



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 7/25/2023

District B

Item Creation Date: 4/21/2022

HPW - 20UPA443 Fifth Ward Redevelopment Authority/TIRZ 18 - MSD

Agenda Item#: 27.

**Summary:**

MUNICIPAL SETTING DESIGNATION ORDINANCE prohibiting the use of designated groundwater beneath a tract of land containing 4.682 commonly known as 3814 Lyons Ave., Houston, Harris County, Texas; supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality at the request of **FIFTH WARD REDEVELOPMENT AUTHORITY/TIRZ 18 - DISTRICT B - JACKSON**

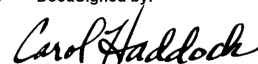
**Background:**

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).

**Fifth Ward Redevelopment Authority/TIRZ 18:** Fifth Ward Redevelopment Authority/TIRZ 18 is seeking a Municipal Setting Designation (MSD) for 4.682 acres of land located at 3814 Lyons Ave, Houston, TX 77020. The property has been occupied by the Pleasant Hill Village Apartments since 1998. Prior to 1998, the property was occupied by a dry cleaner, a washateria and an automotive repair shop. The contamination consists of 1,1-dichloroethene, cis-1,2-dichloroethene, tetrachloroethene, trichloroethene, vinyl chloride and lead. A licensed Professional Engineer has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

Fifth Ward Redevelopment Authority/TIRZ 18 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 January 6, 2022 via Microsoft Teams and a public hearing was held on April 8, 2022 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 Fifth Ward Redevelopment Authority/TIRZ 18 site located at 3814 Lyons Ave, Houston, TX 77020, and support issuance of an MSD by the Texas Commission on Environmental Quality.

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 7/20/2023  
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Director  
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**ATTACHMENTS:**

Description	Type
Signed Coversheet	Signed Cover sheet
RCA Attachments #2020-146-PHV	Backup Material
Ordinance	Ordinance/Resolution/Motion
MSD Acknowledgement Form	Backup Material