

RESOLUTION NO. 2015-08-____(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE NORTH TEXAS MUNICIPAL WATER DISTRICT FOR REIMBURSEMENT OF COSTS PURSUANT TO A MODIFICATION OF A TCEQ SOLID WASTE PERMIT ON A CERTAIN 4.812 ACRE TRACT OF LAND SITUATED IN THE S. MCFARLAND SURVEY, ABSTRACT NO. 558

WHEREAS, the City and North Texas Municipal Water District (NTMWD) entered into a lease and easement agreement (Landfill Agreement) dated September 28, 1993, whereby the City leased a certain 168.92 acre tract situated in Collin County (Landfill Tract) to NTMWD for the operation of a municipal solid waste landfill, and entered into certain agreements regarding the operation, closure, and post-closure of the Landfill; and

WHEREAS, NTMWD has a non-exclusive easement to and on the Landfill Tract to fulfill any closure and post-closure obligation under a TCEQ permit pursuant to the Landfill Agreement; and

WHEREAS, NTMWD has obtained a “closed” status designation from TCEQ for the landfill, but has continuing monitoring and other obligations under a TCEQ permit; and

WHEREAS, the State of Texas, acting through TxDOT is seeking to acquire an approximate 4.812 acre tract of land (Parcel 4) from the City, out of the Landfill Tract, for use as Right-of-Way and related infrastructure for an expansion and construction of FM 546; and

WHEREAS, NTMWD must obtain a permit modification from TCEQ due to the City’s proposed sale of the 4.812 acre tract of land to TxDOT; and

WHEREAS, TxDOT’s appraisal and offer to the City for the 4.812 acre tract of Right-of-Way includes payment to the City for NTMWD’s estimated costs associated with the TCEQ permit modification and relocation of infrastructure.

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

Section 1. The City Council of the City of McKinney, Texas hereby authorizes the Interim City Manager to enter into an Interlocal Agreement with the North Texas Municipal Water District.

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 18th DAY OF AUGUST, 2015.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney