

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE ALL INFRASTRUCTURE MAINTENANCE AND LICENSE AGREEMENTS.**

**WHEREAS**, The City of Pflugerville’s Engineering Design Manual, adopted by Ordinance No. 1604-23-09-12, requires that private property owners design, construct and keep perpetual maintenance of permanent post construction storm water best management practices as developed and included within a Storm Water Management Site Plan (SWMSP); and

**WHEREAS**, the with the construction of public streets in a development, it is common for stormwater to be conveyed for public improvements to a private detention facility that is owned and maintained by the property/homeowner’s association; and

**WHEREAS**, the City requires a license to the private pond to ensure the storm water facility is maintained and kept in good repair, and to remain in compliance with the City’s Texas Commission on Environmental Quality-issued Municipal Separate Storm Sewer System (“MS4”) TPDES General Permit (TXR040000); and

**WHEREAS**, the City is charged with the responsibility of protecting the public health, safety and welfare through implementation of storm water pollution prevention measures, including ensuring that SWMSPs are developed, and ensuring post construction storm water best management practices are implemented and perpetually maintained by property owners; and

**WHEREAS**, the Storm Water Facilities Maintenance Covenant, License and Agreement, Attached as **Attachment A**, is required for all private ponds to ensure health and public safety and perpetual compliance with City regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE:**

**Section 1.**

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 2.**

The City Council of the City of Pflugerville hereby authorizes the City Manager to execute all Storm Water Facilities Maintenance Covenant, License and Agreements as necessary to ensure public safety and perpetual compliance with City Regulations.

PASSED, APPROVED and EFFECTIVE on this \_\_\_ day of \_\_\_\_\_ 2024.

By: \_\_\_\_\_  
Victor Gonzales, Mayor

ATTEST:

\_\_\_\_\_  
Trista Evans, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Charles E. Zech, City Attorney  
DENTON NAVARRO RODRIGUEZ BERNAL SANTEE  
& ZECH, P.C.

## **Attachment A**