



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

**AGENDA**  
**RECESS MEETING OF THE CITY COUNCIL**  
**Tuesday, July 12, 2022**  
**6:00 PM CST**  
Council Chambers, City Hall  
and via teleconference, if necessary

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**Call to Order.**

- Invocation
- Pledge of Allegiance
- Roll Call
- Confirm or Adjust Agenda Order

**Presentation Agenda.**

Council Comments.

- a. The next Regular City Council Meeting will be held July 19, 2022 at 6:00 p.m. in Council Chamber located at City Hall 5000 Diamondhead Circle.

City Manager's Report.

- a. FY23 Budget Workshop

Public Comments on Agenda Items.

**Policy Agenda.**

**Minutes:**

- 1. Motion to amend the June 7, 2022 Regular Meeting Minutes to incorporation inadvertently omitted record of council action regarding 28.a. Agenda Item 2022-207.

**Consent Agenda:**

- 2. **2022-246:** Motion to enter into an agreement with Orion Planning & Design at an hourly rate of \$175 per hour for design review services related to interpretation of municipal, codes, plans and ordinances.
- 3. **2022-247:** Motion to rescind July 5, 2022 approval of Rostan Solutions, LLC Task Order 5 referencing DR4626 (Hurricane Ida) and approve Revised Task Order 5 in the amount not to exceed \$25,000 for FEMA Hazard Mitigation Grant Program DR-4576 (Hurricane Zeta) Application Development and Benefit Cost Analysis for the Residential Acquisition Project.

**Action Agenda.**

- 4. **2022-245:** Discussion/possible action regarding Philip's Pest Control Co, LLC proposal.
- 5. **2022-248:** Motion to approve Change Order No. 3 to the East Aloha Phase 1 Project adding 50 additional days for project completion with no change in project cost.

**Public Comments on Non-Agenda Items.**

**Executive Session - If Necessary**

**Adjourn/Recess.**

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



Mayor Depreo	At	Item No. 1.
Councilmember Maher		
Councilmember Finley		Ward 1
Councilmember Liese		Ward 2
Councilmember Cumberland		Ward 3
Councilmember Clark		Ward 4

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**Tuesday, June 07, 2022**  
**6:00 PM CST**  
Council Chambers, City Hall

**Call to Order.**

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

Invocation

Councilmember Liese

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 2 Anna Liese

Ward 3 John Cumberland

Ward 4 Charles Clark

Pledge of Allegiance

Confirm or Adjust Agenda Order

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to make the following amendments to the agenda and to approve the agenda:

Add - 2022-207 - Motion to approve award quote for Diamondhead East Culvert Replacement to Moran Hauling, Inc. in the amount of \$18,583.80 plus additional work relating to work relating to rerouting a water main for a total project cost of \$29,788.05.

Amend - Motion to amend the Docket of Claims as revised (DKT159631-DKT159690) in the amount of \$384,534.07.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

**Presentation Agenda.**

Council Comments.

1. The next regularly scheduled City Council Meeting will be June 21, 2021 at 6:00 p.m. in Council Chambers located at 5000 Diamondhead Circle, Diamondhead, MS.
2. City Hall will be closed Monday, July 4, 2022 in observance of the Independence Day.
3. The City's July 4th Firework Display will be held at 9 p.m. Saturday July 2nd on the southside.
4. COL (R) Robert P. Johnson, Jr. - Memorial Day Presentation
5. Kyle Jones, Rostan Solutions - SWIFT Program
6. Adam Breeerwood, Pearl River Community College - New Stennis Campus and CTAP Program
- 7.. FY22 Year-end Projection - Jon McCraw, Comptroller
- 8.. General Obligation Bonds for Street Paving and Other Improvements - Mike Reso. Troy Johnston with Butler Snow and Jason Thomas with MS Municipal Advisors were present and addressed the Council.

