



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date:

District F

Item Creation Date: 11/4/2021

HPW - 20UPA434 Bissonnet 136, LLC

Agenda Item#:

**Background:**

In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010).

**Bissonnet 136, LLC Application:** Bissonnet 136, LLC is seeking a Municipal Setting Designation (MSD) for 145.935 acres of land located at 12000 Bissonnet Street, Houston, TX 77099. The contamination consists of arsenic and manganese. The site is comprised of two former landfills, the DSPV Landfill and the Olshan Landfill. Both landfills began operations in the 1970s, with the Olshan Landfill ceasing operations in the late 1980s and the DSPV Landfill ceasing operations in 1999. Circa 2000 the site was developed as the Sugar Hills Golf Course which operated until 2005. The site has been unmaintained since 2005. A licensed Professional Engineer has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

Bissonnet 136, LLC is seeking an MSD for this property to restrict access to groundwater to protect the public against possible exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. A public meeting was held on August 11, 2021 via Microsoft Teams and a public hearing was held on October 12, 2021 during the Regulatory and Neighborhood Affairs Council Committee. Both meetings are necessary steps prior to City Council's consideration of support.

**Recommendations:** It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the Bissonnet 136, LLC site located at 12000 Bissonnet Street, Houston, TX 77099, and support issuance of an MSD by the Texas Commission on Environmental Quality.

DocuSigned by:

*Carol Haddock*

12/15/2021

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**ATTACHMENTS:**

Description	Type
Backup Material	Backup Material