's Email Address: sgmuth2@gmail.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) 504-458-2165

Property Owner: Same

Owner's Mailing Address: _____

Owner's Email Address _____

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

Tax Roll Parcel Number: 0676-1-25-285.000

Physical Street Address: _____

Legal Description of Property: _____

Zoning District: MH

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) 3' SYSB Variance for Carport.

REQUIRED ITEM A

Property Owner Susan Muth

Street Address 10779 Lilinoe

Statement Describing Variance Request
3' SYSB Variance for Carport

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: Location of Manufactured ^{Home} did not follow Site plan

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

Response: Carport is Required in MH District

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

Response: Caused by Manufactured Home installation Crew not following site plan

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

Response: Carports are required in MH District.

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Variance 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 Variance 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 back to the Planning Commission for review.

The Public Hearing will be held on 1/23/24 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.

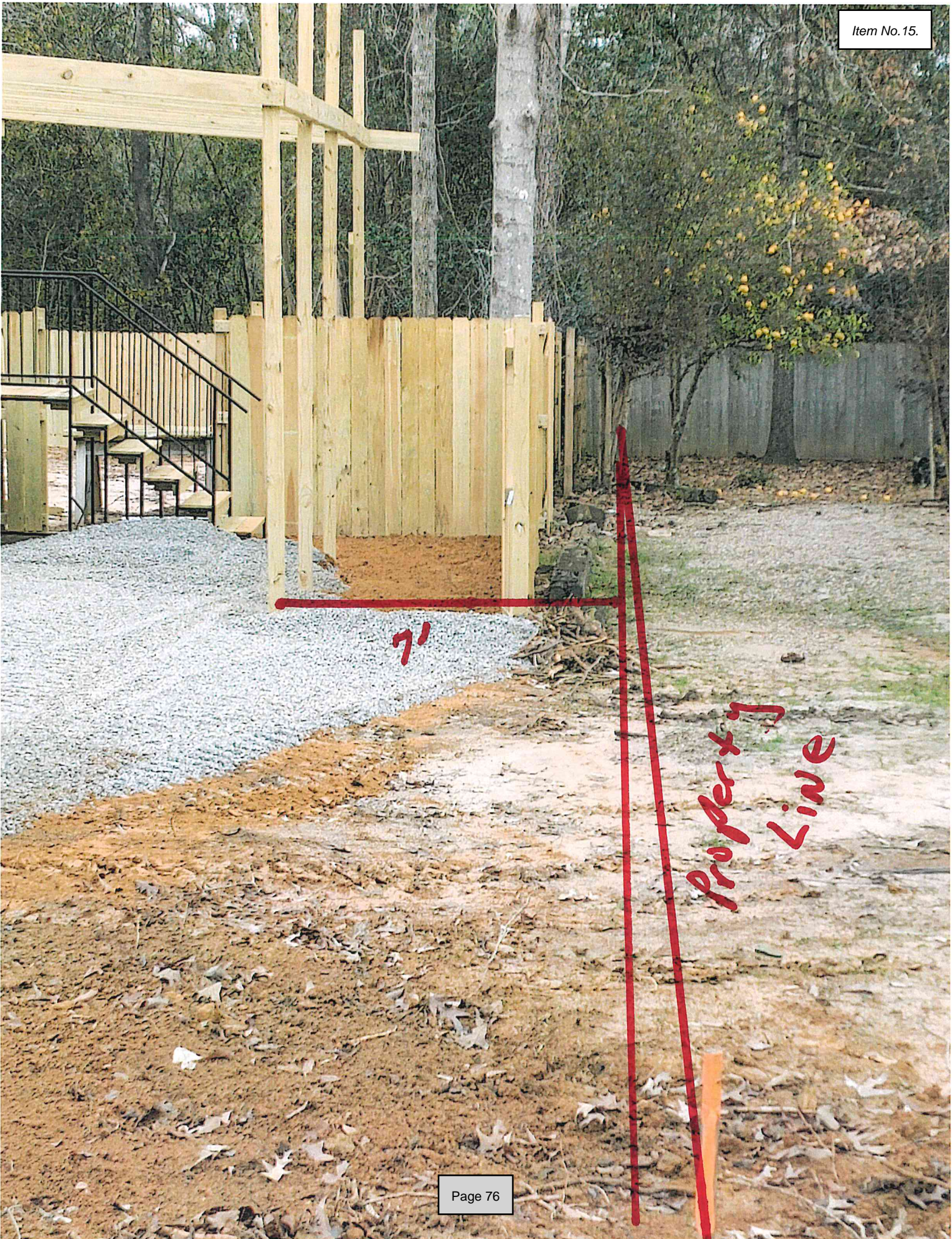
[Signature]
Signature of Applicant

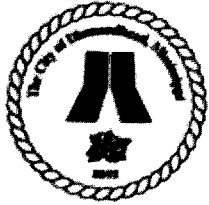
Signature of Property Owner

_____ 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





City of Diamondhead, MS

Docket of Claims Register Council

Item No. 16.

APPKT02122 - 2.6.24 DOCKET

By Docket/Claim Number

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line	Payment Amount
DKT231422	AGJ	02/06/2024	111447 MSP-111195	HOSTED EXCHANGE BACKUP	001-140-605.00 001-140-605.00 001-140-605.00 001-140-605.00 001-140-605.00	Professional Fees - IT Professional Fees - IT Professional Fees - IT Professional Fees - IT Professional Fees - IT		2,404.28
								31.50
								40.00
								250.00
								2,019.78
								63.00
DKT231423	Amazon com LLC	02/06/2024	16MP-KPGF-JR96	OFFICE SUPPLIES	001-140-501.00 001-140-501.00 001-140-501.00 001-140-501.00 001-140-501.00	Supplies Supplies Supplies Supplies Supplies		338.55
								43.14
								200.97
								8.80
								2.74
							82.90	
DKT231424	Association of Floodplain Managers of MS	02/06/2024	2024	NATIONAL FLOODPLAIN MANAGERS OF MS	001-280-623.00	Membership Dues/Fees		75.00
								75.00
DKT231425	B&J PITT STOP LLC	02/06/2024	11-0197034 11-0197157 11-0197446 11-0197680 11-0197757	OIL CHANGE UNIT 951 OIL CHANGE UNIT 395 OIL CHANGE UNIT 952 OIL CHANGE OIL CHANGE	001-200-635.00 001-200-635.00 001-200-635.00 001-200-635.00 001-280-635.00	Professional Fees - R&M Outside Services Professional Fees - R&M Outside Services Professional Fees - R&M Outside Services Professional Fees - R&M Outside Services Professional Fees - R&M Outside Services		305.00
								65.00
								65.00
								65.00
								65.00
								45.00
DKT231426	Belinda I Taylor	02/06/2024	ELECTION 1/2024	GENERAL ELECTION PAYROLL	001-140-693.00	Elections		225.00
								225.00
DKT231427	CADENCE EQUIPMENT FINANCE	02/06/2024	751845	COPIER LEASE AGREEMENT -- 40 OF 48	001-800-820.07 001-800-830.07	Note Principal Payment - Copier Lease Purch 2021 Note Interest Payment - Copier Lease Purch 2021		475.00
								464.58
								10.42
DKT231428	CHARLES HARRISON	02/06/2024	ELECTION 1/2024	GENERAL ELECTION PAYROLL	001-140-693.00	Elections		200.00
								200.00

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT231429	Coast Electric Power Association	02/06/2024	1/12/24-001	MONTHLY ELECTRIC BILL	001-301-630.00	Utilities - Streetlights & Other	11,244.31	20,943.13
			1/12/24-002		001-140-630.00	Utilities - General	1,623.76	
			1/18/24-026		001-301-630.00	Utilities - Streetlights & Other	59.08	
			1/25/24-021		001-301-630.00	Utilities - Streetlights & Other	49.06	
			1/25/24-022		001-301-630.00	Utilities - Streetlights & Other	141.29	
			1/25/24-023		001-301-630.00	Utilities - Streetlights & Other	55.90	
			1/25/24-024		001-301-630.00	Utilities - Streetlights & Other	55.90	
			1/25/24-025		001-301-630.00	Utilities - Streetlights & Other	49.07	
			1/25/4-027		001-301-630.00	Utilities - Streetlights & Other	55.90	
			1/9/24-003		001-140-630.00	Utilities - General	2,627.93	
					001-301-630.00	Utilities - Streetlights & Other	2,829.37	
			1/9/24-005		001-301-630.00	Utilities - Streetlights & Other	90.00	
			1/9/24-007		001-301-630.00	Utilities - Streetlights & Other	58.33	
			1/9/24-010		001-140-630.00	Utilities - General	81.97	
			1/9/24-012		001-140-630.00	Utilities - General	73.09	
			1/9/24-016		001-301-630.00	Utilities - Streetlights & Other	55.90	
			1/9/24-017		001-301-630.00	Utilities - Streetlights & Other	266.20	
			1/9/24-018		001-301-630.00	Utilities - Streetlights & Other	82.62	
			1/9/24-019		001-301-630.00	Utilities - Streetlights & Other	63.00	
			1/9/24-020		001-301-630.00	Utilities - Streetlights & Other	1,380.45	
DKT231430	Coastal Tire and Auto LLC	02/06/2024	75984	TIRES	001-301-570.00	Repairs & Maintenance - Vehicle	606.00	726.00
			76566	FA 357 ALIGNMENT, BALANCE	001-301-635.00	Professional Fees - R&M Outside Services	120.00	
DKT231431	CSpire Cell Service	02/06/2024	1/18/24	CELLULAR SERVICE FOR DECEMBER	001-140-632.00	Telephone - Cell	44.91	1,002.97
					001-200-612.00	Internet	344.80	
					001-280-632.00	Telephone - Cell	179.64	
					001-301-632.00	Telephone - Cell	433.62	
DKT231432	Cspire Internet Service	02/06/2024	0690858-54	INTERNET & PHONE RENTAL FOR THE MONTH OF JANUARY	001-140-612.00	Internet	208.99	644.33
					001-140-643.00	Rent - Phone System	435.34	
DKT231433	CUSICK & WILLIAMS, PLLC	02/06/2024	1234	GENERAL MATTERS -- JANUARY	001-140-603.00	Professional Fees - Legal	8,187.50	12,250.00
			1235	PLANNING AND ZONING -- JANUARY	001-280-603.00	Professional Fees - Legal	875.00	
			1236	CITY PROSECUTOR -- JANUARY	001-110-603.00	Professional Fees - Legal	3,000.00	
			1237	LANGKOPP VS CODH -- JANUARY	001-280-603.00	Professional Fees - Legal	187.50	

Docket of Claims Register - Council

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount	
	Payable Date	Payable Number				Line	Amount
DKT231434	DEANNA B. HARRISON 02/06/2024	ELECTION 1/2024	GENERAL ELECTION PAYROLL	001-140-693.00	Elections	200.00	200.00
DKT231435	DIAMONDHEAD COUNTRY CLUB & POA 02/06/2024	FEBRUARY 2024	RENTAL OF MAINTENANCE YARD -- FEBRUARY	001-301-640.00	Rentals	1,000.00	1,000.00
DKT231436	Diamondhead True Value 02/06/2024	B7577 B7667 B7789 B8021 B9504 B9638	LED BULB TONGUE & GROOVE PLIER NO TRESPASS SIGN FLEX TAPE, FAUCET COVER ADAPTER, BUSHING, JET NOZZLE MALE ADAPTER, REDU BUSHING, MPT ADAPTER	001-301-501.00 001-301-502.00 001-301-501.00 001-301-501.00 001-301-501.00 001-301-570.00	Supplies Small Hand Tools Supplies Supplies Supplies Repairs & Maintenance - Vehicle	21.99 41.99 3.58 29.94 17.77 9.57	124.84
DKT231437	Diamondhead Water and Sewer District 02/06/2024	2/10/24-020 2/10/24-021 2/10/24-170 2/10/24-2070 2/10/24-2075 2/10/24-2080 2/10/24-830	WATER	001-140-630.00 001-140-630.00 001-301-630.00 001-301-630.00 001-301-630.00 001-301-630.00 001-301-630.00	Utilities - General Utilities - General Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other	94.10 47.05 24.95 24.95 24.95 24.95 24.95	290.85
DKT231438	Diaz Brothers Printing 02/06/2024	6972	T. SIMMONS - BUSINESS CARDS	001-280-621.00	Printing & Binding	60.00	60.00
DKT231439	Environmental Systems Research Institute 02/06/2024	87192	ARCGIS DESKTOP BASIC SINGLE USE PRIMARY MAINT.	001-301-623.00	Membership Dues/Fees	460.00	460.00
DKT231440	FirstPoint Inc 02/06/2024	21629	FINGERPRINT BACKGROUND CHECK	001-301-698.00	Misc. Services - Drug Testing & Other	20.00	20.00
DKT231441	Fuelman 02/06/2024	NP65780188 NP65803286 NP65831391	FOR THE WEEK ENDING 1.14.24 FOR THE WEEK ENDING 1.21.24 FOR THE WEEK ENDING 1.28.24	001-140-525.00 001-200-525.00 001-280-525.00 001-200-525.00 001-280-525.00 001-140-525.00 001-200-525.00 001-280-525.00	Fuel Fuel Fuel Fuel Fuel Fuel Fuel Fuel	42.73 734.17 67.46 809.40 31.82 45.10 815.78 46.39	2,592.85