#### City Manager's Report.

1. Tidelands Grants – I am asking for authorization to submit two FY24 Tidelands Grant Applications which are due by the end of the month. These will be considered by the State Legislature next Spring during their regular session. The first application is a \$100K planning grant for nature trails through the wetlands and a marine education center. The other grant application is for \$300K for dredging the waterways from the Jourdan River to the new waterfront project at the end of Noma Drive.
2. BCA Agreement – This is an agreement between the city and Barbeque Competitors Alliance to make the city's Festival a sanctioned BBQ Competition. The goal is to continue to grow this event to make it a signature event on the MS gulf coast.
3. Work Assignments for Machado Patano – There are 4 new work assignments with Machado that I am recommending. These are 4 separate drainage projects identified in the Waggoner Engineering Report. This will allow the engineer to begin analyzing the drainage area and to make a recommendation with cost estimate to the city for improving drainage. After this is done, we can decide if we want the engineering to begin designing and permitting the projects.
4. Advertising to Bid Dredging of Detention Ponds – We have received the permits to dredge the two detention ponds in Diamondhead. We are ready to advertise for bids. This is the "Lilly Pond" on Diamondhead Drive North and the "Miller Pond" off Diamondhead Drive East and I-10.
5. Main Street Association – I am asking for authorization to submit an LLC Certificate of Formation for the Diamondhead Main Street Association. This will establish a separate legal entity and not be part of the City of Diamondhead. It will be governed by a board of directors made up of local business owners and others.
6. Makiki Drainage – Pickering Engineering is recommending that the council accept the low bid of \$138K from J&A Excavation to get work started on the Makiki Drainage project. This will allow me to sign the contract and issue the notice to proceed.
7. Subdivision Regulation Updated – Now that the city has worked with two developers to build new subdivisions, the administration would like to work with Covington Engineering to update the ordinance based on several items that we feel are needed to protect the city and to help the developers.

Public Comments on Agenda Items.

Durrell Pelligrin addressed the Council with regard to drainage concerns and water intruding his garage.

**Policy Agenda.**

**Minutes:**

1. Approval of May 17, 2022 Regular Meeting Minutes.

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to approve the May 17, 2022 Regular Meeting Minutes.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

**Resolutions:**

2. **2022-198:** Motion to adopt Resolution 2022-037 thereby authorizing the employment of professionals (Butler Snow, LLP as Bond Counsel, Municipal Advisors of Mississippi, Inc. as Advisor, Law office of Derek Cusick as City Counsel and Crews & Associates as Underwriters) in connection with the sale and issuance of General Obligation Bonds or to enter in loan or loans with the Mississippi Development Bank and for other related purposes.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 2 Liese to adopt Resolution 2022-037 thereby authorizing the employment of professionals (Butler Snow, LLP as Bond Counsel, Municipal Advisors of Mississippi, Inc. as Advisor, Law office of Derek Cusick as City Counsel and Crews & Associates as Underwriters) in connection with the sale and issuance of General Obligation Bonds or to enter in loan or loans with the Mississippi Development Bank and for other related purposes.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

3. **2022-199:** Motion to adopt Resolution 2022-038 thereby declaring intent to issue and sell General Obligation Bonds pursuant to the City Bond Act or issue and sell the bond to the Mississippi Development Bank either in an aggregate principal amount not to exceed \$6,000,000 and for other related purposes.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to adopt Resolution 2022-038 thereby declaring intent to issue and sell General Obligation Bonds pursuant to the City Bond Act or issue and sell the bond to the Mississippi Development Bank either in an aggregate principal amount not to exceed \$6,000,000 and for other related purposes.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

- 4. **2022-199:** Motion to adopt Resolution 2022-039 authorize application to the MS Department of Marine Resources FY24 Tidelands Fund in the amount of \$100,000 for a planning grant for Nature Trails and Education Center.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2022-039 authorize application to the MS Department of Marine Resources FY24 Tidelands Fund in the amount of \$100,000 for a planning grant for Nature Trails and Education Center.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

- 5. **2022-200:** Motion to adopt Resolution 2022-040 to the MS Department of Marine Resources for FY24 Tidelands funding in the amount of \$300,000 for Waterway Restoration at Noma Drive Waterfront Project.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2022-040 to the MS Department of Marine Resources for FY24 Tidelands funding in the amount of \$300,000 for Waterway Restoration at Noma Drive Waterfront Project.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

- 6. **2022-202:** Motion adopt Resolution 2022-041 to acquire by donation certain real property from the Diamondhead Water & Sewer District located within the City Right-of-Way Acquisition and Roadway Construction.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to adopt Resolution 2022-041 to acquire by donation certain real property from the Diamondhead Water & Sewer District located within the City Right-of-Way Acquisition and Roadway Construction.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

