



# City of San Antonio

## Agenda Memorandum

### File Number:

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**Agenda Item Number:** 16

**Agenda Date:** February 6, 2025

**In Control:** City Council A Session

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**DEPARTMENT:** Public Works Department

**DEPARTMENT HEAD:** Razi Hosseini

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

City of San Antonio is seeking a Municipal Setting Designation (MSD).

**SUMMARY:**

An ordinance approving a Municipal Setting Designation (MSD) prohibiting the use of designated groundwater beneath a tract of land containing approximately 29 acres described in the application as the former Zarzamora Service Center located in and around 4503 Zarzamora Street in San Antonio, Texas; and supporting certification of a Municipal Setting Designation by the Texas Commission on Environmental Quality (TCEQ) at the request of the City of San Antonio.

**BACKGROUND INFORMATION:**

The City of San Antonio, Public Works Department, is seeking an MSD for an approximately 29-acre tract of land described in the application as the former Zarzamora Service Center located in and around 4503 Zarzamora Street in San Antonio, Texas. In 2003, the Texas Legislature authorized the creation of an MSD, which designates an area with contaminated groundwater as prohibited for use as potable water. This law is administered by TCEQ and requires local City support to designate an MSD. The legislation intends to encourage the redevelopment of vacant or abandoned properties while protecting public health and the environment. City Council approved and adopted an MSD policy and guidelines under Ordinance 2016-04-07-0247 on April 7, 2016.

The ordinance allows property owners to request an MSD, as authorized by Chapter 361 of the Texas Health and Safety Code.

An MSD allows municipalities to have jurisdiction of a property with known historical groundwater contamination. The MSD designation certifies that designated groundwater at the property will not be used as potable water and is prohibited from future use because the shallow groundwater contamination exceeds the applicable potable-water protective concentration level.

The groundwater contamination identified at the site includes regional impact with chlorinated solvents and per and polyfluoroalkyl substances (PFAS). While on-site releases to groundwater were identified for two specific PFAS compounds associated with fire-fighter training operations, this impact is limited in nature with higher impact migrating to the site than leaving the site. On-site impacts to groundwater were also confirmed to be decreasing.

The site formerly operated as a vehicle maintenance facility that supported city operations from the 1960s until 2011. During this time, fire-fighter training occurred in the southwest corner of the site until the 1980s.

The site was entered into the Texas Voluntary Cleanup Program (VCP) in 2014 and has been fully assessed by the City of San Antonio (the Applicant, Site Owner). Remedial efforts have included demolition of site structures, removal of 12 underground storage tanks, and removal of soil related to a floor drain system and former burn pits.

The City coordinated with SAWS on the proposed MSD and agreed to the installation of a clay cap in the southwest corner of the site as part of the planned future park improvements. This feature was installed in July 2024 and an MSD resolution of support is anticipated by the SAWS Board of Trustees following approval of the MSD by City Council.

A licensed Professional Geoscientist has certified that the area of groundwater contamination has been thoroughly investigated, is fully delineated, and is stable.

#### **ISSUE:**

The City of San Antonio, is seeking an MSD for this property to restrict access to groundwater, protecting the public against possible exposure to the contaminants. There is a public drinking water supply system meeting state requirements that supplies drinking water to the MSD property and all properties within one-half mile of the MSD property. An in-person public meeting was held on November 19, 2024, and a briefing was provided to the Community Health Committee on December 16, 2024. Both meetings are part of the City's MSD's public involvement process before the City Council considers support.

The MSD ordinance, as authorized by Chapter 361 of the Texas Health and Safety Code, prohibits the use of designated groundwater at the site and prevents exposure to affected groundwater by preventing water well installation and groundwater use in a specific area through a deed restriction. Approval of the MSD, inclusive of the former Zarzamora Service Center and adjoining city streets, is consistent with the City of San Antonio's MSD Policy and Guidelines.

**ALTERNATIVES:**

City Council could choose not to approve this ordinance; however, the City (Applicant/Owner) will not be able to complete the MSD application with the Texas Commission on Environmental Quality (TCEQ). TCEQ would require further assessment/remediation to address exposure concerns not present at the site, and future development as a neighborhood park would likely be delayed. This will result in additional time and costs for the Applicant/Owner and could possibly conflict with the City's MSD Policy and Guidelines.

**FISCAL IMPACT:**

Per Ordinance 2016-04-07-0247, property owners as the applicant seeking an MSD are required to pay the \$8,000 fee to cover the costs of processing. Since the City is the property owner/applicant, no fee will be associated with this request.

**RECOMMENDATION:**

Staff recommends approval.