



City of Pflugerville

Legislation Text

File #: RES-0739, **Version:** 1

Approving a resolution with the caption: A resolution of the City Council of the City of Pflugerville, Texas, authorizing the City Manager to enter into a Landscape Maintenance License Agreement for the Verona Subdivision pursuant to the First Amended and Restated Development Agreement for New Cele Subdivision (Creekside Park) to allow for landscaping improvements within the public rights-of-way to be installed and maintained by the homeowner's association; and providing an effective date.

Per Section 4.01 (c) 10 of the City Charter, if authorized by the City Council, the City Manager may sign any contract, conveyance or other document.

The City of Pflugerville entered into the New Cele Subdivision Development Agreement on April 28, 2004, and was subsequently amended per the First Amended and Restated Development Agreement for New Cele Subdivision (Creekside Park) on May 15, 2007.

Per Section 1.10 of the First Amended and Restated Development Agreement for New Cele Subdivision (Creekside Park), the homeowner's association shall maintain the landscape portion of the right-of-way by a license agreement negotiated between the developer and the City. The proposed license agreement will allow for the HOA to install landscaping improvements within a street median at the entrance to the Verona Subdivision along Quebrada Drive. Per the agreement, the homeowner's association shall maintain the licensed property for a minimum term of 30 years. The proposed licensed property (right-of-way) is shown within Exhibit A of the agreement. Currently, there are no landscape improvements within the proposed licensed right-of-way. However, if the HOA desires to install landscape improvements within the proposed licensed right-of-way in the future, the HOA would need to submit landscape plans for review and approval by the City.

The City Attorney has reviewed the Landscape Maintenance License Agreement.

Prior City Council Action

N/A

Deadline for City Council Action

Action is requested on August 25, 2020

Funding Expected: Revenue ___ Expenditure ___ N/A

Budgeted Item: Yes ___ No ___ N/A

Amount: N/A

1295 Form Required? Yes ___ No

Legal Review Required: N/A ___ Required Date Completed: 7/29/2020

Supporting documents attached:

1. Resolution

2. Landscape Maintenance License Agreement (Exhibit A of the Resolution)
3. Proposed Licensed Property Map (Exhibit A of the License Agreement)
4. First Amended and Restated Development Agreement for New Cele Subdivision (Creekside Park)

Recommended Action

Approve the Resolution to allow the City Manager to enter into a Landscape Maintenance License Agreement.