- 7. **2022-203:** Motion to adopt Resolution 2022-042 thereby abandoning a 5' drainage/utility easement on each side of the common property line between Lots 7 and 53, Diamondhead Phase 2, Unit 4A, Block 11 for the purposes of constructing an accessory structure. The physical address is 9542 Laa La Place; parcel numbers are 067F-2-26-064.000 and 067F-2-26-066.000. (Turner)

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2022-042 thereby abandoning a 5' drainage/utility easement on each side of the common property line between Lots 7 and 53, Diamondhead Phase 2, Unit 4A, Block 11 for the purposes of constructing an accessory structure. The physical address is 9542 Laa La Place; parcel numbers are 067F-2-26-064.000 and 067F-2-26-066.000. (Turner)

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

- 8. **2022-203:** Motion to adopt Resolution 2022-043 thereby appointing Ginger Cook (Ward 3) to serve as Planning & Zoning Commissioner to fill an unexpired term expiring March 2023.

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to adopt Resolution 2022-043 thereby appointing Ginger Cook (Ward 3) to serve as Planning & Zoning Commissioner to fill an unexpired term expiring March 2023.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

- 9. **2022-204:** Motion to adopt Resolution 2022-044 thereby appointing Kristy Nicaud (Ward 2) to serve Planning & Zoning Commissioner to fill a vacancy for 3-year term expiring March 2025.

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland adopt Resolution 2022-044 thereby appointing Kristy Nicaud (Ward 2) to serve Planning & Zoning Commissioner to fill a vacancy for 3-year term expiring March 2025.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

**Consent Agenda:**

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher to move 2022-166 to the Action Agenda.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the following Consent Agenda items 10-12 and 14-27):

- 10. **2022-183:** Motion to approve Barbecue Competitors Alliance (BCA) Sanctioning Fee in the amount of \$60 for the 2022 Diamondhead Festival BBQ Competition and to enter into agreement with event coordinators to include travel reimbursement and other fees.
- 11. **2022-184:** Motion to approve payments to Pickering Firm in the amount of \$12,227.50 for Ahui Drainage Improvements, \$1,140.00 for Strategic Initiatives & Project Agreement, \$750.75 for Makiki Drive and Kui Place.
- 12. **2022-185:** Motion to approve Pay Application 2 in the amount of \$121,594.94 to Moran Hauling, Inc. for East Aloha Improvements Phase 1.
- 14. **2022-187:** Motion to approve Master Service Agreement Work Assignment with Machado Patano in the amount of \$5,000 for drainage analysis with preliminary engineering/cost estimating for Diamondhead Drive East near Aukai Place identified as #3.05 in the Hancock County Watershed-Based Stormwater Assessment and Management Plan, December 2019 by Waggoner Engineering.
- 15. **2022-188:** Motion to approve Master Service Agreement Work Assignment with Machado Patano in the amount of \$8,000 for Hilo Way to Hapuna Place identified as #3.06 in the Hancock County

Watershed-Based Stormwater Assessment and Management Plan, December 2019 by Waggoner Engineering.

16. **2022-190:** Motion to approve Master Service Agreement Work Assignment with Machado Patano in the amount of \$7,500 for drainage analysis with preliminary engineering/cost estimating for Hilo Way West identified as #3.22 in the Hancock County Watershed-Based Stormwater Assessment and Management Plan, December 2019 by Waggoner Engineering.
17. **2022-187:** Motion to approve Master Service Agreement Work Assignment with Machado Patano in the amount of \$7,500 for drainage analysis with preliminary engineering/cost estimating for Hilo Way to Koko Street identified as #3.23 in the Hancock County Watershed-Based Stormwater Assessment and Management Plan, December 2019 by Waggoner Engineering.
18. **2022-194:** Motion to advertise for bids for the dredging Diamondhead Dr. East Retention Pond Project #3.24 and Lilly Pond Dredging Project #5.09 as identified in the Hancock County Watershed-Based Stormwater Assessment and Management Plan, December 2019 by Waggoner Engineering.
19. **2022-196:** Motion to authorize the City Manager to work with MEMA and FEMA to determine if SWIFT Pilot Program would benefit repetitive loss property owners.
20. **2022-197:** Motion to authorize participation in the PetSafe "Bark for Your Dog Park" competition.
21. **2022-205:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$5,930 for E. Aloha Improvements Phase 1 Redesign and in the amount of \$3,729.65 Bayou Drive Kayak Launch Improvements.
22. **2022-208:** Motion to authorize the filing an LLC Certificate of Formation for Diamondhead Main Street Association with \$50 filing fee and further to authorize a \$1,000 allocation to the association.
23. **2022-209:** Motion to accept and award the low bid received for Makiki Drive Culvert Replacement to J&A Excavation, Inc. in the amount of \$138,945.00 and further to authorize the City Manager to issue Notice to Proceed and execute contract for same.
24. **2022-210:** Motion to approve Master Service Agreement Work Assignment in the amount of \$24,500 for Crops permitting, coordination, surveying and testing for the Noma Drive Water Front dredging project (Tidelands).
25. **2022-211:** Motion to approve Master Service Agreement Work Assignment in the amount of \$5,500 with Covington Civil & Environmental to amend the Subdivision Regulations.
26. **2022-212:** Motion to approve payments to Covington Civil & Environmental in the amount of \$19,294.00 for Commercial District Transformation Project and in the amount of \$14,718.00 for Stormwater Master Plan - Watershed A Phase II.
27. **2022-213:** Motion to approve payment to Compton Engineering in the amount of \$5,617.50 for Anahola & Hana Place Drainage Project.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

**Action Agenda.**



- 13. 2022-186:** Motion to accept the Memorandum of Agreement with MDOT for East Aloha Improvements Phase 2 and authorize City Manager Reso to execute same.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to accept the Memorandum of Agreement with MDOT for East Aloha Improvements Phase 2 and authorize City Manager Reso to execute same.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOSLY**

- 28. 2022-206:** Motion to concur with the Planning Commission recommendation to deny Taco Bell's request for a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a monument sign within 0' of the property line; to deny the request for the west facing tower sign; and to approve the request to allow wall mounted signs on the south facing side of the building. The case file number is 202200200.

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to concur with the Planning Commission recommendation to deny Taco Bell's request for a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a monument sign within 0' of the property line; to deny the request for the west facing tower sign; and to approve the request to allow wall mounted signs on the south facing side of the building. The case file number is 202200200.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

- 28.a. 2022-207:** Motion to approve award quote for Diamondhead East Culvert Replacement to Moran Hauling, Inc. in the amount of \$18,583.80 plus additional work relating to work relating to rerouting a water main for a total project cost of \$29,788.05.

Motion was made Councilmember Finley, seconded by Councilmember Cumberland to approve award quote for Diamondhead East Culvert Replacement to Moran Hauling, Inc. in the amount of \$18,583.80 plus additional work relating to work relating to rerouting a water main for a total project cost of \$29,788.05.

Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark. Voting Nay: Mayor Depreo.

**MOTION CARRIED**

**Routine Agenda.**

**Claims Payable**

- 29. Motion to approve the Docket of Claims (Claims DKT159631 - DKT159690) in the amount of \$384,534.07.

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to approve the Docket of Claims as amended (DKT159631 – DKT159690) in the amount of \$384,534.07.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

**Public Comments on Non-Agenda Items.** - None.

**Executive Session**

Motion made by Mayor Depreo, Seconded by Ward 1 Finley At 8:09 p.m. to enter closed session to determine the necessity for executive session.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

Motion made by Mayor Depreo, Seconded by Ward 1 Finley to enter executive session for discussion of personnel matters related to the City Manager, pursuant to 25-41-7(4)(a).

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

Attorney Cusick announced to those in attendance that the Council had entered executive session for discussion of personnel pursuant to 25-41-7(4)(a).

**EXIT EXECUTIVE SESSION**

At 9:14 p.m., motion was made by Mayor Depreo, Seconded by Councilmember Finley to exit executive session.

**MOTION CARRIED UNANIMOUSLY**

**EXIT CLOSED SESSION**

At 9:14 p.m., motion was made by Mayor Depreo, Seconded by Councilmember Finley to exit executive session.

**MOTION CARRIED UNANIMOUSLY**

Attorney Cusick announced that while in executive session, no official action of records was taken.

