

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION BY THE CITY OF CARROLLTON, TEXAS IN SUPPORT OF THE APPLICATION BY ROCHESTER GAUGES, INC. TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A MUNICIPAL SETTING DESIGNATION FOR PROPERTY GENERALLY LOCATED AT 11602, 11616, 11634, 11642 AND 11650 HARRY HINES BOULEVARD, 11613, 11621, 11637, 11661 AND 11663 DENTON DRIVE, AND 2536 FOREST LANE IN THE CITY OF DALLAS.**

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, Rochester Gauges, Inc. (Applicant) filed an application with the City of Dallas, Texas for the issuance of a Municipal Setting ordinance for the property located at 11602, 11616, 11634, 11642 and 11650 Harry Hines Boulevard, 11613, 11621, 11637, 11661 and 11663 Denton Drive, and 2536 Forest Lane in the City of Dallas and adjacent public rights of way in Dallas, Texas (Site), more fully described in Exhibit A; and,

WHEREAS, on May 13, 2015 the City Council of the City of Dallas, Texas approved and adopted Ordinance No. 29741 (the Dallas Ordinance, attached as Exhibit A) which, among other things, prohibits the potable use of groundwater beneath the Site to a depth of 200 feet; and,

WHEREAS, with the adoption of the Dallas Ordinance, the Applicant now desires and intends 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 ID G0570034A, located north of the 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 Applicant's City of Dallas Municipal Setting Designation Application is shallow perched groundwater beneath the Site to a depth of eleven to twenty-three 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 is approximately 4.9 miles north of the Site and is up-gradient or cross-gradient of the contaminated groundwater beneath the Site; and,

WHEREAS, Farmers Branch Creek, which is located between the Site and the City of Carrollton groundwater supply well, provides a significant barrier to potential contamination;

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

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

2. That this Resolution shall take effect upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas on this 12<sup>th</sup> day of July, 2016

APPROVED:

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Doug Hrbacek  
Mayor Pro Tem

APPROVED AS TO FORM:

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Meredith Ladd  
City Attorney

APPROVED AS TO CONTENT:

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Scott Hudson  
Director, Environmental Services

ATTEST:

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Laurie Garber  
City Secretary