

RESOLUTION NO. _____

A RESOLUTION BY THE CITY OF CARROLLTON, TEXAS IN SUPPORT OF THE APPLICATION BY THE CITY OF FARMERS BRANCH, STORE MASTER FUNDING XIV LLC., CORPORATION OF EPISCOPAL DIOCESE OF TEXAS, CHRIST UNITED METHODIST CHURCH (“MSD APPLICANTS”) TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR A MUNICIPAL SETTING DESIGNATION FOR PROPERTY GENERALLY LOCATED AT 2710, 2783, 2784, 2807 VALWOOD PARKWAY AND 14055, 14065, AND 14067 DENNIS LANE.

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 for properties upon receipt and approval of a properly submitted application to the TCEQ; and,

WHEREAS, as part of the application to the TCEQ for a Municipal Setting Designation, the Applicant is required to provide documentation that the application is supported by the City Council of each municipality that owns or operates a groundwater supply well located not more than five miles from the proposed designated area; and,

WHEREAS, The City of Farmers Branch, Store Master Funding XIV LLC., Corporation of Episcopal Diocese of Texas, and Christ United Methodist Church (collectively the “MSD Applicants”) filed an application with City of Farmers Branch, Texas for the issuance of a Municipal Setting ordinance for the property located 2710, 2783, 2784, 2807 Valwood Parkway and 14055, 14065, 14067 Dennis Lane in the City of Farmers Branch and adjacent public rights of way in Farmers Branch, Texas (Site), more fully described in Exhibit A; and,

WHEREAS, on October 10, 2023 the City Council of the City of Farmers Branch approved and adopted Ordinance No. 3799 (the Farmers Branch Ordinance, copy attached as Exhibit A) which, among other things, prohibits the potable use of groundwater beneath the Site; and,

WHEREAS, with the adoption of the Farmers Branch Ordinance, the MSD Applicants now desire and intend to submit to the TCEQ an application for certification of a Municipal Setting Designation for the Site pursuant to the Texas Health and Safety Code, Chapter 361, Subchapter W; and,

WHEREAS, the City of Carrollton owns and operates a groundwater supply well identified as State Well ID 3302102, located north of Country Club Drive, near the Country Club Pump Station, east of Kelly Boulevard which is within five miles from the Site; and,

WHEREAS, the designated groundwater identified in the MSD Applicant’s City of Farmers Branch Municipal Setting Designation Application is shallow perched groundwater

beneath the Site to a depth approximately 15 feet below ground surface while the well owned by the City of Carrollton collects water from the Twin Mountains aquifer at depths greater than 2,200 feet-below ground surface; and,

WHEREAS, the City of Carrollton groundwater supply well at Country Club Drive is approximately 1.7 miles northeast of the Site and is up-gradient of the contaminated groundwater beneath the Site.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and are hereby approved, ratified, and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2.

That the City of Carrollton supports the MSD Applicants' Municipal Setting Designation application to the Texas Commission on Environmental Quality for the Site described in Exhibit A.

SECTION 3.

This Resolution shall take effect upon passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas on this 7th day of November, 2023.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED TO FORM:

Meredith A. Ladd,
City Attorney

APPROVED TO CONTENT:

Cory Heiple,
Director Environmental Services