

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-3079

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: ENGINEERING

PLEASE SEE ATTACHMENT FOR COMPLETE DOCUMENT A RESOLUTION ESTABLISHING PERFORMANCE AND WARRANTY OBLIGATIONS

WHEREAS,

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 7 DAY OF April, 2011, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK



ST. TAMMANY PARISH
DEPARTMENT OF ENGINEERING
P. O. Box 628
COVINGTON, LA 70434
PHONE: (985) 898-2552 OR (985) 898-2575
FAX: (985) 898-5205
e-mail: eng@stpgov.org

Kevin Davis

March 25, 2011

St. Tammany Parish Council
P.O. Box 628
Covington, LA 70434

**Re: Heritage Oaks S/D
Performance Obligation (\$30,800)**

Honorable Council Members:

The Performance Obligation in the amount of \$30,800 expires August 28, 2011.

This office has inspected the site. The following work has been satisfactorily completed:

1. As-Built drawing has been satisfactorily revised;
2. Detention Pond storage capacity has been certified.

Therefore, it is recommended that the Performance Obligation be released.

This is a private subdivision and the Parish is not responsible for any maintenance.

Sincerely,

John E. Smith
Director of Engineering

JES/chh

xc: Honorable Marty Dean
Mr. Greg Gorden
Ms. Leslie Long
Mr. Earl J. Magner, Jr., P.E.
Ms. Rebecca Lala, P.E.
Heritage Oaks of Madisonville, LLC
Kelly McHugh & Associates



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March 25, 2011

St. Tammany Parish Council
P.O. Box 628
Covington, LA 70434

**Re: Lakeshore Estates S/D, Phase 2A
Warranty Obligation (\$104,000)**

Honorable Council Members:

The Warranty Obligation in the amount of \$104,000 expires May 24, 2011 and is scheduled for review by the Parish Council at the April 7, 2011 meeting.

The developer was notified on January 25, 2011 by the Department of Engineering of the punch list items required and for his engineer to certify to this office at least sixty (60) days prior to the expiration of the obligation, that the punch list has been completed

This office has not received such notification. Therefore, this obligation must be extended for one (1) year or until the work is satisfactorily accomplished.

The following punch list items remain:

1. Need As Built signage drawing;
2. Engineer needs to certify that all blue reflectors have been replaced.

Sincerely,

John E. Smith
Director of Engineering

JES/chh

xc: Honorable Richard Artigue
Mr. Greg Gorden
Ms. Leslie Long
Mr. Ron Keller
Mr. Earl J. Magner, Jr., P.E., P.L.S.
Ms. Rebecca Lala, P.E., PTOE
KLL Consultants, Inc.
Tammany Holding Corp.



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Kevin Davis

March 25, 2011

St. Tammany Parish Council
P.O. Box 628
Covington, LA 70434

**Re: Lakeshore Estates S/D, Phase 2B
Warranty Obligation (\$24,200)**

Honorable Council Members:

The Warranty Obligation in the amount of \$24,200 expires May 24, 2011 and is scheduled for review by the Parish Council at the April 7, 2011 meeting.

The developer was notified on January 25, 2011 by the Department of Engineering of the punch list items required and for his engineer to certify to this office at least sixty (60) days prior to the expiration of the obligation, that the punch list has been completed

This office has not received such notification. Therefore, this obligation must be extended for one (1) year or until the work is satisfactorily accomplished.

The following punch list items remain:

1. Need As Built signage drawing;
2. Engineer needs to certify that all blue reflectors have been replaced.

Sincerely,

John E. Smith
Director of Engineering

JES/chh

xc: Honorable Richard Artigue
Mr. Greg Gorden
Ms. Leslie Long
Mr. Ron Keller
Mr. Earl J. Magner, Jr., P.E., P.L.S.
Ms. Rebecca Lala, P.E., PTOE
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Kevin Davis

March 25, 2011

St. Tammany Parish Council
P.O. Box 628
Covington, LA 70434

**Re: Magnolia Trace Subdivision
Warranty Obligation (\$17,640)**

Honorable Council Members:

The extended Warranty Obligation in the amount of \$17,640 expires May 8, 2011 and is scheduled to be called at the April 7, 2011 meeting.

