## ST. TAMMANY PARISH COUNCIL

## **RESOLUTION**

**RESOLUTION COUNCIL SERIES NO: C-4676** 

COUNCIL SPONSOR: DEAN/BRISTER PROVIDED BY: ENGINEERING

A RESOLUTION TO ESTABLISH 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.

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.

	PERFORMANCE	
NAME OF SUBDIVISION		RECOMMENDATION
Lake Ramsey S/D, Ph. 4A		Extend for Six (6) Months on
Amount: \$ 37,500		Until Work is Satisfactorily
Expires: November 5, 2016		Accomplished
Ward: 3 District: 3		
Enter Parish R.O.W Res No. 06-245		Extend for One (1) Year or
I-12 Service Road Extension		Until Work is Satisfactorily
Amount: \$ 7,200		Accomplished
Expires: November 5, 2016		
Ward: 3 District: 5		
	WARRANTY	
Bedico Creek S/D, Parcel 9		Extend for One (1) Year or
Amount: \$ 52,100		Until Work is Satisfactorily
Expires: November 19, 2016		Accomplished
Ward: 1 District: 1		
		1

AS FOLLOWS:	
MOVED FOR ADOPTION BY:	SECONDED BY:
YEAS:	
NAYS:	
ABSTAIN:	
ABSENT:	
	ED ADOPTED ON THE 6 DAY OF OCTOBER, 2016, AT SH COUNCIL, A QUORUM OF THE MEMBERS BEING
	MARTY DEAN, COUNCIL CHAIRMAN
ATTEST:	
THERESA L. FORD, COUNCIL CLERK	

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



September 23, 2016

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

Lake Ramsey S/D, Ph. 4A

Performance Obligation (\$37,500)

Honorable Council Members:

The Performance Obligation in the amount of \$37,500 expires November 5, 2016 and is scheduled for review by the Parish Council at the October 6, 2016 meeting.

The following punch list items remain:

1. As-Built site plan related to the installation of a new hydro-pneumatic tank is needed.

This office has not received such notification. Therefore, this obligation must be extended for six (6) months or until the work is satisfactorily accomplished.

Sincerely,

Donna O'Dell, P.E., PhD

Interim Director, Department of Engineering

DSO/chh

Honorable James A. "Red" Thompson xc:

Mr. Sidney Fontenot Mr. Greg Gorden

Ms. Leslie Long

Mr. Mike Noto

Ms. Erin Stair

Mr. Earl J. Magner, P.E, P.L.S.

Mr. Jay B. Watson, P.E.

Mr. Ron Keller

One Consort International

Deep South Design Group



September 23, 2016

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

Re:

Enter Parish R.O.W. (Resolution No. 06-245)

I-12 Service Rd. Extension Performance Obligation (\$7,200)

Honorable Council Members:

The Performance Obligation in the amount of \$7,200 expires November 5, 2016 and is scheduled for review by the Parish Council at the October 6, 2016 meeting.

The Performance Obligation obligee, Marina Developers, LLC, has not completed the temporary turn around into a permanent cul-de-sac nor have they constructed a connecting access road to tie into the end of the I-12 Service Road Extension as required by action taken by the Planning Commission.

Marina Developers, LLC contends that it has no duty to maintain the obligation because the performance obligation period and warranty obligation periods have expired. Further Marina Developers, LLC contends that it has no duty to maintain the obligation because it sold the property in 2008 even though the cul-de-sac was not completed. Marina Developers, LLC, however, did not provide the obligation amount until 2012, four (4) years after it sold the property. Marina Developers, LLC is demanding the return of the obligation amount. The claim is being reviewed and negotiation between the Parish and Marina Developers, LLC is underway.

Therefore, it is recommended that the Performance Obligation, which is CASH IN ESCROW, be extended for one (1) year or until the work is satisfactorily completed.

Sincerely,

Donna O'Dell, P.E., PhD

Interim Director, Department of Engineering

DSO/chh

xc:

Honorable Rykert Toledano

Mr. Sidney Fontenot

Ms. Leslie Long

Ms. Erin Stair

Mr. Mike Noto

Ms. Deborah Henton

Mr. Earl J. Magner, P.E, P.L.S.

Mr. Jay B. Watson, P.E.

Ms. Jan Pavur

Marina Developers, LLC

Kelly J. McHugh & Associates, Inc.



September 23, 2016

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

Re:

Bedico Creek S/D, Parcel 9 Warranty Obligation (\$52,100)

Honorable Council Members:

The Warranty Obligation in the amount of \$52,100 expires November 19, 2016 and is scheduled for review by the Parish Council at the October 6, 2016 meeting.

The developer was notified on August 2, 2016 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. Roadway needs to be broomed for a meaningful inspection to be made;
- 2. Regrade roadside ditches to eliminate silt and provide positive flow;
- 3. Remove silt from cross culverts;
- 4. Deer Park Drive/Audubon Parkway intersection street name sign needs to be restored to vertical;
- 5. Replace blue reflectors where needed.

Sincerely,

Donna O'Dell, P.E., PhD

Interim Director, Department of Engineering

DSO/chh

xc:

Honorable Marty Dean

Mr. Sidney Fontenot

Mr. Greg Gorden

Ms. Leslie Long

Mr. Mike Noto

Ms. Erin Stair

Mr. Earl J. Magner, P.E, P.L.S.

Mr. Jay B. Watson, P.E.

Mr. Theodore C. Reynolds

Mr. Ron Keller

Bedico Creek Preserve, LLC

Kelly McHugh & Associates, Inc.