**Adjourn/Recess.**

At 9:15 p.m. and with no further business to come before the Council at this time, Councilmember Finley moved, seconded by Councilmember Maher to recess until Friday, June 19, 2022 at 1:00 p.m.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

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Nancy Depreo  
Mayor

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Jeannie Klein  
City Clerk

ON-CALL PLANNING  
AND DESIGN SERVICES  
PROPOSAL

DIAMONDHEAD,  
MISSISSIPPI



Boulder, CO  
Hernando, MS  
Huntsville, AL  
Missoula, MT  
St. Simons Island, GA  
Sheridan, WY

JUNE 4, 2022

SUBMITTED BY:

 Ron Slade  
Partner

 Orion Planning + Design  
[www.orionplanningdesign.com](http://www.orionplanningdesign.com)

 509 Magnolia Street  
St. Simons Island, GA, 31522

 912-580-7719

 [Ron@OrionPlanningDesign.com](mailto:Ron@OrionPlanningDesign.com)

**MR. MIKE RESO**  
City of Diamondhead  
5000 Diamondhead Circle  
Diamondhead, MS 39525



JUNE 4, 2022

**RE: Proposal for On-Call Services**

Dear Mike,

Thank you for the continued opportunity to provide services for the City of Diamondhead. We remain grateful for the opportunity to continue to work for you. At your request, we have prepared this agreement to provide general planning and design services for the City of Diamondhead in response to day to day planning and design matters as needed.

These requests may include, but are not limited to, the review of design work product of other consultants, review of applications and design submittals by private developers for proposed projects within the City of Diamondhead, interpretation of municipal codes, plans and ordinances where questions have arisen or any other request for our services that you may have that are not currently outlined within the scope of services agreements we may already have in place with the City of Diamondhead. Services provided by OPD will be billed at our standard hourly rate of \$175 per hour.

We believe Diamondhead is in a very unique time and place in its development as a City with so many opportunities. We appreciate the opportunity to provide support as the City moves forward.

Best regards,

Ron Slade, ASLA  
Partner

Attachment: Scope and Agreement

RS/bb



# PROJECT: GENERAL SERVICES CONSULTING AGREEMENT

SCOPE OF SERVICES AND ESTIMATED FEE		
TASK	DESCRIPTION	FEE ESTIMATE
	<p>Services may include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. Design review of other consultants work product</li> <li>2. Interpretation of municipal codes, plans and ordinances</li> <li>3. Review of development applications by private developers to the City of Diamondhead for compliance with city codes and ordinances and design integrity</li> <li>4. Any requests for services that you may have that are considered beyond the scope of any existing agreements</li> </ol>	On Call

Provisions of Services

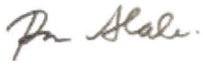
- A) **Term and Termination.** The term of the Agreement shall be from the date of execution of this agreement, until such time as the services as outlined are no longer needed or the agreement terminated. Either party may terminate this agreement without cause at any time upon ten days prior written notice to the other party. Termination shall not affect liability for time and expenses accrued through the date of termination.
- B) **Orion Planning + Design Primary Contact.** The primary contact for Orion Planning + Design shall be Bob Barber, FAICP and secondarily, Ron Slade, ASLA.
- C) **Relationship of Parties.** Orion Planning + Design at all times during the term hereof shall be an independent contractor of the City of Diamondhead and not an employee.
- D) **Applicable Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Mississippi.
- E) **Legal Review.** The City of Diamondhead shall be responsible for all necessary or desirable legal review of any services or products provided by Orion Planning + Design.
- F) **Hold Harmless.** Orion Planning + Design shall agree to indemnify and hold harmless the City of Diamondhead against accidental injuries to Orion Planning + Design and related tort liability arising from any and all activities undertaken by Orion Planning + Design as part of this agreement within the corporate limits of the City of Diamondhead.
- G) **Compensation.** Orion Planning + Design shall submit a monthly invoice for services rendered during the month to be paid by the City Of Diamondhead. However, the total liability of the City of Diamondhead to the Orion Planning + Design for the project described within this contract shall not \$15,000 annually.
- H) **Reimbursable Expenses.** All expenses such as air fare, hotel, ground transportation, printing, outside consultant, postage, Federal Express and courier services will be billed at direct cost. Travel expenses are estimated to be approximately \$1,000 per trip per person. All other services not itemized above,

including but not limited to any design revisions beyond what has been approved, or any services you may request, will be billed at our standard hourly rates.

