



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date:

District D

Item Creation Date: 7/3/2019

HPW - 20UPA386 Doreen Firouzbakht 2013 Trust for Eric and Daria Firouzbakht

Agenda Item#:

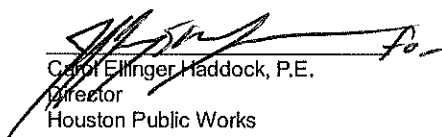
**Background:**

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).

**Doreen Firouzbakht 2013 Trust for Eric and Daria Firouzbakht Application:** Doreen Firouzbakht 2013 Trust for Eric and Daria Firouzbakht is seeking a Municipal Setting Designation (MSD) for 5.4371 acres of land located at 6603 Kirbyville, Houston, TX 77033. The contamination consists of trichloroethene, cis-1,2-dichloroethene, trans-1,2-dichloroethene, vinyl chloride and 1,1-dichloroethene. ADA Resources, a petroleum distribution facility, operated on site between 1968 and 2004. The facility stored a variety of products including fuels, lubricants, oils and solvents. A licensed Professional Geologist has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

Doreen Firouzbakht 2013 Trust for Eric and Daria Firouzbakht 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 April 23, 2019 at the Ingrando Community Center, and a public hearing was held on June 13, 2019 during the Regulation 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 Doreen Firouzbakht 2013 Trust for Eric and Daria Firouzbakht site located at 6603 Kirbyville, Houston, TX 77033, and support issuance of an MSD by the Texas Commission on Environmental Quality.

  
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**ATTACHMENTS:**

Description	Type
RCA Attachments #2018-120-KSP	Backup material