

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-5049

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: ENGINEERING

RESOLUTION TO ESTABLISH WARRANTY AND PERFORMANCE 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 recommendation 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.

<u>NAME OF SUBDIVISION</u>	<u>OBLIGATION</u>	<u>RECOMMENDATION</u>
Enter the Parish R.O.W. - Resolution No. 06-245	PERFORMANCE	Extend for one (1) year or until
I-12 Service Road Extension		the work is satisfactorily
Amount: \$ 7,200		completed
Expires: September 7, 2018		
Ward 3 District 5		
Bedico Creek Subdivision, Parcel 11	WARRANTY	Release upon expiration
Amount: \$ 120,000		
Expires: August 16, 2018		
Ward 1 District 1		
Raiford Oaks Subdivision, Phase 2A	WARRANTY	Extend for one (1) year or until
Amount: \$ 30,000		the work is satisfactorily
Expires: September 7, 2018		completed
Ward 1 District 1		

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 2 DAY OF AUGUST , 2018, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK



ST. TAMMANY PARISH
PATRICIA P. BRISTER
PARISH PRESIDENT

ADMINISTRATIVE COMMENT

RESOLUTIONS FOR INTRODUCTION

The following recommendations for the below listed Performance & Warranty Obligations are as follows:

1. Enter the Parish R.O.W. - Resolution No. 06-245
I-12 Service Road Extension
Performance Obligation - \$7,200 - Extend
2. Bedico Creek Subdivision, Parcel 11
Warranty Obligation - \$120,000 - Release
3. Raiford Oaks Subdivision, Phase 2A
Warranty Obligation - \$30,000 - Extend



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

July 20, 2018

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 September 7, 2018 and is scheduled for review by the Parish Council at the August 2, 2018 meeting.

The Performance Obligation obligee, Marina Developers, LLC, has not constructed 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.

However, the current owner, Louisiana Organ Procurement Agency (L.O.P.A.) c/o Ms. Kelly Ranham; Chief Executive Officer, is constructing the cul-de-sac. Once the cul-de-sac is completed and as-built drawings have been furnished, the Performance Obligation can be released to Marina Developers, LLC and a Warranty Obligation will be established for L.O.P.A. for a period of two (2) years.

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,

Jay B. Watson, P.E.
Lead Development Engineer

xc: Honorable Rykert Toledano
Mr. Sidney Fontenot
Ms. Leslie Long
Ms. Erin Stair
Mr. Shannon Davis
Ms. Deborah Henton
Mr. Earl J. Magner
Ms. Jan Pavur
Mr. Buddy Coate, Marina Developers, LLC
Mr. Kelly McHugh, Kelly McHugh & Associates, Inc.
Mr. Eddie Powell, Kyle Associates, LLC
Ms. Kelly Ranham, Louisiana Organ Procurement Agency



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

July 20, 2018

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

Re: Bedico Creek Subdivision, Parcel 11
Warranty Obligation \$120,000

Honorable Council Members,

The Warranty Obligation in the amount of \$120,000 expires August 16, 2018 and is scheduled to be for review by the Parish Council at the August 2, 2018 meeting.

This office has inspected the site. All work covered by this Warranty Obligation is satisfactory.

Therefore, it is recommended that the Warranty Obligation be released upon expiration. This a private subdivision and the Parish is not responsible for any maintenance.

Sincerely,



Jay B. Watson, P.E.
Lead Development Engineer

XC: Honorable Marty Dean
Mr. Sidney Fontenot
Ms. Erin Stair
Ms. Leslie Long
Ms. Gregory Gordon
Mr. Shannon Davis
Mr. Earl Magner
Mr. Chris Tissue, P.E.
Mr. Theodore Reynolds, E.I.
Ms. Cara Bartholomew
Mr. David Waltemath
Mr. Kelly McHugh



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

July 20, 2018

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

Re: Raiford Oaks Subdivision, Phase 2A
Warranty Obligation (\$30,500)

Honorable Council Members:

The extended Warranty Obligation in the amount of \$30,500 expires September 7, 2018 and is scheduled for review by the Parish Council at the August 2, 2018 meeting.

The developer was notified on June 15, 2017 by the Department of Development – 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.

However, the developer's engineer did notify this office on September 25, 2017 that he will move forward to putting together an updated set of as-built plans.

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

The following punch list items remain:

1. Overlay all asphalt roadways within Phase 2A in accordance with the approved plans.
2. Clean out by the inverts of the cross-culverts behind lot 69 that tie into the detention pond.
3. Clean out the detention pond outfall weir.
4. Clean out the drainage ditch between lots 61 & 62.
5. Restore the 25' drainage easement on the west side of Raiford Oaks, Phase 2A to the original "As-Built" elevations.
6. Plumb street name signs where needed.
7. Plumb traffic signs where needed.
8. Install blue reflectors where needed.
9. Replace/restore concrete rings around fire hydrant gate valves where needed. Provide a min. 18" clearance from natural ground to mid-point of nozzle on fire hydrants where needed.

Informational Items:

The inspection of Raiford Oaks, Phase 2A performed on June 12, 2017 revealed that the ultraflow metal pipe (UMFP) draining into the detention pond between lot 61 & 62 was significantly crushed. This location is the responsibility of the H.O.A. to maintain.

Sincerely,



Jay B. Watson, P.E.
Lead Development Engineer

xc: Honorable Marty Dean
Mr. Sidney Fontenot
Ms. Erin Stair
Ms. Leslie Long
Mr. Greg Gordon
Mr. Shannon Davis
Mr. Earl Magner

Ms. Donna O'Dell, P.E.
Mr. Chris Tissue, P.E.
Ms. Holly Thomas, P.E.
Mr. Theodore Reynolds, E.I.
Ms. Cara Bartholomew
Mr. Alex Williams, P.E.
Mr. Albert Raiford