Docket of Claims Register - Council

Docket/Claim #	Vendor Name Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount	
						Line	Amount
DKT231442	Ingrid Amberg 02/06/2024	ELECTION 1/2024	GENERAL ELECTION PAYROLL	001-140-693.00	Elections	250.00	250.00
DKT231443	JOHN KEVIN TARANTO 02/06/2024	JANUARY 2024	D. RUSSELL WINDOW TINTING	001-200-635.00	Professional Fees - R&M Outside Services	300.00	300.00
DKT231444	JON MCCRAW 02/06/2024	3453797504	HILTON GARDEN INN REIMBURSEMENT	001-140-615.00	Travel & Training	110.64	110.64
DKT231445	Kirks Tire Pros 02/06/2024	3923	TIRES FOR UNIT 699	001-200-635.00	Professional Fees - R&M Outside Services	688.00	688.00
DKT231446	Marvin J Bobinger III 02/06/2024	JANUARY 2024	LOBBYING SERVICES FOR JANUARY	001-653-601.00	Professional Fees - Consulting	4,000.00	4,000.00
DKT231447	MAYLEY'S PEST CONTROL 02/06/2024	113365	MONTHLY PEST CONTROL SERVICE	001-140-634.00	Pest Control	115.00	115.00
DKT231448	MS Department of Public Safety 02/06/2024	JANUARY2024	COURT ASSESSMENTS	650-110-131.00	State Assessments Payable	354.82	354.82
DKT231449	MS Power Company 02/06/2024	1/30/24	SURVEILLANCE CONTRACT FOR JANUARY	001-200-681.00	Other Services & Charges	1,265.00	1,265.00
DKT231450	MYERS & COMPANY INC 02/06/2024	C240109	APPRAISAL FOR 50' ROW	164-653-681.00	Professional Services - Other	1,800.00	1,800.00
DKT231451	Naomi J Lassus 02/06/2024	ELECTION 2024	GENERAL ELECTION PAYROLL	001-140-693.00	Elections	125.00	125.00

Docket of Claims Register - Council

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount	
	Payable Date	Payable Number				Line	Amount
DKT231452	Napa of Bay St Louis						1,253.03
	02/06/2024	365061	HYDRAULIC HOSE FITTINGS	001-301-571.00	Repairs & Maintenance - Equipment	126.91	
		368172	3PCS HOSE PLIER SET, FREIGHT, WIPER BLADES, WFLUID	001-301-501.00	Supplies	69.42	
				001-301-570.00	Repairs & Maintenance - Vehicle	17.98	
				001-301-570.00	Repairs & Maintenance - Vehicle	6.76	
		368979	HYDRAULIC FLUID, AIR FILTER, SHELL OIL, WIPERS	001-301-571.00	Repairs & Maintenance - Equipment	104.94	
				001-301-571.00	Repairs & Maintenance - Equipment	13.48	
				001-301-570.00	Repairs & Maintenance - Vehicle	67.84	
				001-301-571.00	Repairs & Maintenance - Equipment	49.99	
				001-301-571.00	Repairs & Maintenance - Equipment	39.99	
				001-301-570.00	Repairs & Maintenance - Vehicle	17.98	
		370568	HYDRAULIC FILTER	001-301-571.00	Repairs & Maintenance - Equipment	114.26	
		370757	DEXIATF, TRACTOR	001-301-570.00	Repairs & Maintenance - Vehicle	125.91	
		370835	OIL FILTER, OIL	001-301-571.00	Repairs & Maintenance - Equipment	69.97	
		370934	DEF FLUID, COOLANT, MOTOR TUNE UP, FA 176 LOWLIGHT	001-301-501.00	Supplies	197.75	
				001-301-570.00	Repairs & Maintenance - Vehicle	45.96	
		371864	BEAM WIPER, LUCAS TRANS FIX, TRAC UNIV, TIRE PATCH	001-301-571.00	Repairs & Maintenance - Equipment	183.89	
DKT231453	National Fire Protection Association						175.00
	02/06/2024	2024	BUILDING DEPARTMENT	001-280-623.00	Membership Dues/Fees	175.00	
DKT231454	Orion Planning and Design						1,438.36
	02/06/2024	3878	ON CALL SERVICES	001-653-601.00	Professional Fees - Consulting	1,438.36	
DKT231455	Sea Coast Echo						235.30
	02/06/2024	1/4/24	ADVERTISING	001-280-620.00	Advertising	32.76	
				001-280-620.00	Advertising	32.40	
				001-280-620.00	Advertising	32.28	
		21481		001-140-620.00	Advertising	137.86	
DKT231456	South MS Business Machines Gulfport						54.51
	02/06/2024	452382	PER COPY CHARGE FOR JANUARY	001-280-506.00	Copier Usage/Maintenance	54.51	

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT231457	Southern MS Planning and Development District Inc	02/06/2024	12990	ECONOMIC DEVELOPMENT	001-653-601.00	Professional Fees - Consulting	75.00	75.00
DKT231458	Southern Printing	02/06/2024	235049	CODH POLOS	001-100-501.00	Supplies	22.50	490.50
					001-110-501.00	Supplies	4.50	
					001-140-501.00	Supplies	27.00	
					001-280-501.00	Office Supplies	27.00	
					001-301-501.00	Supplies	4.50	
					001-140-501.00	Supplies	24.00	
					001-100-501.00	Supplies	21.00	
					001-140-501.00	Supplies	21.00	
					001-100-501.00	Supplies	42.00	
					001-280-501.00	Office Supplies	84.00	
					001-301-501.00	Supplies	21.00	
					001-110-501.00	Supplies	24.00	
					001-100-501.00	Supplies	21.00	
					001-140-501.00	Supplies	21.00	
					001-280-501.00	Office Supplies	21.00	
					001-140-501.00	Supplies	21.00	
					001-100-501.00	Supplies	21.00	
					001-140-501.00	Supplies	63.00	
DKT231459	State Treasurer	02/06/2024	JANUARY 2024	COURT ASSESSMENT/FINE FOR JANUARY	650-110-131.00	State Assessments Payable	4,889.81	4,963.18
					650-110-131.01	Court Bond Fees Payable	73.37	
DKT231460	THOMAS HUNT	02/06/2024	ELECTION 1/2024	GENERAL ELECTION PAYROLL	001-140-693.00	Elections	125.00	125.00
DKT231461	TransUnion Risk and Alternative Data Solutions Inc	02/06/2024	5859551-202401-1 6177932-202401-1	TLOxp FOR JANUARY	001-110-681.00	Other Services & Charges	75.00	150.00
					001-200-681.00	Other Services & Charges	75.00	
DKT231462	UMB Card Services	02/06/2024	273422 94693	TAX FORMS MONTHLY CHARGES FOR CONSTANT CONTACT	001-140-501.00	Supplies	356.14	432.14
					001-140-623.00	Membership Dues/Fees	76.00	

Docket of Claims Register - Council

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount	
	Payable Date	Payable Number				Line	Amount
DKT231463	UniFirst Corporation						444.32
	02/06/2024	1530122125	UNIFORM RENTAL FOR THE WEEK ENDING 01/15/2021	001-301-535.00	Uniforms	134.20	
		1530123432	UNIFORM RENTAL FOR THE WEEK ENDING 01/22/2024	001-301-535.00	Uniforms	134.20	
		1530124752	UNIFORM RENTAL FOR THE WEEK ENDING 1/29/24	001-301-535.00	Uniforms	175.92	
DKT231464	VULCAN MATERIALS COMPANY						9,271.61
	02/06/2024	51467804	610 LIMESTONE	001-301-583.00	Gravel, Sand, Rip Rap	4,640.00	
		51469435		001-301-583.00	Gravel, Sand, Rip Rap	4,631.61	
DKT231465	Waste Management						72.48
	02/06/2024	0823269-4768-4	DUMPSTER RENTAL	001-140-681.00	Other Services & Charges	72.48	
DKT231466	YVONNE CATONE						125.00
	02/06/2024	ELECTION 1/2024	GENERAL ELECTION PAYROLL	001-140-693.00	Elections	125.00	
Total Claims: 45						Total Payment Amount:	72,651.69

PR Net

Wages	Payroll Pd	Seq No.	Docket #	Description	Paymt Date	Amount	Agenda
PYPKT01437	11/20-12/03	000184	PRCLAIM01084	Net Wages Payable	12/13/2023	30,306.66	2/6/2024
PYPKT01438	12/04-12/17	000185	PRCLAIM01085	Net Wages Payable	12/27/2023	30,368.76	2/6/2024
PKPKT01439	12/01-12/31	000186	PRCLAIM01086	Net Wages Payable	1/2/2024	2,717.26	2/6/2024



City of Diamondhead, MS

Docket of Claims Register -

Item No. 17.

APPKT02121 - December 2023 Payroll Payables

By Docket/Claim Number

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount Line Amount
DKT231412	American Fidelity						704.74
	12/13/2023	INV0005862	American Fidelity Hospital Gap Plan	650-140-113.04	American Fidelity Withheld	37.85	
		INV0005863	American Fidelity Term Life	650-140-113.04	American Fidelity Withheld	15.52	
		INV0005864	American Fidelity Accident	650-140-113.04	American Fidelity Withheld	80.70	
		INV0005865	American Fidelity Critical Illness	650-140-113.04	American Fidelity Withheld	38.63	
		INV0005866	American Fidelity Disability	650-140-113.04	American Fidelity Withheld	179.67	
	12/27/2023	INV0005887	American Fidelity Hospital Gap Plan	650-140-113.04	American Fidelity Withheld	37.85	
		INV0005888	American Fidelity Term Life	650-140-113.04	American Fidelity Withheld	15.52	
		INV0005889	American Fidelity Accident	650-140-113.04	American Fidelity Withheld	80.70	
		INV0005890	American Fidelity Critical Illness	650-140-113.04	American Fidelity Withheld	38.63	
		INV0005891	American Fidelity Disability	650-140-113.04	American Fidelity Withheld	179.67	
DKT231413	Blue Cross Blue Shield of MS						12,687.61
	12/13/2023	INV0005879	MONTHLY PREMIUM	650-140-112.00	BCBS Withheld/Payable	6,343.81	
	12/27/2023	INV0005904		650-140-112.00	BCBS Withheld/Payable	6,343.80	
DKT231414	Colonial Life						357.10
	12/13/2023	INV0005867	EE PREMIUM	650-140-113.00	Colonial Withheld	61.08	
		INV0005868	Critical Illness	650-140-113.00	Colonial Withheld	9.12	
		INV0005869	EE Premium	650-140-113.00	Colonial Withheld	18.17	
		INV0005870	EE PREMIUM	650-140-113.00	Colonial Withheld	24.60	
		INV0005871		650-140-113.00	Colonial Withheld	32.80	
		INV0005872		650-140-113.00	Colonial Withheld	32.78	
	12/27/2023	INV0005892		650-140-113.00	Colonial Withheld	61.08	
		INV0005893	Critical Illness	650-140-113.00	Colonial Withheld	9.12	
		INV0005894	EE Premium	650-140-113.00	Colonial Withheld	18.17	
		INV0005895	EE PREMIUM	650-140-113.00	Colonial Withheld	24.60	
		INV0005896		650-140-113.00	Colonial Withheld	32.80	
		INV0005897		650-140-113.00	Colonial Withheld	32.78	

