

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-6026

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>
River Park Crossing Subdivision, Phase 1	WARRANTY	Extend for one (1) year or until
Amount: \$ 65,300		the work is satisfactorily
Expires: January 20, 2019		completed.
Ward 3 District 3		
Alexander Ridge Subdivision, Phase 3A	WARRANTY	Release upon expiration.
Amount: \$ 51,200		
Expires: January 10, 2019		
Ward 3 District 2		
Enter Parish R.O.W. - Resolution No. 06-245	PERFORMANCE	Release Performance and
I-12 Service Road Extension		establish Warranty.
Amount: \$ 7,200		
Expires: September 7, 2019		
Ward 3 District 5		
Enter the Parish R.O.W. Resolution No. 05-223	PERFORMANCE	Call
Echo Street - Alexiusville Subdivision		
Amount: \$ 3,000		
Expires: January 12, 2019		
Ward 3 District 1		
Enter the Parish R.O.W. Resolution No. 04-160	PERFORMANCE	Call
State, Orange, Walnut Streets and Mandeville		
Avenue - Abita Terrace Subdivision		
Amount: \$ 14,400		
Expires: January 12, 2019		
Ward 4 District 7		

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 6 DAY OF DECEMBER , 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. River Park Crossing Subdivision, Phase 1**
Warranty Obligation - \$65,300 - Extend
- 2. Alexander Ridge Subdivision, Phase 3A**
Warranty Obligation - \$51,200 - Release
- 3. Enter Parish R.O.W. - Resolution No. 06-245**
I-12 Service Road Extension
Performance Obligation - \$7,200 - Release - Establish Warranty Obligation
- 4. Enter the Parish R.O.W. Resolution No. 05-223**
Echo Street - Alexiusville Subdivision
Performance Obligation - \$3,000 - Call
- 5. Enter the Parish R.O.W. Resolution No. 04-160**
State, Orange, Walnut Streets and Mandeville Avenue - Abita Terrace Subdivision
Performance Obligation - \$14,400 - Call

NAME OF SUBDIVISION	OBLIGATION	RECOMMENDATION
River Park Crossing Subdivision, Phase 1	WARRANTY	Extend for one (1) year or until
Amount: \$65,300		the work is satisfactorily
Expires: January 20, 2019		completed.
Ward 3 District 3		
Alexander Ridge Subdivision, Phase 3A	WARRANTY	Release upon expiration.
Amount: \$51,200		
Expires: January 10, 2019		
Ward 3 District 2		
Enter Parish R.O.W. - Resolution No. 06-245	PERFORMANCE	Release Performance and
I-12 Service Road Extension		establish Warranty.
Amount: \$7,200		
Expires: September 7, 2019		
Ward 3 District 5		
Enter the Parish R.O.W. Resolution No. 05-223	PERFORMANCE	Call
Echo Street - Alexiusville Subdivision		
Amount: \$3,000		
Expires: January 12, 2019		
Ward 3 District 1		
Enter the Parish R.O.W. Resolution No. 04-160	PERFORMANCE	Call
State, Orange, Walnut Streets and Mandeville		
Avenue - Abita Terrace Subdivision		
Amount: \$14,400		
Expires: January 12, 2019		
Ward 4 District 7		



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

November 16, 2018

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

Re: River Park Crossing Subdivision, Phase 1
Warranty Obligation - \$65,300

Honorable Council Members,

The Warranty Obligation in the amount of \$65,300 expires January 20, 2019 and is scheduled for review by the Parish Council at the December 6, 2018 meeting.

The developer was notified on September 18, 2018 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.

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 item(s) remain:

1. The street name sign at the intersection of Park Hills Boulevard and Highland Heights Drive intersection needs to be reinstalled.
2. All planting and boulders located within the Parish Right of Way at Park Hills Boulevard and Devou Park Lane need to be removed.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Watson".

