

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-5013

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: COUNCIL OFFICE

RESOLUTION TO ACKNOWLEDGE THE AUTHORITY PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 3-01 AND 3-09, FOR ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH THE RIGOLETS ESTATES OWNERS ASSOCIATION, INC., AND/OR OTHER NECESSARY PARTIES, FOR THE REPAIR OF AND IMPROVEMENTS TO CERTAIN INFRASTRUCTURE COMPRISING THE RIGHTS OF WAY OF MARLIN DRIVE, MORAY DRIVE AND HERRING DRIVE (WARD 8, DISTRICT 13).

WHEREAS, through an Act of Dedication and Donation dated January 11, 2017 and recorded January 19, 2017 ("Act of Donation"), and in accordance with St. Tammany Parish Ordinance Council Series No. 16-3591, the Rigolets Estates Owners Association, Inc. ("Rigolets") dedicated and donated to St. Tammany Parish Government ("Parish") certain infrastructure previously owned by the Rigolets and located within Rigolets Estates Subdivision, Phase I ("Dedicated Property"); and

WHEREAS, the Dedicated Property is more specifically described in the Act of Donation as the rights of way for Marlin Drive, Bluegill Drive, Moray Drive, Herring Drive and Chinook Drive, along with all associated roadside drainage infrastructure within said rights of way; and

WHEREAS, subsequent to the aforementioned dedication and donation, and upon an inspection of the Dedicated Property by the Parish Department of Public Works, certain deficiencies were found as relating to two (2) bridges located on Marlin Drive and Moray Drive, as well as a cross culvert and existing catch basin on or adjacent to Herring Drive, and/or other infrastructure ("Deficient Infrastructure"); and

WHEREAS, Parish and Rigolets wish to cooperate with each other in the repair and/or replacement of the Deficient Infrastructure to Parish standards, which activities are anticipated to occur within right(s) of way owned by Parish; and

WHEREAS, in furtherance of the foregoing efforts, Rigolets desires to provide all necessary labor, equipment and materials, and further shall be responsible for all demolition, construction, procurement, and land survey and acquisition services that may become necessary as related to repair and/or replacement of the Deficient Infrastructure; and

WHEREAS, Rigolets desires to contribute all necessary funding for the repair and replacement of the Deficient Infrastructure; and

WHEREAS, Rigolets shall warrant the repair and replacement of the Deficient Infrastructure for a period of two (2) years from the date of completion of the subject improvements to Parish standards, at its own cost; and

WHEREAS, in consideration of the shared benefit to Parish and Rigolets as concerning the subject improvements, Parish and Rigolets desire to enter into a Cooperative Endeavor Agreement for the repair and improvement of the Deficient Infrastructure, as more fully set forth in said Agreement; and

WHEREAS, upon fulfillment of all obligations of Rigolets pursuant to said Agreement, completion of the foregoing repairs and improvements to the Deficient Infrastructure to Parish standards and approval, and expiration of the aforementioned two (2) year warranty period without issue, all of the Deficient Infrastructure shall be included in the St. Tammany Parish Selective Maintenance System upon adoption of a separate resolution by the St. Tammany Parish Council.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that St. Tammany Parish Government, through the Office of the Parish President, pursuant to Home Rule Charter sections 1-04, 3-01 and 3-09, is authorized to execute a Cooperative Endeavor Agreement with the Rigolets Estates Owners Association, Inc. which meets or exceeds all requirements of Louisiana law and jurisprudence, regarding the repair of and improvements to certain infrastructure comprising the rights of way of Marlin Drive, Moray Drive and Herring Drive, and to take all actions necessary, including entering into all agreements or negotiations in furtherance of the actions contemplated herein.

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

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S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

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THERESA L. FORD, COUNCIL CLERK

### **Resolution Administrative Comment**

RESOLUTION TO ACKNOWLEDGE THE AUTHORITY PURSUANT TO HOME RULE CHARTER SECTIONS 1-04, 3-01 AND 3-09 FOR ST. TAMMANY PARISH GOVERNMENT, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH THE RIGOLETS ESTATES OWNERS ASSOCIATION, INC., AND/OR OTHER NECESSARY PARTIES, FOR THE REPAIR OF AND IMPROVEMENTS TO CERTAIN INFRASTRUCTURE COMPRISING THE RIGHTS OF WAY OF MARLIN DRIVE, MORAY DRIVE AND HERRING DRIVE (WARD 8, DISTRICT 13).

St. Tammany Parish Government seeks to enter into a Cooperative Endeavor Agreement with the Rigolets Estates Owners Association, Inc. ("Association"), and/or other necessary parties, to provide assistance needed to facilitate the repair and/or replacement of certain infrastructure located in Rigolets Estates Subdivision previously dedicated and donated to Parish by Association. Rigolets will fund and provide all necessary demolition and construction services in furtherance of the foregoing efforts, and will further provide all equipment and labor for said project, as to be more fully developed in the Cooperative Endeavor Agreement.