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT231415	Guardian							1,231.63
		12/13/2023	INV0005874	ER Guardian Life Over 70	650-140-113.01	Guardian Withheld/Payable	5.30	
			INV0005876	EE PREMIUM	650-140-113.01	Guardian Withheld/Payable	405.99	
			INV0005877	ER BENEFIT LIFE INS MONTHLY PREMIUM	650-140-113.01	Guardian Withheld/Payable	121.67	
			INV0005878	EE PREMIUM	650-140-113.01	Guardian Withheld/Payable	83.12	
		12/27/2023	INV0005899	ER Guardian Life Over 70	650-140-113.01	Guardian Withheld/Payable	5.28	
			INV0005901	EE PREMIUM	650-140-113.01	Guardian Withheld/Payable	405.86	
			INV0005902	ER BENEFIT LIFE INS MONTHLY PREMIUM	650-140-113.01	Guardian Withheld/Payable	121.67	
			INV0005903	EE PREMIUM	650-140-113.01	Guardian Withheld/Payable	-0.34	
					650-140-113.01	Guardian Withheld/Payable	83.08	
DKT231416	Internal Revenue Service							21,097.03
		12/01/2023	INV0005859	Federal Payroll Taxes	650-140-122.00	Social Security Withheld/Payable	413.30	
			INV0005860		650-140-122.01	Medicare Withheld/Payable	96.66	
			INV0005861		650-140-123.00	Federal Withholding Tax	154.58	
		12/13/2023	INV0005883		650-140-122.00	Social Security Withheld/Payable	5,416.88	
			INV0005884		650-140-122.01	Medicare Withheld/Payable	1,266.86	
			INV0005885		650-140-123.00	Federal Withholding Tax	3,278.99	
		12/27/2023	INV0005908		650-140-122.00	Social Security Withheld/Payable	5,427.08	
			INV0005909		650-140-122.01	Medicare Withheld/Payable	1,269.22	
			INV0005910		650-140-123.00	Federal Withholding Tax	3,288.82	
		01/02/2024	INV0005912		650-140-122.00	Social Security Withheld/Payable	368.80	
			INV0005913		650-140-122.01	Medicare Withheld/Payable	86.26	
			INV0005914		650-140-123.00	Federal Withholding Tax	29.58	
DKT231417	Morgan White Group							1,604.49
		12/13/2023	INV0005880	Morgan White	650-140-112.01	Morgan White Payable	802.28	
		12/27/2023	INV0005905		650-140-112.01	Morgan White Payable	802.21	
DKT231418	MS Department of Human Services							836.36
		12/13/2023	INV0005875	620583243	650-140-106.00	Garnishment Withheld	418.18	
		12/27/2023	INV0005900		650-140-106.00	Garnishment Withheld	418.18	
DKT231419	MS Department of Revenue Payroll							2,255.00
		12/01/2023	INV0005858	Payroll State Withholding Taxes	650-140-134.00	State Withholding Tax	25.00	
		12/13/2023	INV0005882		650-140-134.00	State Withholding Tax	1,113.00	
		12/27/2023	INV0005907		650-140-134.00	State Withholding Tax	1,117.00	
DKT231420	Systematized Benefits and Administrators Inc							8,981.60
		12/13/2023	INV0005873	Deferred Compensation	650-140-110.00	Deferred Compensation Withheld/Payable	4,490.80	
		12/27/2023	INV0005898		650-140-110.00	Deferred Compensation Withheld/Payable	4,490.80	

Docket of Claims Register - Council

APPKT02121 - December 2023 P Item No. 17.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT231421	Texas Life							143.53
		12/13/2023	INV0005881	Texas Life	650-140-113.05	Texas Life Withheld	71.77	
		12/27/2023	INV0005906		650-140-113.05	Texas Life Withheld	71.76	
Total Claims: 10							Total Payment Amount:	49,899.09

CITY OF DIAMONDHEAD, MISSISSIPPI
Financial Statements
Coversheet to Monthly Budget Report
For the Month Ended December 31, 2023

ALL FUNDS HIGHLIGHTS

*Revenue:		<u>Current Year</u>	<u>Prior Year</u>
Total YTD Revenue	\$	1,706,540	\$ 5,201,992
Total Budget	\$	20,662,481	\$ 19,526,777
% Actual to Budget		8.3%	
Current Month % to Fiscal Year		25.0%	25.0%

*Expenses YTD Activity:		<u>Current Year</u>	<u>Last Year</u>
Total YTD Expenses Actual Activity	\$	4,229,646	\$ 1,809,007
Total YTD Expenses Activity w/ Encumbrances	\$	2,655,109	\$ 2,220,578
Total Budget	\$	24,330,542	\$ 23,383,842
% Actual to Budget		17.4%	
% Actual w/ Encumbrances to Budget		10.9%	
Current Month % to Fiscal Year		25.0%	25.0%

* Excludes Other Financing Sources and Uses

Depository Account Balances as of: December 31, 2023

General Bank Acct:	\$ 5,355,392	Unrestricted	\$ 4,625,229
Accounts Payable Clearing:	(3,739)	Fiduciary Fund	24,552
Payroll Clearing:	32,099	Solid Waste	206,785
Contingency Operating Fund:	2,163,306	Grant Funds	52,687
		MS Infrastructure	48,269
		Amer Rescue & F	32,099
		GO BONDS 2022	2,557,438
TOTAL	\$ 7,547,058		\$ 7,547,058