The punch list items have not been completed:

1. Developer's engineer to certify that all silt has been removed from all surface grates and subsurface drainage;
2. Remove silt from roadway surface;
3. Regrade roadside swales to have positive drainage to surface grates; instal erosion protection to prevent siltation of swales;
4. Revise the As-Built drawing to show the swale invert elevations after the swales are properly constructed;
5. Revise the As-Built drawing of the typical roadway x-section, eliminating the mountable curb;
6. Revise the As-Built drawing to show individual lot drainage arrows to not drain from one lot to another lot;
7. A new MAGNOLIA FOREST entrance sign, plus landscaping shall be provided at the intersection of Military Road and Morgan Bluff Road. This requirement was part of the Preliminary approval by the Planning Commission at the December 12, 2006 meeting;
8. Replace Tyler Drive street name sign;
9. We are aware that a Transportation Impact Fee Credit Agreement has been confected in the amount of \$48,444. However, the Drainage Impact Fee in the amount of \$53,097 is still outstanding and must be furnished to the Finance Department prior to the expiration of the Warranty Obligation.

The Department of Engineering recommends that the Warranty Obligation not be called but converted to a Performance Obligation in the amount of \$17,640 for a period of six (6) months so that the developer can complete the punch list items.

Therefore, it is recommended that action be taken at the April 7, 2011 meeting.

Sincerely,

John E. Smith
Director of Engineering

JES/chh

xc: Mr. Kevin Davis, Parish President
Mr. Bill Oiler, CAO
Honorable Gene Bellisario
Mr. Ron Keller
Mr. Greg Gorden
Ms. Leslie Long

Mr. Earl J. Magner, Jr., P.E., P.L.S.
Ms. Rebecca Lala, P.E., PTOE
J.V. Burkes & Associates
FMG/LTL, LLC, Developer



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Kevin Davis

March 25, 2011

St. Tammany Parish Council
P.O. Box 628
Covington, LA 70434

**Re: Montgomery Terrace SD, Ph. 1
Warranty Obligation (\$15,840)**

Honorable Council Members:

The Extended Warranty Obligation in the amount of \$15,840 expires May 19, 2011 and is scheduled for review by the Parish Council at the April 7, 2011 meeting.

The developer was notified on January 6, 2011 by the Department of Engineering of the punch list items required and for his engineer to certify to this office at least sixty (60) days prior to the expiration of the obligation, that the punch list has been completed. If not, the obligation will be automatically called.

This office has not received such notification. Therefore, this obligation must be called.

The following punch list items remain:

1. Roadside ditches are holding water and need to be regraded to provide positive flow to the north;
2. The main entrance cross culvert is not functioning as designed and needs to be cleaned out. LA Hwy #22 roadside ditch needs to be regraded so that there will be no standing water;
3. AS-Built paving and drainage drawing needs to be revised showing limits of Phase 1 as recorded;

The developer's attorney has advised that the developer of Montgomery Terrace Subdivision, Phase 1, is no longer the owner and is unable and unwilling to remedy the punch list items. His attorney has been further authorized to direct the Parish of St. Tammany to proceed with the remedy of these punch list items through the use of the warranty funds it has on account.

Therefore, it is recommended that the Warranty Obligation be called and the punch list items be accomplished by the Parish.

This is a public access subdivision and the Parish is responsible for all maintenance as specifically outlined in the recorded plat file no. 4798.

Sincerely,

John E. Smith
Director of Engineering

JES/chh

xc: Mr. Kevin Davis, Parish President
Mr. Bill Oiler, CAO
Honorable Marty Dean
Mr. Greg Gorden
Ms. Leslie Long
Mr. Ron Keller
Mr. Shannon Davis, w/plat file #4798
Ms. Kelly Rabalais, w/plat file #4798
Mr. Earl J. Magner, Jr., P.E., P.L.S.
Ms. Rebecca Lala, P.E., PTOE
Montgomery Trace Development Corp., Developer

Kelly McHugh & Associates
Mr. Paul Mayronne



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Kevin Davis

March 25, 2011

St. Tammany Parish Council
P.O. Box 628
Covington, LA 70434

**Re: Oakley Place SD, Phase 1
Warranty Obligation (\$57,800)**

Honorable Council Members:

The extended Warranty Obligation in the amount of \$57,800 expires May 8, 2011 and is scheduled to be called at the April 7, 2011 meeting.

