



CITY COUNCIL AGENDA ACTION FORM

AGENDA DATE:	12/14/2021		
AGENDA SUBJECT:	Discussion consideration and possible action on maintenance of Paluxy Summit Subdivision common area improvements.		
PREPARED BY:	City Administrator Leamons	DATE SUBMITTED:	12/06/2021
EXHIBITS:			
BUDGETARY IMPACT:	Required Expenditure:		\$00.00
	Amount Budgeted:		\$00.00
	Appropriation Required:		\$00.00
CITY ADMINISTRATOR APPROVAL:			
SUMMARY:	<p>A potential investor asked City staff if the City would be maintaining the fountain, drip irrigation, and decorative lights in the common areas of the Paluxy Summit Subdivision. Staff's initial reply was that it was traditional for the City to provide street lighting, but that maintaining fountains and drip irrigation systems didn't fall within the City's normal duties and that guidance would be needed from the Council. According to Public Works Director Holder, during his time in that position, the City has not maintained the aforementioned systems. It does appear, however, that the City has been paying for the meter which services the ornamental lights along the street. Staff then examined the TIF (tax investment finance) agreement and plat for that subdivision to see if maintenance or ownership of the improvements was addressed. It wasn't. Staff then found a set of Covenants associated with the subdivision which were adopted in 1999. Those covenants provide that, "The care, maintenance and development of the Greenbelts and Public areas are the responsibility of Glen Rose Ventures, LLC or the Owners Association." The Owners Association was granted power "To collect annual assessments to defray expenses attributable to the Association's duties, to be levied against each owner..." In 1999 a Paluxy Summit Property Owners Association was incorporated and bylaws were adopted. The aforementioned documents can be viewed at the Somervell County Clerk's website by going to "search real estate index" and entering "Paluxy Summit" in the "party name" field.</p>		
RECOMMENDED ACTION:			
	Provide guidance to staff concerning maintenance of the Paluxy Summit Subdivision common areas.		