



# City of Pflugerville

## Legislation Details (With Text)

**File #:** 2019-7552    **Version:** 1    **Name:**  
**Type:** Agenda Item    **Status:** Approved  
**File created:** 4/17/2019    **In control:** Engineering Dept  
**On agenda:** 5/14/2019    **Final action:** 5/14/2019  
**Title:** Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Kingston Lacy Commercial development located northeast of the intersection of Heatherwilde Blvd and Kingston Lacy Blvd and authorizing the City Manager to execute the agreement.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Maintenance Agreement, 2. Agreement Exhibit

Date	Ver.	Action By	Action	Result
5/14/2019	1	City Council	Approved	Pass

Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Kingston Lacy Commercial development located northeast of the intersection of Heatherwilde Blvd and Kingston Lacy Blvd and authorizing the City Manager to execute the agreement.

The Kingston Lacy Commercial development will incorporate an aboveground detention pond to detain storm water runoff from the property. This agreement between Austin SR I LLC, Pflugerville School LLC and the City of Pflugerville spells out the owner's responsibility to maintain the facilities in perpetuity. Inspection and maintenance will be the sole responsibility of the property owner; however, in the event the system is not being properly maintained, this agreement gives the City the right to enter the property and perform any inspection, monitoring, operation, maintenance, replacement, upgrade or repair necessary for the duration of such activities and allows for the City to recover the costs associated with such actions. Reference Part III, Section B.4.b.3 of the General TPDES (Texas Pollution Discharge Elimination System), Phase II Municipal Storm Sewer System (MS4) permit, which requires that the City require the owner or operator of any new development or redeveloped site to develop and implement a maintenance plan addressing maintenance requirements for any structural control measures installed on site.

**Prior City Council Action**

None.

**Deadline for City Council Action**

None.

**Funding Expected:** Revenue \_\_\_ Expenditure \_\_\_ N/A X

**Budgeted Item:** Yes \_\_\_ No \_\_\_ N/A X

**Amount:** N/A

**1295 Form Required?** Yes \_\_\_ No X

**Legal Review Required:** N/A \_\_\_ Required X Date Completed: 12/04/2017

**Supporting documents attached:**

Maintenance Agreement, and Agreement Exhibit

**Recommended Action**

Approve the Storm Water Facilities Maintenance Covenant, License and Agreement for the Kingston Lacy Commercial development located northeast of the intersection of Heatherwilde Blvd and Kingston Lacy Blvd and authorizing the City Manager to execute the agreement.