- I) **Time for Payment.** Payment terms are thirty (30) days after receipt of invoice.
- J) **Entire Agreement.** This Agreement sets forth and constitutes the entire agreement and understanding of the parties with respect to the subject matter thereof. This Agreement supersedes any and all prior agreements, negotiations, correspondence, undertakings, promises, arrangements, communications, representations and warranties, whether oral or written of the parties to this Agreement and no party to this Agreement may rely or shall be deemed to have relied upon any thereof. This Agreement may not be amended except by a writing executed by both parties hereto.

Thank you for allowing Orion Planning + Design provide these design and consulting services for you.

Best regards,



Ron Slade, ASLA  
Partner

\_\_\_\_\_  
Micheal Reso, City Administrator

\_\_\_\_\_  
Date

**PROFESSIONAL SERVICES TASK ORDER**

Item No.3.

**Task Order Number # 5  
HMGP Grant Management Services  
Outreach, Application Development and Benefit Cost Analysis (BCA)**

Subject to the Agreement between the City of Diamondhead [CLIENT] and Rostan Solutions, LLC [ROSTAN], effective March 26<sup>th</sup>, 2021, the CLIENT hereby authorizes ROSTAN to perform services as specified in this Task Order and in accordance with the above-mentioned Agreement.

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**1. Basic Project Information**

Project Name: DR-4576 HMGP Grant Management Services  
Outreach, Application Development and Benefit Cost Analysis  
Residential Acquisition Projects

Project Location: 5000 Diamondhead Circle, Diamondhead, MS 39525

CLIENT Representative: Jeannie Klein, City Clerk

ROSTAN Representative: Annick Mauroner, Program Manager

- 2. **Scope of Services:** ROSTAN shall perform its Basic and Optional Services as described in Attachment 1, Scope of Services, attached and incorporated into this Task Order.
- 3. **Period of Service:** The period of service shall **June 27, 2022 – November 30, 2022**
- 4. **Compensation:** ROSTAN’s compensation under this Task Order, which shall not be exceeded without prior written authorization of the CLIENT, is **\$25,000.00**
- 5. This Task Order's Pricing Schedule is attached and incorporated as Attachment 2.

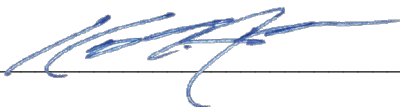
**ISSUED AND AUTHORIZED BY:**

**ACCEPTED AND AGREED TO BY:**

CITY OF DIAMONDHEAD, MS

ROSTAN SOLUTIONS, LLC

By: \_\_\_\_\_

By:  \_\_\_\_\_

Title:

Title: Vice President



**PROFESSIONAL SERVICES TASK ORDER**

**Task Order Number # 5**  
**HMGP Grant Management Services**  
**Outreach, Application Development and Benefit Cost Analysis (BCA)**

**Attachment 1****Scope of Services****1.) Mitigation Consulting Services**

## Grant Management Tasks:

- Provide general grant management consulting services.
- Provide consulting services for mitigation projects as appropriate and participate/facilitate meeting with MEMA, FEMA, Etc.
- Prepare draft correspondence to State and FEMA as necessary.
- Facilitate the management of all submitted documentation and respond to all STATE/FEMA Requests for Information (RFI).
- Prepare application for mitigation program and submit in accordance with respective grant program guidelines.

## Eligibility Tasks:

- Review eligibility issues. Work with CLIENT to develop justifications for work performed to mitigate against future damages.
- Develop Benefit Cost Analysis (BCA) and supporting methodology.
- Assist CLIENT in developing approach to filing and tracking costs.
- Prepare Letters of No Objection.
- Prepare Letters of Project Support.
- Review documentation prepared by CLIENT.
- Assist CLIENT with compiling costs for presentation to FEMA and STATE.
- Assist CLIENT to prepare project reconciliations.

## Engagement Task Deliverables:

- Work with STATE and FEMA representatives to facilitate the coordination of the project application submittal.
- Status meetings; Notes / Actions Items.
- Recommendation Memos regarding FEMA Process and/or Policy (as needed).
- Support Services for project engagement.
- Support in required responses to information requests and state/federal RFIs.

An assigned project manager will serve as engagement leader and perform the tasks outlined above, taking Direction from CLIENT's designee. Other Rostan consulting staff will provide support or technical services as required for implementation and accounting of the mitigation program.