Fund Activity	<u>YTD Actual</u>	<u>YTD Actual w/ Encumbrances</u>	<u>Total Current Budget</u>
001 - General Fund	\$ (514,792)	\$ (523,713)	\$ (156,822)
104 - MS Infrastructure Modernization Fund	\$ (437)	\$ 686	\$ 1,278
113 - Grant - GRPC Multi Modal Path	\$ -	\$ -	\$ (20,000)
115 - Grant- Tidelands FY20 Rotten Bayou F	\$ -	\$ (8,716)	\$ (8,716)
156 - Grant- GCRF-MDA FY2020 Commerci	\$ (264,442)	\$ 29,580	\$ (207,596)
157 - Grant- GRPC - East Aloha Improvemer	\$ -	\$ -	\$ -
158 - Grant - Tidelands FY21-23 Noma Dr Pt	\$ 337,102	\$ 318,976	\$ (18,126)
160 - Grant - DMR - Twin Lakes Pier/Boardw	\$ -	\$ (5,250)	\$ (5,250)
161 - Grant - GCRF-MDA FY2021 COMMER	\$ 114,441	\$ (376,161)	\$ (490,615)
162 - Grant-GOMESA FY22 -Coon Branch P	\$ (20,852)	\$ -	\$ 175,925
163 - Grant - GCRF-MDA FY22 Noma	\$ (444,297)	\$ (280,100)	\$ (207,090)
164 - Grant - GCRF MDA FY23 Comn	\$ -	\$ 58,928	\$ (400,000)
190 - American Rescue & Recovery Act	\$ 7,203	\$ (105,925)	\$ (2,173,350)
191 - Hancock County Match Bank Stabiliza	\$ (24,000)	\$ -	\$ 128,000
192 - ARPA Match - STATE OF MS	\$ (21,675)	\$ (173,850)	\$ (173,850)
302 - FY22 BOND ISSUE	\$ (1,757,211)	\$ 44,023	\$ 1,000
401 - Solid Waste Fund	\$ 45,180	\$ 45,180	\$ (112,850)
TOTAL Surplus (Deficit)	\$ (2,543,780)	\$ (976,343)	\$ (3,668,061)



Category	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 001 - GENERAL FUND						
20 - TAXES	3,073,000.00	3,073,000.00	0.00	177,884.52	-2,895,115.48	94.21%
22 - LICENSES AND PERMITS	470,750.00	470,750.00	0.00	138,989.73	-331,760.27	70.47%
23 - INTERGOVERNMENTAL REVENUES	1,542,700.00	1,542,700.00	0.00	313,087.27	-1,229,612.73	79.71%
28 - CHARGES FOR GOVERNMENTAL SERVICES	1,000.00	1,000.00	0.00	863.96	-136.04	13.60%
33 - FINES & FORFEITS	35,000.00	35,000.00	0.00	14,804.25	-20,195.75	57.70%
34 - MISCELLANEOUS REVENUE	268,000.00	268,000.00	0.00	120,241.49	-147,758.51	55.13%
40 - PERSONNEL SERVICES	1,700,064.82	1,700,064.82	0.00	503,215.27	1,196,849.55	70.40%
50 - SUPPLIES	300,100.00	300,100.00	0.00	44,816.05	255,283.95	85.07%
60 - CONTRACTUAL SERVICES	2,142,953.50	2,261,223.66	0.00	491,009.31	1,770,214.35	78.29%
70 - GRANTS, SUBSIDIES AND ALLOCATIONS	57,800.00	57,800.00	0.00	37,700.00	20,100.00	34.78%
80 - DEBT SERVICE	183,776.54	183,776.54	0.00	68,177.03	115,599.51	62.90%
90 - CAPITAL OUTLAY	298,400.00	344,306.79	0.00	340,947.77	3,359.02	0.98%
95 - INTERFUND TRANSFERS OUT	700,000.00	700,000.00	0.00	0.00	700,000.00	100.00%
Fund: 001 - GENERAL FUND Surplus (Deficit):	7,355.14	-156,821.81	0.00	-719,994.21	-563,172.40	-359.12%
Fund: 004 - CONTENGENCY FUND						
34 - MISCELLANEOUS REVENUE	0.00	0.00	0.00	27,774.50	27,774.50	0.00%
Fund: 004 - CONTENGENCY FUND Total:	0.00	0.00	0.00	27,774.50	27,774.50	0.00%
Fund: 104 - MS Infrastructure Modernization Fund						
23 - INTERGOVERNMENTAL REVENUES	570,000.00	570,000.00	0.00	0.00	-570,000.00	100.00%
34 - MISCELLANEOUS REVENUE	12,000.00	12,000.00	0.00	685.65	-11,314.35	94.29%
60 - CONTRACTUAL SERVICES	100,000.00	100,000.00	0.00	1,122.50	98,877.50	98.88%
80 - DEBT SERVICE	480,722.00	480,722.00	0.00	89,863.58	390,858.42	81.31%
Fund: 104 - MS Infrastructure Modernization Fund Surplus (Deficit)	1,278.00	1,278.00	0.00	-90,300.43	-91,578.43	7,165.76%
Fund: 113 - Grant - GRPC Multi Modal Path						
23 - INTERGOVERNMENTAL REVENUES	80,000.00	80,000.00	0.00	0.00	-80,000.00	100.00%
60 - CONTRACTUAL SERVICES	12,000.00	12,000.00	0.00	0.00	12,000.00	100.00%
90 - CAPITAL OUTLAY	88,000.00	88,000.00	0.00	0.00	88,000.00	100.00%
Fund: 113 - Grant - GRPC Multi Modal Path Surplus (Deficit):	-20,000.00	-20,000.00	0.00	0.00	20,000.00	100.00%
Fund: 115 - Grant- Tidelands FY20 Rotten Bayou Public Access						
23 - INTERGOVERNMENTAL REVENUES	556,878.94	556,878.94	0.00	0.00	-556,878.94	100.00%
60 - CONTRACTUAL SERVICES	42,402.00	51,117.76	0.00	0.00	51,117.76	100.00%
90 - CAPITAL OUTLAY	514,476.94	514,476.94	0.00	0.00	514,476.94	100.00%
Fund: 115 - Grant- Tidelands FY20 Rotten Bayou Public Access Surp	0.00	-8,715.76	0.00	0.00	8,715.76	100.00%
Fund: 118 - Grant-GRPC/MDOT West Aloha Streets & Sidewalks						
23 - INTERGOVERNMENTAL REVENUES	800,000.00	800,000.00	0.00	0.00	-800,000.00	100.00%
38 - INTERFUND TRANSFERS IN	200,000.00	200,000.00	0.00	0.00	-200,000.00	100.00%
60 - CONTRACTUAL SERVICES	110,000.00	110,000.00	0.00	0.00	110,000.00	100.00%
90 - CAPITAL OUTLAY	890,000.00	890,000.00	0.00	0.00	890,000.00	100.00%
Fund: 118 - Grant-GRPC/MDOT West Aloha Streets & Sidewalks Su	0.00	0.00	0.00	0.00	0.00	0.00%
Fund: 156 - Grant- GCRF-MDA FY2020 Commercial District						
23 - INTERGOVERNMENTAL REVENUES	1,300,000.00	1,300,000.00	0.00	223,283.87	-1,076,716.13	82.82%
60 - CONTRACTUAL SERVICES	0.00	207,595.55	0.00	0.00	207,595.55	100.00%
90 - CAPITAL OUTLAY	1,300,000.00	1,300,000.00	0.00	921,696.27	378,303.73	29.10%
Fund: 156 - Grant- GCRF-MDA FY2020 Commercial District Surplus	0.00	-207,595.55	0.00	-698,412.40	-490,816.85	-236.43%
Fund: 157 - Grant- GRPC - East Aloha Improvements Phase 2						
23 - INTERGOVERNMENTAL REVENUES	490,000.00	490,000.00	0.00	0.00	-490,000.00	100.00%
60 - CONTRACTUAL SERVICES	98,000.00	98,000.00	0.00	0.00	98,000.00	100.00%
90 - CAPITAL OUTLAY	392,000.00	392,000.00	0.00	0.00	392,000.00	100.00%
Fund: 157 - Grant- GRPC - East Aloha Improvements Phase 2 Surpl	0.00	0.00	0.00	0.00	0.00	0.00%