Jay B. Watson, P.E.
Parish Engineer

xc: Honorable James Thompson
Mr. Sidney Fontenot
Ms. Erin Stair
Ms. Leslie Long
Ms. Tim Brown
Mr. Shannon Davis
Ms. Deborah Henton
Mr. Earl Magner
Mr. Christopher Tissue, P.E.
Mr. Theodore Reynolds, E.I.
Ms. Cara Bartholomew
Ms. Jan Pavur
Mr. Jeff Vallee, D.R. Horton, Inc. - Gulf Coast
Kelly McHugh, Kelly McHugh and Associates, Inc.



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

November 16, 2018

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

Re: Alexander Ridge Subdivision, Phase 3A
Warranty Obligation - \$51,200

Honorable Council Members,

The Warranty Obligation in the amount of \$51,200 expires January 10, 2019 and is scheduled for review by the Parish Council at the December 6, 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,

A handwritten signature in black ink, appearing to read "J. Watson".

Jay B. Watson, P.E.
Parish Engineer

xc: Honorable David Fitzgerald
Mr. Sidney Fontenot
Ms. Erin Stair
Ms. Leslie Long
Ms. Tim Brown
Ms. Cary Menard *w/recorded plat*
Ms. Deborah Henton
Mr. Earl Magner
Mr. Christopher Tissue, P.E.
Mr. Theodore Reynolds, E.I.
Ms. Cara Bartholomew
Mr. Kenneth Lopiccolo, Savannah's Community, LLC
Mr. Eddie Powell, Kyle Associates, LLC



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

November 16, 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 Road Extension
Performance Obligation - \$7,200

Honorable Council Members,

The Performance Obligation, which was converted from a Warranty Obligation, in the amount of \$7,200 expires September 7, 2019 and is scheduled for review by the Parish Council at the December 6, 2018 meeting.

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

Therefore, the Performance Obligation in the amount of \$7,200 that was furnished by Marina Developers, LLC can be released and the security for the obligation can be returned to Marina Developers, LLC.

However, a Warranty Obligation in the amount of \$3,800 (250 linear feet x \$15.00) for a period of one (1) year must be established as to and security provided by Louisiana Organ Procurement Agency as the obligor, who completed construction of the cul-de-sac. For further clarification, please find attached a copy of the Work Order dated April 19, 2016 for construction of the cul-de-sac and the extended portion of I-12 Service Road.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Watson".

Jay B. Watson, P.E.
Parish Engineer

xc: Honorable Rykert Toledano
Ms. Kelly M. Rabalais
Mr. Sidney Fontenot
Ms. Leslie Long
Ms. Erin Stair
Mr. Shannon Davis
Ms. Deborah Henton
Mr. Tim Brown
Mr. Earl J. Magner
Mr. Chris Tissue, P.E.
Mr. Theodore Reynolds, E.I.
Ms. Cara Bartholomew
Mr. Buddy Coate, Marina Developers, LLC
Mr. Kelly McHugh, Kelly McHugh & Associates, Inc.
Mr. Eddie Powell, Kyle Associates, LLC
Ms. Kelly Ranum, Louisiana Organ Procurement Agency
Mr. Michael Callery, Louisiana Organ Procurement Agency



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

April 19, 2016

Ms. Kelly Ranum, Chief Executive Officer
Louisiana Organ Procurement Agency
3545 N. I-10 Service Rd., Suite 300
Metairie, LA 70002

Re: Enter Parish R.O.W. – Res. No. 06-025
Extension of I-12 Service Road
UNLIMITED WORK ORDER for cul-de-sac

Dear Ms. Ranum:

Reference is made to the letter dated April 6, 2016 with regards to the cul-de-sac construction at the end of the extension of I-12 Service Road (copy attached for ready reference).

We are in receipt of the following drawings prepared by Kyle Associates, LLC:

- Geometric Plan, C-1, revised 02-22-16;
- Grading & Drainage Plan, C-2, revised 04-11-16;
- Paving Plan, C-5 revised 04-11-16.

