



# City of Pflugerville

## Legislation Details (With Text)

**File #:** RES-0870    **Version:** 1    **Name:**

**Type:** Resolution    **Status:** Passed

**File created:** 4/23/2021    **In control:** Planning Dept

**On agenda:** 5/11/2021    **Final action:** 5/11/2021

**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 Project Charm Pond Maintenance between Amazon.Com Services, a Delaware 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
5/11/2021	1	City Council	Adopted	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 Project Charm Pond Maintenance between Amazon.Com Services, a Delaware Limited Liability Company (“Owner”) and the City of Pflugerville (“City”).

The Project Charm site development project will incorporate two aboveground and one below ground detention pond to detain storm water runoff from the property. This agreement between Amazon.Com Services, a Delaware 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.