City of Pflugerville

Legislation Text

File #: RES-0897, **Version:** 1

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 Destiny Church Pond Maintenance between Destiny Church Outreach Center ("Owner") and the City of Pflugerville ("City").

The Destiny Church site development project will incorporate one aboveground detention pond to detain storm water runoff from the property. This agreement between Destiny World Outreach Center 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 _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: _2/22/2021_____

Supporting documents attached:
Resolution Document, Agreement Exhibit

Recommended Action
Staff recommends approval of this Resolution as requested.