These drawings have been reviewed and are acceptable for the construction of the cul-de-sac and the extended portion of I-12 Service Road only. No approval of any other flat work is included.

Therefore, an UNLIMITED WORK ORDER is hereby authorized for the above captioned project.

Please furnish this office with your contractor's name, address, and telephone number. We hereby call to your attention that Subdivision Ordinance #499-Section 40.032.01 Definitions Relating to Streets-Paragraph 7 states the following: "Responsibility for on-site inspections shall be the responsibility of the developer to retain a registered civil engineer, to provide for on-site inspections and observations during all construction activities, including those contingent herein and drainage. Said engineer shall provide periodic inspection reports to the Engineering Department for review and filing." These inspection reports are required on a weekly basis. The engineer is to advise this office whenever major phases of the work commences, so that our inspectors may observe as necessary.

You are hereby advised that a one (1) year Warranty Obligation in the amount of \$15.00 per linear foot of concrete roadway will be established upon Final Approval of the project.

You are also notified that the cul-de-sac and the extended portion of I-12 Service Road within your ownership have not been dedicated to St. Tammany Parish and must be dedicated before the Warranty Obligation will be released.

Should you need additional information please advise.

Sincerely,

Charles E. Williams, P.E.
Parish Engineer/Director of Engineering

Enclosure: Letter dated 4/6/16

xc: Honorable Ryker Toledano
Mr. Mike Noto
Mr. Sidney Fontenot
Ms. Erin Stair
Mr. Earl J. Magner, P.E., P.L.S.
Mr. Jay Watson, P.E.
Mr. Glenn Delatte
Kyle Associates, LLC

THE COHN LAW FIRM

A Limited Liability Company

David M. Cohn
D. Brian Cohn*
Bartley P. Bourgeois
M. Virginia Kelly Smith
*Master of Laws In Taxation

10754 LINKWOOD CT., SUITE 1
BATON ROUGE, LOUISIANA 70810
TELEPHONE: (225) 769-0858
FAX: (225) 769-1016
E-MAIL: virginia@thecohnlawfirm.com

April 6, 2016

St. Tammany Parish Government
Attn: Legal Department
21454 Koop Dr.
Mandeville, LA 70471

RE: 68190 Hwy 190 Service Rd., Covington, LA 70488

To whom it may concern,

We are writing to memorialize the agreement between St. Tammany Parish Government, S.L. Shaw & Associates, Inc. (hereafter referred to as "S.L. Shaw"), and Louisiana Organ Procurement Agency (hereafter referred to as "LOPA"), regarding the issuance of permits for the above referenced address.

LOPA owns the property bearing the municipal address referenced above and retained S.L. Shaw to construct improvements on the property. As such, St. Tammany Parish Government has agreed to issue flat work only permit #2016-27372 for the address referenced above contingent upon the following particulars:


- 1) S.L. Shaw will construct the cul de sac shown per the plans, in accordance with Parish specifications;
- 2) In the event S.L. Shaw damages the adjacent road extension, S.L. Shaw will repair the areas of damage in accordance with Parish specifications; and
- 3) S.L. Shaw will obtain Parish approval of the cul de sac and road extension repairs prior to constructing any improvements outside the scope of flat work only permit #2016-27372 at the above referenced address, and issuance of the Certificate of Occupancy will be contingent upon satisfactory completion of the same.

Please note that S.L. Shaw hereby reserves its right to negotiate future impact fee credit from the Parish for any work it does in connection with the items listed above. S.L. Shaw and LOPA sign below to evidence their intent to be bound by the terms and conditions contained herein, and will regard the issuance of flat work only permit #2016-27372 as evidence of St. Tammany Parish Government's intent to be bound by this letter agreement.

