

**STATE OF MISSISSIPPI
CITY OF DIAMONDHEAD**

**RESOLUTION AUTHORIZING THE REMOVAL OF LANDSCAPE
CULVERTS AND DRIVEWAY CULVERTS ON HILO WAY
AS PART OF DRAINAGE IMPROVEMENT PROJECT**

WHEREAS, the City of Diamondhead engaged the Machado Patano Engineering Firm to design drainage improvements on Hilo Way as part of its continuing efforts to assist residents with drainage and to promote the safety and welfare of the residents; and

WHEREAS, the City of Diamondhead acknowledges that typically it would not be authorized, by law, to expend public funds to improve private property by removing or installing landscape and driveway culverts that are located in the public easements as they are not the responsibility of the City; and

WHEREAS, the City of Diamondhead makes the following findings that support the expenditure of public funds for the removal of landscape culverts and the upgrading of driveway culverts on Hilo Way for the drainage improvement project:

1. Diamondhead was designed to be an open-ditch community; however, over the years including prior to the incorporation of the City, landscape culverts have been installed which have lowered the capacity of stormwater runoff throughout Diamondhead. This is true of the drainage on Hilo Way.
2. The City of Diamondhead enacted a moratorium on the installation of landscape culverts and is continuing to study the permanent discontinuance of their future use.
3. The driveway culverts on Hilo Way were previously approved either by the City or prior to the incorporation of the City; they are currently not in a state of disrepair or failure. Were it not for the drainage project upgrade the culverts would not need to be replaced.
4. The City, through its engineer, Machado Patano, has designed improvements for higher capacity drainage on Hilo Way and such will necessitate the enlargement of the driveway culverts at no fault

of the individual driveway culvert owners. Therefore, the City can and should bear the cost of the upgrade of same in this limited circumstance.

- 5. Nothing herein shall obligate the City to remove or replace landscape culverts or driveway culverts on any other street within the City and in fact, the City would not be allowed to expend public funds to do so without making findings such as are set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DIAMONDHEAD, by and through its Mayor and City Council, that Machado Patano is hereby authorized to advertise for bids for the Hilo Way Drainage Project as to designed to include the removal of landscape culverts thereby returning the ditches to open ditches as originally planned for Diamondhead and to also include the removal and replacement of driveway culverts to accommodate the increased capacity of said drainage project.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF MAY, 2022.

	Aye	Nay
Mayor Depreo	_____	_____
Councilmember Maher	_____	_____
Councilmember Finley	_____	_____
Councilmember Liese	_____	_____
Councilmember Cumberland	_____	_____
Councilmember Clark	_____	_____

ATTEST: _____
CITY CLERK

APPROVED: _____
NANCY DEPREO MAYOR