

RESOLUTION NO. 2016-

A RESOLUTION TO SUPPORT THE APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A MUNICIPAL SETTINGS DESIGNATION FOR 900 AND 902 GEMINI STREET, WEBSTER, TEXAS, ALSO KNOWN AS LOT 3A AND LOT 4, BLOCK 17 OF THE CLEAR LAKE INDUSTRIAL PARK, WEBSTER, HARRIS COUNTY, TEXAS.

WHEREAS, Chapter 361 of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality (TCEQ) to certify creation of a Municipal Setting Designation (MSD); and

WHEREAS, Kellog, Brown & Root (“Applicant”) filed information with the City of Webster, Texas for support of a MSD for the property located at 900 and 902 Gemini Street Webster, Harris County, Texas (Site); and

WHEREAS, the Applicant now desires and intends to submit to the TCEQ an application of certification of a MSD for the Site pursuant to Texas Health and Safety Code, Chapter 361, Subchapter W; and

WHEREAS, as part of the application to the TCEQ, the applicant is required to secure a resolution of support from the city council of each municipality with either a boundary located not more than one-half mile from the proposed MSD or that owns or operates a groundwater supply well located not more than five miles from the proposed MSD; and

WHEREAS, by Resolution 12-20 the City of Webster, Texas has prohibited the use of groundwater below the surface of the Site to a depth of 200 feet for use as potable water and use or contacts for human consumption or drinking, showering or bathing, cooking or irrigating crops for human consumption; and

WHEREAS, the City of League City owns groundwater public supply wells within five miles from the Site; and

WHEREAS, the designated groundwater identified in the Applicant’s City of Webster Municipal Setting Designation application is shallow, perched groundwater beneath the Site; and

WHEREAS, the League City wells do not take water from and are protected against the shallow water sand contamination; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The above-listed recitals are true and correct and hereby incorporated into this Resolution.

Section 2. The City of League City hereby supports the application to the Texas Commission on Environmental Quality for a Municipal Settings Designation for 900 and 902 Gemini Street, Webster, Texas, also known as Lot 3A and Lot 4, Block 17 of the Clear Lake Industrial Park, Webster, Harris County, Texas.

Section 3. The City Manager or his designee is hereby authorized to execute any document necessary to complete this transaction.

Section 4. All resolutions, and agreements and parts of resolutions and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

Section 5. It is hereby found and determined that the meeting at which this resolution was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

Section 6. In supporting the MSD application, the City does not waive, modify or amend any legal rights or defenses available at law in in equity to the City, its officers, employees or agents.

PASSED AND APPROVED the \_\_\_\_ day of \_\_\_\_\_, 2016.

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PAT HALLISEY  
Mayor

ATTEST:

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DIANA M. STAPP  
City Secretary

APPROVED AS TO FORM:

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NGHIEM V. DOAN  
City Attorney