Budget Report

For Fiscal: 2023-2024 Period End Item No.a. 24

Category	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 158 - Grant - Tidelands FY21-23 Noma Dr Public Access						
23 - INTERGOVERNMENTAL REVENUES	711,000.00	711,000.00	0.00	337,101.96	-373,898.04	52.59%
60 - CONTRACTUAL SERVICES	0.00	15,836.77	0.00	3,750.00	12,086.77	76.32%
90 - CAPITAL OUTLAY	711,000.00	713,288.90	0.00	0.00	713,288.90	100.00%
Fund: 158 - Grant - Tidelands FY21-23 Noma Dr Public Access Surpl	0.00	-18,125.67	0.00	333,351.96	351,477.63	1,939.12%
Fund: 159 - Grant - GOMESA Marsh Erosion Prevention						
60 - CONTRACTUAL SERVICES	0.00	0.00	0.00	8,167.50	-8,167.50	0.00%
Fund: 159 - Grant - GOMESA Marsh Erosion Prevention Total:	0.00	0.00	0.00	8,167.50	-8,167.50	0.00%
Fund: 160 - Grant - DMR - Twin Lakes Pier/Boardwalk						
23 - INTERGOVERNMENTAL REVENUES	225,000.00	225,000.00	0.00	0.00	-225,000.00	100.00%
60 - CONTRACTUAL SERVICES	28,750.00	34,000.00	0.00	0.00	34,000.00	100.00%
90 - CAPITAL OUTLAY	196,250.00	196,250.00	0.00	0.00	196,250.00	100.00%
Fund: 160 - Grant - DMR - Twin Lakes Pier/Boardwalk Surplus (Defi	0.00	-5,250.00	0.00	0.00	5,250.00	100.00%
Fund: 161 - Grant - GCRF-MDA FY2021 COMMERCIAL DISTRICT						
23 - INTERGOVERNMENTAL REVENUES	1,800,000.00	1,800,000.00	0.00	114,441.44	-1,685,558.56	93.64%
60 - CONTRACTUAL SERVICES	0.00	490,615.08	0.00	80,619.60	409,995.48	83.57%
90 - CAPITAL OUTLAY	1,800,000.00	1,800,000.00	0.00	0.00	1,800,000.00	100.00%
Fund: 161 - Grant - GCRF-MDA FY2021 COMMERCIAL DISTRICT Sur	0.00	-490,615.08	0.00	33,821.84	524,436.92	106.89%
Fund: 162 - Grant-GOMESA FY22 -Coon Branch Projects						
23 - INTERGOVERNMENTAL REVENUES	1,027,522.00	1,027,522.00	0.00	0.00	-1,027,522.00	100.00%
60 - CONTRACTUAL SERVICES	0.00	0.00	0.00	22,886.75	-22,886.75	0.00%
90 - CAPITAL OUTLAY	851,597.00	851,597.00	0.00	0.00	851,597.00	100.00%
Fund: 162 - Grant-GOMESA FY22 -Coon Branch Projects Surplus (D	175,925.00	175,925.00	0.00	-22,886.75	-198,811.75	113.01%
Fund: 163 - Grant - GCRF-MDA FY22 Noma Drive Project						
23 - INTERGOVERNMENTAL REVENUES	900,000.00	900,000.00	0.00	0.00	-900,000.00	100.00%
60 - CONTRACTUAL SERVICES	0.00	207,090.42	0.00	35,499.97	171,590.45	82.86%
90 - CAPITAL OUTLAY	900,000.00	900,000.00	0.00	430,227.47	469,772.53	52.20%
Fund: 163 - Grant - GCRF-MDA FY22 Noma Drive Project Surplus (D	0.00	-207,090.42	0.00	-465,727.44	-258,637.02	-124.89%
Fund: 164 - Grant - GCRF MDA FY23 Commercial District						
23 - INTERGOVERNMENTAL REVENUES	2,000,000.00	2,000,000.00	0.00	0.00	-2,000,000.00	100.00%
60 - CONTRACTUAL SERVICES	285,000.00	285,000.00	0.00	0.00	285,000.00	100.00%
90 - CAPITAL OUTLAY	2,115,000.00	2,115,000.00	0.00	0.00	2,115,000.00	100.00%
Fund: 164 - Grant - GCRF MDA FY23 Commercial District Surplus (D	-400,000.00	-400,000.00	0.00	0.00	400,000.00	100.00%
Fund: 165 - Grant-GOMESA FY23-Kome/Fairway/Anahola						
60 - CONTRACTUAL SERVICES	0.00	0.00	0.00	31,100.00	-31,100.00	0.00%
Fund: 165 - Grant-GOMESA FY23-Kome/Fairway/Anahola Total:	0.00	0.00	0.00	31,100.00	-31,100.00	0.00%
Fund: 190 - American Rescue & Recovery Act						
34 - MISCELLANEOUS REVENUE	500.00	500.00	0.00	29,635.43	29,135.43	5,827.09%
60 - CONTRACTUAL SERVICES	80,000.00	253,850.00	0.00	34,432.50	219,417.50	86.44%
90 - CAPITAL OUTLAY	1,920,000.00	1,920,000.00	0.00	0.00	1,920,000.00	100.00%
Fund: 190 - American Rescue & Recovery Act Surplus (Deficit):	-1,999,500.00	-2,173,350.00	0.00	-4,797.07	2,168,552.93	99.78%
Fund: 191 - Hancock County Match Bank Stabilization						
23 - INTERGOVERNMENTAL REVENUES	1,928,000.00	1,928,000.00	0.00	0.00	-1,928,000.00	100.00%
60 - CONTRACTUAL SERVICES	0.00	0.00	0.00	24,000.00	-24,000.00	0.00%
90 - CAPITAL OUTLAY	1,800,000.00	1,800,000.00	0.00	0.00	1,800,000.00	100.00%
Fund: 191 - Hancock County Match Bank Stabilization Surplus (De	128,000.00	128,000.00	0.00	-24,000.00	-152,000.00	118.75%
Fund: 192 - ARPA Match - STATE OF MS						
23 - INTERGOVERNMENTAL REVENUES	1,978,561.96	1,978,561.96	0.00	0.00	-1,978,561.96	100.00%
60 - CONTRACTUAL SERVICES	80,000.00	253,850.00	0.00	33,675.00	220,175.00	86.73%
90 - CAPITAL OUTLAY	1,898,561.96	1,898,561.96	0.00	0.00	1,898,561.96	100.00%
Fund: 192 - ARPA Match - STATE OF MS Surplus (Deficit):	0.00	-173,850.00	0.00	-33,675.00	140,175.00	80.63%
Fund: 302 - FY22 BOND ISSUE						
34 - MISCELLANEOUS REVENUE	1,000.00	1,000.00	0.00	44,022.54	43,022.54	4,302.25%
60 - CONTRACTUAL SERVICES	0.00	0.00	0.00	61,635.00	-61,635.00	0.00%

