

December 13, 2023

**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 (MSDs) 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**, an application to the TCEQ for an 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 August 15, 2023, the City of Garland issued an ordinance establishing an MSD for property generally located at 1901 Northwest Highway, Garland, TX on property described in Exhibit A, which is attached to and made a part of this resolution (the Designated Property); and

**WHEREAS**, the City of Dallas is a municipality with a boundary located less than one-half mile from the Designated Property; and

**WHEREAS**, following the issuance of resolutions 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 Designated Property pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That City of Dallas supports the application of the applicant to the TCEQ for certification of a Municipal Setting Designation for the Designated Property.

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**SECTION 2.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By: \_\_\_\_\_  
Assistant City Attorney