## CLIENT Responsibilities:

To assist us in completing the various work tasks described, CLIENT may need to assemble and provide the following information and resources:

- Identify a central contact person/key contact.
- Provide a CLIENT organization chart, together with a list of names, roles, and phone numbers of personnel involved in FEMA grant management and insurance claim(s).
- Provide access to all relevant insurance and facility-related files.
- Provide access to knowledgeable individuals who can answer questions and assist in obtaining additional information, including engineering staff, finance staff, accounting staff, grant management staff, and operational staff.
- Provide a work area, such as a conference room or large office (this may be negotiated based on operational feasibility).

**PROFESSIONAL SERVICES TASK ORDER**

*Item No.3.*

**Task Order Number # 5  
HMGP Grant Management Services  
Outreach, Application Development and Benefit Cost Analysis (BCA)**

**PROFESSIONAL SERVICES TASK ORDER**

**Task Order Number # 5  
HMGP Grant Management Services  
Outreach, Application Development and Benefit Cost Analysis (BCA)**

**Attachment 2**

- 1.) Pricing. The scope of services set forth herein for Task Order 5 is being estimated based upon current knowledge of project scope. The budget estimate for this Task Order is a not-to-exceed amount of \$25,000.00. The Task Order budget amount will not be increased without prior written authorization from CLIENT.
- 2.) Expenses and Travel. Rates are inclusive of all costs.
- 3.) Rate Schedule. See Schedule B of the Agreement for Professional Services.

# PHILIP'S

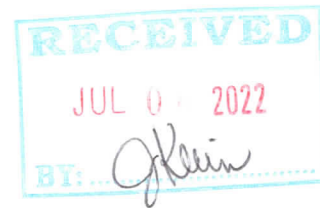
## Pest Control Co LLC

"Termite Control is our Specialty"

POST OFFICE BOX 6201  
DIAMONDHEAD, MS 39525  
PHONE: 228-255-3700  
228-868-3700  
FAX: 228-255-3594

July 6, 2022

City of Diamondhead  
Attn: Mayor and City Council



RE: City Hall Complex Diamondhead, MS

Philip's Pest Control LLC submits this proposal for continuing annual service as we have done in the past ten years. It will consist of a quarterly inside pest control and an annual exterior treatment around outside of the complex. We propose for the renewal of this contract at a price of \$994.80 yearly.

We look forward to continuing to provide these services to the city as we have for the past ten years.

Sincerely,

Philip Moran, Owner  
Philip's Pest Control

**Change Order No.** 3

Date of Issuance: July 11, 2022 Owner: City of Diamondhead Contractor: Moran Hauling, Inc Engineer: Jason Chiniche, PE Project: East Aloha Drive Improvements Phase 1	Effective Date: July 11, 2022 Owner's Contract No.: Contractor's Project No.: Engineer's Project No.: 17-057-00-08 Contract Name: East Aloha Drive Improvements Phase 1
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The Contract is modified as follows upon execution of this Change Order:

Description: Additional days associated with design/scope changes, weather delays, unsuitable subsurface conditions, utility conflicts, utility testing.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>420,061.49</u>	Original Contract Times: Substantial Completion: <u>75 Calendar Days</u> Ready for Final Payment: <u>105 Calendar Days</u> days or dates
Increase from previously approved Change Orders No. 1 to No. <u>2</u> : \$ <u>51,713.61</u>	Increase from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : Substantial Completion: <u>21 Days</u> Ready for Final Payment: <u>21 Days</u> days
Contract Price prior to this Change Order: \$ <u>471,775.10</u>	Contract Times prior to this Change Order: Substantial Completion: <u>96 Calendar Days</u> Ready for Final Payment: <u>126 Calendar Days</u> days or dates
Increase of this Change Order: \$ <u>N/A</u>	Increase of this Change Order: Substantial Completion: <u>50 Calendar Days</u> Ready for Final Payment: <u>50 Calendar Days</u> days or dates
Contract Price incorporating this Change Order: \$ _____	Contract Times with all approved Change Orders: Substantial Completion: <u>146 Calendar Days</u> Ready for Final Payment: <u>176 Calendar Days</u> days or dates

<b>RECOMMENDED:</b>	<b>ACCEPTED:</b>	<b>ACCEPTED:</b>
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: _____	Title: _____	Title: _____
Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_