



# City of Pflugerville

## Legislation Text

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File #: RES-0924, Version: 1

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Approving a Resolution with a caption reading: A Resolution of the City of Pflugerville, Texas accepting Stormwater Facilities Maintenance Covenants, Licenses and Agreements for Lifestyle Communities Pond Maintenance between LC Pflugerville, LLC and the City of Pflugerville.

The Lifestyle Communities site development project will incorporate two aboveground detention ponds to detain storm water runoff from the property. The Owner of the property has requested the City enter into separate agreements for the two ponds since they are located on separate parcels within the subdivision. These agreements between LC Pflugerville, LLC and the City of Pflugerville spell 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 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 the City Manager to sign the two pond maintenance agreements for the two detention ponds in this subdivision.

### 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: 07/2021

### Supporting documents attached:

Resolution Document, Agreement Exhibit

### Recommended Action

Staff recommends approval of this Resolution as requested.