Very truly yours,

M. Virginia Kelly Smith

S.L. SHAW & ASSOCIATES, INC.:


By: Phillip Manchester, Representative

LOUISIANA ORGAN PROCUREMENT AGENCY:


By: Kelly Ranum, Chief Executive Officer


By: Kyle B. Hagan, Chief Operating Officer



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

November 16, 2018

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

Re: Enter the Parish R.O.W. Resolution No. 05-223
Echo Street - Alexiusville Subdivision
Performance Obligation - \$3,000

Honorable Council Members,

The Performance Obligation in the amount of \$3,000 expires January 12, 2019 and is scheduled to be for review by the Parish Council at the December 6, 2018 meeting.

The developer was notified on September 17, 2018 by the Department of Development - Engineering of the punch list items required 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. As-Built drawing needs to be revised to show that signage is in place; this includes speed limit signs.
2. The roadside ditches do not have positive flow and do not exit into the cross culvert at River Highland Blvd. Regrade roadside ditches.
3. A mature stand of grass is needed before the Performance Obligation can be released.

The roads and drainage are to be maintained by the Parish.

Sincerely,

Jay B. Watson, P.E.
Parish Engineer

xc: Honorable Rykert Toledano
Ms. Kelly Rabalais
Mr. Sidney Fontenot
Ms. Erin Stair
Ms. Leslie Long
Mr. Tim Brown
Mr. Shannon Davis
Ms. Deborah Henton
Mr. Earl Magner
Mr. Christopher Tissue, P.E.
Mr. Theodore Reynolds, E.I.
Ms. Cara Bartholomew
Mr. Jay Riecke, Abita River, LLC
Mr. Eddie Powell, P.E., Kyle and Associates, LLC
Mr. Paul Mayronne, Jones Fussell, LLP



ST. TAMMANY PARISH

PATRICIA P. BRISTER
PARISH PRESIDENT

November 16, 2018

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

Re: Enter the Parish R.O.W. Resolution No. 04-160
State, Orange, Walnut Streets and Mandeville Avenue - Abita Terrace Subdivision
Performance Obligation - \$14,400

Honorable Council Members,

The Performance Obligation in the amount of \$14,400 expires January 12, 2019 and is scheduled to be for review by the Parish Council at the December 6, 2018 meeting.

The developer was notified on September 18, 2018 by the Department of Development - Engineering of the punch list items required 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. Swales between the lots are not functioning and must be corrected in accordance with Sheet F- 1, dated September 6, 2006 prepared by Cooper Engineering Incorporated. These swales can be constructed at the time building permits are obtained.
2. Silt abatement measures are not functioning. Best Management Practices need to be employed to prevent siltation. It will necessary that your engineer furnish a siltation abatement plan for review by out Watershed Coordinator.
3. All signage needs to be installed along with blue reflectors, all in accordance with the latest signage specifications.
4. As-Built drawings are needed upon completion of the regrading of all ditches, swales and signage.
5. The asphalt roadway cracks have been sealed and the Parish is awaiting certification of this work from the developer's engineer.
6. Road shoulders need to be constructed in accordance with the approved drawings.
7. Roadside ditches have silted up again since BMP have not been installed. Regrade roadside ditches to eliminate standing water.

One of the outfall ditches ties into a Parish maintained ditch that is encumbered with a private fence and gate. The Department of Public Works is in the process of dealing with the property owner to remove the obstruction so that they can accomplish the necessary regrading of the ditch.

The roads and drainage are to be maintained by the Parish.

Sincerely,

Jay B. Watson, P.E.
Parish Engineer

xc: Honorable Jacob Groby
Ms. Kelly Rabalais
Mr. Sidney Fontenot
Ms. Erin Stair
Ms. Leslie Long
Mr. Tim Brown
Mr. Shannon Davis
Ms. Deborah Henton

Mr. Earl Magner
Mr. Christopher Tissue, P.E.
Mr. Theodore Reynolds, E.I.
Ms. Cara Bartholomew
Mr. Marc Crawford
Mr. Joey Lobrano
Mr. George Hallal, Hallmark Homes, Inc.
Mr. Alex Williams, P.E., Deep South Design Group, LLC