



City of Pflugerville

Legislation Details (With Text)

File #: RES-0900 **Version:** 1 **Name:**
Type: Resolution **Status:** Consent Agenda
File created: 7/14/2021 **In control:** Planning Dept
On agenda: 7/27/2021 **Final action:** 7/27/2021
Title: Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas accepting a Stormwater Facilities Maintenance Covenant, License and Agreement for Pflugerville Assisted Living Pond Maintenance between Pflugerville Senior Living, LLC, a Limited Liability Company (“Owner”) and the City of Pflugerville (“City”).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution Document, 2. Agreement Exhibit

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 7/27/2021 | 1 | City Council | Approved | Pass |

Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas accepting a Stormwater Facilities Maintenance Covenant, License and Agreement for Pflugerville Assisted Living Pond Maintenance between Pflugerville Senior Living, LLC, a Limited Liability Company (“Owner”) and the City of Pflugerville (“City”).

The Pflugerville Assisted Living site development project will incorporate one aboveground detention pond to detain storm water runoff from the property. This agreement between Pflugerville Senior Living, LLC, a Limited Liability Company 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 Pollutant Discharge Elimination System), Phase II Municipal Separate 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.

This Resolution authorizes City Manager Signature on the proposed pond maintenance agreement.

Prior City Council Action

None.

Deadline for City Council Action

None.

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: 2/22/2021

Supporting documents attached:

Resolution Document, Agreement Exhibit

Recommended Action

Staff recommends approval of this Resolution as requested.