The punch list items have not been completed:

1. The green spaces and active recreation area have standing water in pot holes at several locations adjacent to the roadways. These areas must be backfilled and sodded;
2. Roadside ditches have standing water in many locations. Regrade ditches to provide positive flow;
3. Main outfall ditch needs to have 3:1 side slopes;
4. Levees for detention pond "A" need to be constructed to elevation + 20.7 MSL;
5. Weir at Gum Bayou Slough needs to be constructed;
6. Rip rap erosion protection needs to be constructed at the discharge end of the 24 inch culvert located between lots #51/52;
7. Restore eroded area behind lot# 52;
8. Detention pond "B" levees need to be dressed and erosion protection applied;
9. Construct active recreation within green space per approval of Planning Department;
10. Construct 10 foot BUFFER with soft walking trail and 20 foot Buffer with soft walking trail as shown on recorded plat;
11. Sewer manhole structures are blocking flow in roadside ditches in several locations decreasing the flow capacity of the roadside ditches. Your engineer needs to devise a plan to provide equal design flow at these locations by installing subsurface or slope paving or some other approved method;
12. Cross-culverts have silt within the culverts in many locations and need to be cleaned out;
13. Replace blue reflectors where needed;
14. Install "end of road" signage at dead end locations;
15. Remove wood posts and horizontal timbers from within proposed Parish road R.O.W. located just east of the main entrance median;
16. Remove three (3) timber posts located within proposed parish road R.O.W. on each side of the main entrance median.
17. Credit agreement for Mandatory Impact Fees needs to be confected.

The Department of Engineering recommends that the Warranty Obligation not be called but converted to a Performance Obligation in the amount of \$57,800 for a period of six (6) months so that the developer can complete the punch list items.

Therefore, it is recommended that action be taken at the April 7, 2011 meeting.

March 25, 2011
St. Tammany Parish Council
Re: Oakley Place SD, Ph. 1
Page 2

Sincerely,

John E. Smith
Director of Engineering

JES/chh

xc: Mr. Kevin Davis, Parish President
Mr. Bill Oiler, CAO
Honorable Gene Bellisario
Ms. Kelly Rabalais
Mr. Greg Gorden
Ms. Leslie Long
Mr. Ron Keller
Mr. Earl J. Magner, Jr. , P.E., P.L.S.
Ms. Rebecca Lala, P.E., PTOE
J.V. Burkes & Associates
DJB Properties, Developer

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-3079

COUNCIL SPONSOR: GOULD/DAVIS PROVIDED BY: ENGINEERING

A RESOLUTION ESTABLISHING PERFORMANCE AND WARRANTY OBLIGATIONS.

WHEREAS, the Department of Finance and the Department of Engineering have notified the Parish Council that certain securities for subdivision Performance and Warranty Obligations are maturing in the near future; and

WHEREAS, these Performance and Warranty Obligations have been reviewed by said Departments which have made recommendations thereon to the Parish Council; and

THE PARISH OF ST. TAMMANY HEREBY RESOLVES, by the St. Tammany Parish Council acting in it's capacity as the governing authority, that it hereby accepts the recommendations of the Department of Finance and the Department of Engineering, and approves the following action regarding Performance and Warranty Obligations as shown.

BE IT FURTHER RESOLVED, that failure to renew or to post an acceptable security on its due date will cause same to be called, and the Department of Finance and the Department of Engineering are hereby authorized and directed to do so.

(1.) PERFORMANCE

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Heritage Oaks S/D Amount: \$30,800 Expires: August 28, 2011 Ward: 1 District: 1	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION & THE PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE

(2.) WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Lakeshore Estates S/D, Phase 2A Amount: \$104,000 Expires: May 24, 2011 Ward: 9 District: 13	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Lakeshore Estates S/D, Phase 2B Amount: \$24,200 Expires: May 24, 2011 Ward: 9 District: 13	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Magnolia Trace S/D Amount: \$17,640 Expires: May 8, 2011 Ward: 8 District: 9	RELEASE WARRANTY OBLIGATION & ESTABLISH PERFORMANCE OBLIGATION FOR SIX (6) MONTHS

RESOLUTION C.S. NO. 3079

PAGE 2 of 2

Oakley Place SD, Phase 1
Amount: \$57,800
Expires: May 8, 2011
Ward: 8 District: 9

RELEASE WARRANTY OBLIGATION
& ESTABLISH PERFORMANCE
OBLIGATION FOR SIX (6) MONTHS

Montgomery Terrace, Phase 1
Amount: \$15,480
Expires: May 19, 2011
Ward: 1 District: 1

CALL & PARISH TO ACCOMPLISH
PUNCH LIST ITEMS
THIS IS A PUBLIC ACCESS
SUBDIVISION TO BE BROUGHT
INTO THE SELECTIVE PARISH
MAINTENANCE SYSTEM

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON
WAS AS FOLLOWS:

MOVED FOR ADOPTION BY _____, SECONDED BY _____

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 7 DAY OF APRIL, 2011, AT A
REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS
BEING PRESENT AND VOTING

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK