

RESOLUTION NO. 4184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY KELLER, TEXAS, APPROVING AN AGREEMENT WITH THE HIDDEN LAKES HOMEOWNERS ASSOCIATION OF KELLER, TEXAS, FOR AN ANNUAL PAYMENT FROM THE CITY OF KELLER, TEXAS TOWARDS THE COST OF MAINTAINING LANDSCAPE MEDIANS ON PUBLIC ROADWAYS WITHIN THE HIDDEN LAKES HOMEOWNERS ASSOCIATION, IN AN INITIAL AMOUNT OF \$22,383.47; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL CONTRACT DOCUMENTS RELATING THERETO ON BEHALF OF THE CITY OF KELLER, TEXAS.

WHEREAS, it has been determined by the City Council of the City of Keller, Texas that it is in the best interest of the health, safety and general welfare of the citizens of the City of Keller to enter into an Agreement with the Hidden Lakes Homeowners Association ("Association") for maintaining landscape medians on public roadways within the Association; and

WHEREAS, the developer of the Hidden Lakes subdivision entered into a verbal agreement with the City of Keller in 1997 that placed all responsibility for median landscape maintenance within the subdivision on the Association; and

WHEREAS, the Association now desires to receive an annual payment from the City of Keller towards the irrigation and landscaping costs of the medians on public roadways, and a majority of elected City Council wishes to terminate the verbal agreement and replace it with the Agreement providing an annual payment from the City of Keller to the Association, as outlined in Exhibit "A," attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, the City Council of the City of Keller, Texas hereby approves an Agreement for an annual payment from the City of Keller towards the cost of maintaining landscape medians on public roadways within the Hidden Lakes Homeowners Association, in an initial amount of \$22,383.47, as determined by the City of Keller based on the per acre cost for other public roadways, and further authorizes the City Manager to execute all contract documents relating thereto on behalf of the City of Keller, Texas.

Section 3: THAT, the cost of said annual contribution shall be paid from the Parks and Recreation Department in the General Fund.

AND IT IS SO RESOLVED.

Passed by a vote of 5 to 2 on this the 5th day of November, 2019.

CITY OF KELLER, TEXAS

BY: _____
P. H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney