

TOWN OF ADDISON, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS SUPPORTING THE ISSUANCE OF A MUNICIPAL SETTING DESIGNATION CERTIFICATE FOR PROPERTIES AT 4707 ALPHA ROAD, FARMERS BRANCH, TEXAS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 361, Subchapter W, of the Texas Solid Waste Disposal Act authorizes the Texas Commission on Environmental Quality (TCEQ) to certify Municipal Setting Designations (MSD) for properties that have been the subject of contamination but that, due to the availability of other sources of potable water and because of restrictions on the use of ground water at and near the affected property, do not pose a threat to the public health, safety and welfare; and

WHEREAS, the application to the TCEQ for a MSD requires the applicant to document that the application is supported by: (1) the city council of the city in which the site is located, (2) the city council of each municipality with a boundary located not more than one-half mile from the site, (3) the city council of each municipality that owns or operates a groundwater supply well located not more than five miles from the site, and (4) the governing body of each municipal or retail public entity, as defined by Section 13.002, Texas Water Code, that owns or operates a groundwater supply well located not more than five miles from the site; and

WHEREAS, on September 26, 2017, the applicant was issued an ordinance by the City of Farmers Branch establishing a MSD ordinance for properties at 4707 Alpha Road Farmers Branch, Texas, (the MSD Site); and

WHEREAS, the Town of Addison staff has reviewed the initial municipal setting designation application of the owner of the property and has determined that support of the application is appropriate; and

WHEREAS, following the issuance of resolutions or ordinances of support from each additional municipality and retail public utility for which approval is required, the applicant will submit to the TCEQ an application for certification of the ordinance for the MSD Site pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. That the Town of Addison supports the application of the applicant to the TCEQ for certification of a Municipal Setting Designation for the MSD Site for the properties located at 4707 Alpha Road, Farmers Branch, Texas.

Section 2. This Resolution shall take effect from and after its date of adoption.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 13th day of February, 2018.

Joe Chow, Mayor

ATTEST:

By: _____
Christie Wilson, Interim City Secretary

APPROVED AS TO FORM:

By: _____
Brenda N. McDonald, City Attorney