

City of Houston, Texas, Ordinance No. 2014- 1174

AN ORDINANCE TO AMEND ORDINANCE NO. 2014-769, A MUNICIPAL SETTING DESIGNATION ORDINANCE PROHIBITING THE USE OF DESIGNATED GROUNDWATER BENEATH A TRACT OF LAND CONTAINING 5.70 ACRES COMMONLY KNOWN AS 2902 W. 12TH STREET, 1247 ELLA BOULEVARD, AND 1321 ELLA BOULEVARD, AND PORTIONS OF THE RIGHTS-OF-WAY OF W. 12TH STREET AND ELLA BOULEVARD, HOUSTON, HARRIS COUNTY, TEXAS; AND SUPPORTING ISSUANCE OF A MUNICIPAL SETTING DESIGNATION BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City Council of the City of Houston, Texas ("City Council") passed Ordinance No. 2014-769 (the "Original Ordinance") on August 13, 2014, prohibiting the use of designated groundwater and supporting issuance of a Municipal Setting Designation by Texas Commission on Environmental Quality pursuant to the provisions of Chapter 361 of the Texas Health and Safety Code and Chapter 47 of the Code of Ordinances, Houston, Texas; and

WHEREAS, Section 1 of the Original Ordinance did not accurately reflect the intent of City Council due to an inconsistency between the designated property identified in the body of the Ordinance and the designated property identified in Section 1 of the Ordinance; and

WHEREAS, City Council desires to amend the Original Ordinance to correct the inconsistency and accurately reflect the intent of City Council in the prohibition of use of designated groundwater and support of a Municipal Setting Designation on the designated property; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the Original Ordinance is hereby amended by modifying Section 1 to read: "That for purposes of this Municipal Setting Designation Ordinance, the "designated property" means the tract described in Exhibit A, attached to this Ordinance and incorporated by reference herein, **and the adjacent rights-of-way of W. 12th Street and Ella Boulevard, Houston, Harris County, Texas.**"

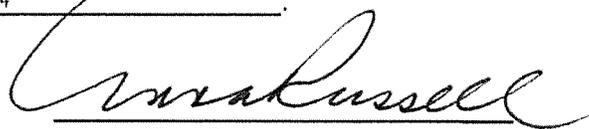
Section 2. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after the passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 17th day of December, 2014.

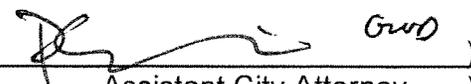
APPROVED this ____ day of _____, 2014.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is DEC 23 2014.



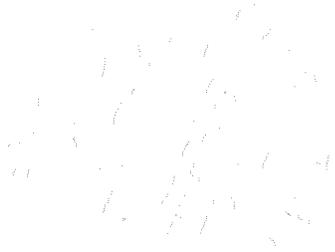
City Secretary

(Prepared by Legal Department )
(PMG/pmg/12/10/2014 Assistant City Attorney)
(Requested by Dale A. Rudick, P.E., Director, Public Works and Engineering Department)
(L.D. File No. 066-1400007-001)
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AYE	NO	
✓		MAYOR PARKER
••••	••••	COUNCIL MEMBERS
✓		STARDIG
	ABSENT	DAVIS
✓		COHEN
	ABSENT	BOYKINS
✓		MARTIN
✓		NGUYEN
✓		PENNINGTON
✓		GONZALEZ
✓		GALLEGOS
✓		LASTER
✓		GREEN
✓		COSTELLO
✓		ROBINSON
✓		KUBOSH
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	

I, ANNA RUSSELL, City Secretary of the City of Houston, Texas, do hereby certify that the within and foregoing is a true and correct copy of Ordinance No. 2014-1174, passed and adopted by the City Council of said City on the 17th day of December, 2014, as the same appears in the records in my office.

WITNESS my hand and the Seal of said City this 14th day of January, 2015.



A handwritten signature in cursive script, which appears to read "Anna Russell", is written in black ink.

Anna Russell
City Secretary of the City of Houston