

There came on for consideration at a meeting of the Mayor and Members of the Council of the City of Diamondhead, Mississippi, held on the **5th** day of **March, 2014**, the following Resolution:

A RESOLUTION AWARDED AND/OR REJECTING BIDS FOR LOT CLEANUP AND/OR DEMOLITION OF CERTAIN PROPERTY WITHIN THE CITY OF DIAMONDHEAD AND PROVIDING FOR THE ASSESSMENT OF COSTS TO THE SAID PROPERTIES

WHEREAS, at a prior meeting of the Diamondhead City Council, certain and various properties located within the City of Diamondhead were declared to be in such a state of uncleanliness as to be a menace to the public health, safety, and welfare of the community; and

WHEREAS, by prior action of this Council, the City of Diamondhead was authorized to advertise for bids to perform the noted and required work on the identified properties; and

WHEREAS, having advertised for bids and having received bids, the following represent the lowest and best bids received (per parcel) for the work as described therein:

Parcel 1: 067G-3-25-020.000 Kapalama Cove Patio Homes, Lot 20
1282 Kapalama Court. Awarded to Ray Taylor dba Taylor Tree Company, LLP. Demolish residential structure, clean grounds and remove all trash, debris and foundation/slab from site. (Anne Blair). Proposed bid is \$2,350.00.

WHEREAS, the Mayor and Members of the Council find and do so determine that pursuant to bids heretofore received for lot cleanup and/or demolition of certain property described above in the City of Diamondhead, that the bid price noted above is the lowest and best price and should be accepted; and

WHEREAS, the Mayor and Members of the Council further find and do so determine that Notice to Proceed should be given to the listed property above, and that the actual costs of cleanup should be assessed against the property as provided by law including a \$250.00 penalty or twenty five (25%) of such actual cost, whichever is more.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the individual bid for the cleanup of the certain properties described above within the City of Diamondhead, should be accepted as the lowest and best bid/bid price.

SECTION 3. That Notice to Proceed should be immediately given to the lowest and best bidder as noted above, notwithstanding, providing and/or validating certain bid information, i.e. valid drivers license and the completion of all work shall be

accomplished within 30 calendar days. If extenuating circumstances occur, the company may request an extension of time in writing to complete the work.

SECTION 4. That the costs of lot cleanup, plus a \$250.00 penalty or twenty five (25%) of the actual cost, whichever is greater, should be assessed as a lien against the said properties and shall be enrolled in the Office of the Circuit Clerk of Hancock County, Mississippi, as other judgments are enrolled, as provided by law.

The above and foregoing Resolution, after having been first reduced to writing and read by the City Clerk, was introduced by _____, seconded by

and was adopted by the following roll call vote:

_____ YEAS: _____ NAYS: _____ ABSENT: _____

Lopez
Lafontaine
Sislow
Rech
Knobloch
Schafer

WHEREUPON, the Mayor thereby declared the motion carried and the Resolution adopted this the _____ day of _____, 2014.

(SEAL)

ATTEST:

ADOPTED:

CITY CLERK

MAYOR

MISSISSIPPI CODE OF 1972*As Amended***SEC. 21-19-11. Cleaning private property; lien.**

(1) The governing authority of any municipality is hereby authorized and empowered, on its own motion, or upon the receipt of a petition requesting the municipal authority to so act signed by a majority of the residents residing upon any street or alley within three hundred (300) feet of any parcel of land alleged to be in need of cleaning, to give notice to the property owner by United States registered mail or certified mail two (2) weeks before the date of a hearing, or by service of notice as provided in this section by a police officer at least two (2) weeks before the date of a hearing, or if the property owner be unknown or his address unknown, then by two (2) weeks' notice in a newspaper having a general circulation in the municipality, of a hearing to determine whether or not any parcel of land is in such a state of

uncleanliness as to be a menace to the public health and safety of the community. If, at such hearing, the governing authority shall, in its resolution, adjudicate such a parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; and draining cesspools and standing water therefrom.

Thereafter, the governing authority may, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of Two Hundred Fifty Dollars (\$250.00) or twenty-five percent (25%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than five (5) times in any one (1) calendar year, and the expense of cleaning of said property shall not exceed an aggregate amount of Ten Thousand Dollars (\$10,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority of a municipality that it is necessary to clean a parcel of land more than once within a calendar year, then the municipality may clean such property by giving notice to the property owner at least ten (10) days before cleaning the property and may assess the same penalty for each time the property is cleaned as otherwise provided in this section.

(2) In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in a court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorneys' fees and interest from the date that the property was cleaned.

(3) In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes.

COPY

City of Diamondhead
Lot clean up and/or Demolition of Property
Kapalama Cove Patio Homes
BID SHEET
RFB # 2014-1024

*Notice to bidders: Bids must be submitted on this form and submitted in a sealed envelope marked accordingly.
Bids not submitted on this form may be disqualified.*

The proposed bid is: \$ 2,350.00

(Written) Two thousand three hundred and fifty dollars

Property address: 1282 Kapalama Court, Diamondhead, MS

Name of Bidder: Ray Taylor DBA Taylor Tree Co., LLC
(printed)

Signature: Ray Taylor

Business Address: 24071 Cuevas Delisle Rd.

City, State, and Zip Code: Pass Christian, MS 39571

Phone Number (228) 255-0545 Fax (228) 452-6262

E-mail Address: ataylor@taylor-tree.com

Are you currently licensed with the City of Diamondhead? Yes No

Do you currently have Public Liability Insurance in the amounts specified? Yes No

End of Document

COPY

RFB/RFP/RFQ # 2014-1024DUE: 2/14/14

Bid
RECEIPTS
City of Diamondhead, MS
FOR:
Lot Clean up Kapalama

FROM	Time/Date Rec'd	Amount
1. Strickland Demolition	2/7/14 1050AM	\$ 3295 ⁰⁰
2. 'TAYLOR TREE Co LP'	2/12/14 1225PM	\$ 2350 ⁰⁰ Bid Packet
3. Pete's Backhoe Service	2/12/14 300PM	\$ 6100 ⁰⁰
4. A-C Industrial	2/14/14 845AM	\$ 9400 ⁰⁰
5. BARWARD Construction	2/14/14 8:50AM	\$ 8750 ⁰⁰
6.		
7.		
8.		
9.		
10.		

C Scott 2/14/14
VERIFIED