



City of Pflugerville

Legislation Text

File #: RES-0956, Version: 1

Approving a resolution with the caption reading: A Resolution of the City of Pflugerville, Texas accepting Stormwater Facilities Maintenance Covenants, Licenses and Agreements for Wilke Multi-Family Ponds Maintenance between CH Reality IX-OP II MF Austin Wilke, L.P., a Delaware limited partnership (“Owner”) and the City of Pflugerville (“City”). (Located on the south side of Wiles Lane approximately one third of a mile east of Huntingtontower Castle Boulevard)

The Wilke Multi-Family development project will incorporate two aboveground detention ponds to detain storm water runoff from the property located on the southside of SH45 frontage road just east of Huntington Tower Castle Boulevard. The wish to enter into separate Stormwater Maintenance Agreements for each pond. These agreements between CH Reality IX-OP II MF Austin Wilke, L.P. 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 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 two proposed pond maintenance agreements.

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: 9/2/2021

Supporting documents attached:

Resolution with two agreement exhibits

Recommended Action

Motion to approve as presented.