



STATE OF MISSISSIPPI

Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

November 22, 2022

Mayor Nancy Depreo
5000 Diamondhead Circle
Diamondhead, MS 39576

Re: Tidelands Grant Award –Noma Drive Public Access

Dear Mayor Nancy Depreo:

Due to the change in the Tidelands Revenue received by the Secretary of State's Office, the Department of Marine Resources will be reducing your FY23 Tidelands Awards (at a) prorated amount of 16%. H.B. No. 1624 Section 5 gives the Department of Marine Resources the authority to allocate funding on a pro rata basis as needed when the actual funding is less than the appropriations bill. Your new FY23 Tidelands funding for the above referenced project will be \$336,000.00.

As per H.B. No 1624 Section 4, The Mississippi Department of Marine Resources (MDMR) request that you submit an amended Tidelands Application to reflect the change in funding. An Amended Tidelands application can be found on our website at (dmr.ms.gov). Attached you will find your approved FY23 Tidelands Grant Agreement. Please review and return a fully executed copy with the amended application by December 15, 2022.

Thank you for making the Mississippi Gulf Coast a better place to live and work. Please feel free to contact me at any time should the Mississippi Department of Marine Resources be of service to you, (P)228-523-4011 or joe.spraggins@dmr.ms.gov.

In appreciation,


Joe Spraggins

Executive Director

cc: Jeannie Klein

Noma Drive Public Access award letter

11-22-2022

Final Audit Report

2022-11-22

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**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES****Tidelands Grant Agreement
City of Diamondhead
FISCAL YEAR 2022**

City of Diamondhead hereby agrees to expend funds as authorized by the Mississippi Legislature in H.B. 1624 2022 Regular Session and Mississippi Code Section 29-15-9.

The Mississippi Department of Marine Resources will disburse funds in the amount of **\$ 336,000** for the Diamondhead Noma Drive Public Access, upon (1) receipt of this signed document; (2) MDMR possession of amended application with complete and final project designs and plans; (3) release of funds from the Mississippi Department of Finance and Administration; and (4) availability of said funds. The Mississippi Department of Marine Resources shall make progress payments in installments based on work completed and material used in the performance of a Tidelands project only after receiving written verification using Form TTF-3 and Form TTF-4 or Form TTF-5.

The **City of Diamondhead** agrees to:

- 1) Expend monies for the project as designated by the Legislature in H.B. 1624 2022 Regular Session Diamondhead Noma Drive Public Access and Mississippi Code Section 29-15-9 and be subject to an audit by the State Auditor.
- 2) Provide the Department of Marine Resources with detailed reports beginning June 30, 2023, and every six months thereafter for the duration of project, using the attached form TTF-4. Project reports will include:

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| -Final project design and budget | - Description of Work Completed |
| -Benefits to the public and community | - Milestones for Completion |
| -Visual presentation (photographs) of project | - Funds expended (to include Tidelands and Matching Funds) |
| -Narrative description of project | |
- 3) Provide the Department of Marine Resources with a Notification of Completion – TTF-5 (to be included in final payment request-Form TTF-3) to include a detailed final report of entire project, using the attached forms.
- 4) Erect a prominent, permanent sign to be displayed at all funded public access and construction related projects. The sign shall read “Funds for this project appropriated by the Mississippi Legislature, 2023 Tidelands Trust Fund, through the Secretary of State, Michael Watson, and the Mississippi Department of Marine Resources.”
- 5) To comply with the Stop Work Order Provisions listed below:
 1. *Order to Stop Work:* The MDMR may, by written order to the Grantee at any time, and without notice to any surety, require Grantee to stop all or any part of the work called for by this Grant Agreement. This order shall be for a specified period not exceeding 90 days after the order is delivered to Grantee, unless the parties agree to any further period. Any such order shall be identified specifically as a stop work order issued pursuant to this clause. Upon receipt of such an order, Grantee shall forthwith comply with its terms and take all reasonable steps to minimize the occurrence of costs allocable to the work covered by the order during the period of work stoppage. Before the stop work order expires, or within any further period to which the parties shall have agreed, the MDMR shall either:

2. cancel the stop work order; or,
3. terminate the work covered by such order by terminating the Grant Agreement, in whole or in part.
4. *Cancellation or Expiration of the Order*: If a stop work order issued under this clause is canceled at any time during the period specified in the order, or if the period of the order or any extension thereof expires, Grantee shall have the right to resume work. An appropriate adjustment shall be made in the time required for completion of the work, and the Grant Agreement shall be modified in writing accordingly, if the Grantee asserts a claim for such adjustment within 30 days after the period of work stoppage; provided that if the MDMR determines that the facts justify such action, any such claim asserted may be received and acted upon at any time prior to final payment under this Grant Agreement. In no event will the MDMR be responsible for additional costs allocable to the work covered by the order during the period of work stoppage.

On behalf of the **City of Diamondhead** I have read, understand, and agree to all terms listed above, and recognize that failure to comply with any portion of this Grant Agreement could jeopardize the receipt of any future Tidelands Trust Funds Appropriations.


Joe Spraggins Nov 22, 2022 10:28 CST)

 Joe Spraggins, Executive Director
 Department of Marine Resources

Nov 22, 2022

 Date

 Nancy Depreo, Mayor
 City of Diamondhead

 Date

Noma Drive Grant Agreement 04-18-2022

Final Audit Report

2022-11-22

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