

RESOLUTION NO. 2022-036

A RESOLUTION IN SUPPORT OF SYLVANIA INDUSTRIAL PARK, LLC'S APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A MUNICIPAL SETTING DESIGNATION ON PROPERTY LOCATED AT 3201 NORTH SYLVANIA AVENUE IN FORT WORTH, TEXAS.

WHEREAS, on June 14, 2022, the City Council of the City of Fort Worth, Texas, approved Ordinance No. 25553-06-2022, prohibiting the use of shallow groundwater for potable purposes on property located at 3201 North Sylvania Avenue, Fort Worth, Texas ("Site"); and

WHEREAS, the City Council of the City of Fort Worth, Texas, made a finding that it is in the best interest of the public and the city to facilitate the efforts of Sylvania Industrial Park, LLC ("Applicant"), to secure a Municipal Setting Designation ("MSD") with the Texas Commission on Environmental Quality ("TCEQ") for said Site; and

WHEREAS, upon the passing of a supporting resolution by the City Council, Applicant intends to file a separate application with the Executive Director of the TCEQ for certification of an MSD for the Site pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W; and

WHEREAS, Texas Health and Safety Code, § 361.8065 provides that an application to the TCEQ for a municipal setting designation will not be certified unless the application is supported by a resolution adopted by certain entities, including the City Council of each municipality that owns or operates a groundwater supply well located not more than five miles from the property for which the designation is sought; and

WHEREAS, the City of North Richland Hills owns or operates groundwater supply wells located not more than five miles from the boundary of said Site; and

WHEREAS, Applicant has continuing obligations to satisfy applicable statutory and regulatory provisions concerning groundwater contamination investigation and response actions at the Site; and

WHEREAS, the certification of a Municipal Setting Designation for the Site is in the best interests of the community;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS THAT:

SECTION 1. The preambles to this Resolution are hereby adopted in their entirety and incorporated herein as though set forth in full herein.

SECTION 2. The City Council supports Applicant's application to the Texas Commission on Environmental Quality for a Municipal Setting Designation on the Site.

SECTION 3. This Resolution shall be effective from and after its passage.

PASSED AND APPROVED this the 8th day of August, 2022.

CITY OF NORTH RICHLAND HILLS

By:_____

Oscar Trevino, Mayor

ATTEST:

Alicia Richardson

City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Caroline Waggoner

Director of Public Works