Budget Report

For Fiscal: 2023-2024 Period End Item No.a. 24

Category	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance	
					Favorable (Unfavorable)	Percent Remaining
90 - CAPITAL OUTLAY	0.00	0.00	0.00	2,653,979.92	-2,653,979.92	0.00%
Fund: 302 - FY22 BOND ISSUE Surplus (Deficit):	1,000.00	1,000.00	0.00	-2,671,592.38	-2,672,592.38	67,259.24%
Fund: 401 - SOLID WASTE FUND						
28 - CHARGES FOR GOVERNMENTAL SERVICES	688,068.00	688,068.00	0.00	174,034.26	-514,033.74	74.71%
34 - MISCELLANEOUS REVENUE	3,500.00	3,500.00	0.00	3,148.29	-351.71	10.05%
60 - CONTRACTUAL SERVICES	804,417.59	804,417.59	0.00	195,393.19	609,024.40	75.71%
Fund: 401 - SOLID WASTE FUND Surplus (Deficit):	-112,849.59	-112,849.59	0.00	-18,210.64	94,638.95	83.86%
Report Surplus (Deficit):	-2,218,791.45	-3,668,060.88	0.00	-4,393,915.52	-725,854.64	-19.79%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
001 - GENERAL FUND	7,355.14	-156,821.81	0.00	-719,994.21	-563,172.40
004 - CONTINGENCY FUND	0.00	0.00	0.00	27,774.50	27,774.50
104 - MS Infrastructure Moderniz	1,278.00	1,278.00	0.00	-90,300.43	-91,578.43
113 - Grant - GRPC Multi Modal P	-20,000.00	-20,000.00	0.00	0.00	20,000.00
115 - Grant- Tidelands FY20 Rotte	0.00	-8,715.76	0.00	0.00	8,715.76
118 - Grant- GRPC/MDOT West Ak	0.00	0.00	0.00	0.00	0.00
156 - Grant- GCRF-MDA FY2020 C	0.00	-207,595.55	0.00	-698,412.40	-490,816.85
157 - Grant- GRPC - East Aloha Im	0.00	0.00	0.00	0.00	0.00
158 - Grant - Tidelands FY21-23 N	0.00	-18,125.67	0.00	333,351.96	351,477.63
159 - Grant - GOMESA Marsh Eros	0.00	0.00	0.00	-8,167.50	-8,167.50
160 - Grant - DMR - Twin Lakes Pi	0.00	-5,250.00	0.00	0.00	5,250.00
161 - Grant - GCRF-MDA FY2021 C	0.00	-490,615.08	0.00	33,821.84	524,436.92
162 - Grant-GOMESA FY22 -Coon	175,925.00	175,925.00	0.00	-22,886.75	-198,811.75
163 - Grant - GCRF-MDA FY22 Nor	0.00	-207,090.42	0.00	-465,727.44	-258,637.02
164 - Grant - GCRF MDA FY23 Con	-400,000.00	-400,000.00	0.00	0.00	400,000.00
165 - Grant-GOMESA FY23-Kome/	0.00	0.00	0.00	-31,100.00	-31,100.00
190 - American Rescue & Recover	-1,999,500.00	-2,173,350.00	0.00	-4,797.07	2,168,552.93
191 - Hancock County Match Ban	128,000.00	128,000.00	0.00	-24,000.00	-152,000.00
192 - ARPA Match - STATE OF MS	0.00	-173,850.00	0.00	-33,675.00	140,175.00
302 - FY22 BOND ISSUE	1,000.00	1,000.00	0.00	-2,671,592.38	-2,672,592.38
401 - SOLID WASTE FUND	-112,849.59	-112,849.59	0.00	-18,210.64	94,638.95
Report Surplus (Deficit):	-2,218,791.45	-3,668,060.88	0.00	-4,393,915.52	-725,854.64