

Legislation Details (With Text)

**File #:** 2030      **Version:** 1      **Name:** Resolution for 1309 Broadway MSD Prep  
**Type:** Resolution      **Status:** Passed  
**File created:** 5/12/2015      **In control:** City Council  
**On agenda:** 5/19/2015      **Final action:** 5/19/2015  
**Title:** Consider A Resolution Authorizing The City Manager To Execute A Contract With Cirrus Associates, LLC For The Background Study And Application To The Texas Commission On Environmental Quality For A Municipal Setting Designation Associated With The Downtown Carrollton Area Including 1309 South Broadway In An Amount Not To Exceed \$114,425.00.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1309 Broadway Resolution for MSD

Date	Ver.	Action By	Action	Result
5/19/2015	1	City Council	approved	Pass

**CC MEETING:** May 19, 2015

**DATE:** May 12, 2015

**TO:** Leonard Martin, City Manager

**FROM:** Scott Hudson, Environmental Services Director

**Consider A Resolution Authorizing The City Manager To Execute A Contract With Cirrus Associates, LLC For The Background Study And Application To The Texas Commission On Environmental Quality For A Municipal Setting Designation Associated With The Downtown Carrollton Area Including 1309 South Broadway** In An Amount Not To Exceed \$114,425.00.

**BACKGROUND:**

A recently completed supplement to Phase II Environmental Site Assessments conducted at 1309 South Broadway, a property currently owned by the City, confirmed the presence of benzene in groundwater above the protective concentration level under the Texas Risk Reduction Program. This most recent analysis also indicates that groundwater containing benzene may have migrated beyond the boundaries of this tract.

Confirming these benzene concentrations triggered a requirement to report to the Texas Commission on Environmental Quality (TCEQ). That initial report has been filed. Under TCEQ rules several options exist for the City to address soil and groundwater concerns. Of these, establishing a Municipal Setting Designation (MSD) for the property or area appears to offer the shortest and least costly path, especially considering that other options require a commitment to multi-year processes of treatment and/or monitoring.

An MSD is an official designation given by TCEQ certifying that the groundwater underneath a property is not used as potable water and is prohibited from future use as potable water because of contamination above

potable-water protective concentration levels. The purpose of the MSD is to limit or eliminate the need for investigation or remediation of groundwater contamination in cases where the groundwater is not being used as a drinking water supply and where there is no other exposure pathway.

This project would provide the necessary background and the application for an MSD. The process is estimated to take nine months.

**FINANCIAL IMPLICATIONS:**

The cost of the background study and MSD application process will be taken from the Transit Oriented Development Capital Projects Fund.

**IMPACT ON COMMUNITY SUSTAINABILITY:**

The property at 1309 South Broadway is in the midst of and vital to a strong revitalization in the Downtown Transit Center District. It is, therefore, important that this property be brought to its full commercial potential. Full utilization of this property can only be possible if regulatory requirements regarding the benzene contamination are addressed.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends approval of the attached resolution to authorize the City Manager to contract with Cirrus Associates, LLC for the Municipal Setting Designation background study and application in an amount not to exceed \$114,425.00.