

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, AUTHORIZING THE FILING OF APPLICATIONS, FORMS, AND ASSOCIATED DOCUMENTS WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (“TCEQ”) BY THE CITY MANAGER, TO SEEK PERMITS, PERMIT AMENDMENTS, PERMIT RENEWALS, AND AUTHORIZATIONS NEEDED FOR THE OPERATION OF THE CITY’S WATER UTILITY, THE EXPENDITURE OF FUNDS NEEDED TO RECEIVE TCEQ PERMITS AND AUTHORIZATIONS, PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, to conduct its operations, including those associated with future capital improvements, the City of Denton Water Utility (“Water Utility”) must acquire permits and authorizations from TCEQ; and

**WHEREAS**, the Water Utility must submit forms and applications, along with associated documents, to TCEQ to receive permits and authorizations; and

**WHEREAS**, TCEQ issuance of permits, permit amendments, permit renewals, and authorizations may require the payment of fees from funds available in the City of Denton’s budget; and

**WHEREAS**, due to accelerated growth in the City of Denton and the region, the Water Utility must apply for TCEQ permits and authorizations at an increased rate; and

**WHEREAS**, in Ordinance No. 22-1994, the City Council authorized and directed the City Manager or their designee, to take such actions as they find reasonable and appropriate to file applications for and pursue amendment of the City’s water rights and to obtain new water reuse rights; and

**WHEREAS**, the City Council finds that the delegation of its authority solely to the City Manager under this Ordinance is in the public interest and will lead to the efficient implementation of Water Utility initiatives conducted pursuant to the policies and direction of the City Council; and

**WHEREAS**, the City Council finds that it is in the public interest to seek and obtain permits and authorizations from TCEQ.

**NOW, THEREFORE THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:**

**SECTION 1.** The recitations contained in the preamble of this ordinance are incorporated herein by reference as findings of the City Council.

**SECTION 2.** In addition to the delegation in Ordinance No. 22-1994, the City Council hereby authorizes the City Manager to take such actions as they find reasonable and appropriate to file applications, forms, and associated documents to acquire permits, permit amendments, permit

renewals, and authorizations from TCEQ, consistent with the intents and purposes of this ordinance and state law.

SECTION 3. The City Council authorizes the City Manager to provide for payment, where funds are available in the budget, of regulatory and notice fees required to receive permits, permit amendments, permit renewals, and authorizations from TCEQ.

SECTION 4. Any provision of any prior ordinance of the City which conflicts with any provision of this ordinance is hereby repealed to the extent of the conflict, but all other provisions of the ordinance of the city which are not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. This ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by [\_\_\_\_\_] and seconded by [\_\_\_\_\_].

The ordinance was passed and approved by the following vote [\_\_ – \_\_ – \_\_]:

|                                        | <b>Aye</b> | <b>Nay</b> | <b>Abstain</b> | <b>Absent</b> |
|----------------------------------------|------------|------------|----------------|---------------|
| Mayor Gerard Hudspeth:                 | _____      | _____      | _____          | _____         |
| Vicki Byrd, District 1:                | _____      | _____      | _____          | _____         |
| Brian Beck, District 2:                | _____      | _____      | _____          | _____         |
| Paul Meltzer, District 3:              | _____      | _____      | _____          | _____         |
| Joe Holland, District 4:               | _____      | _____      | _____          | _____         |
| Brandon Chase McGee, At Large Place 5: | _____      | _____      | _____          | _____         |
| Chris Watts, At Large Place 6:         | _____      | _____      | _____          | _____         |

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
LAUREN THODEN, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

BY:  Christopher Mullins  
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