



# City of Pflugerville

## Legislation Text

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File #: 2020-8310, Version: 2

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Approving a Storm Water Facilities Maintenance Covenant, License and Agreement for the Cardinal Crossing Phase 3 Condo development located generally in between Black Locust and Pflugerville Parkway at 601 East Pflugerville Parkway and authorizing the City Manager to execute the agreement.

The Cardinal Crossing Phase 3 Condo development will incorporate an aboveground detention pond to detain storm water runoff from the property. This agreement between Cardinal Crossing Condominium Community, Inc. 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.

### 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, Agreement Exhibit, and Council Presentation

### Recommended Action

Staff recommends approval of this agreement as requested.