

JAY MARTIN
CHAIRMAN, COUNCILPERSON

MANDI WILLIAMS
COUNCILPERSON



CHUCK ENGELKEN
COUNCILPERSON
MAYOR PRO TEM
BILL BENTLEY
ALTERNATE, COUNCILPERSON

CITY OF LA PORTE DRAINAGE AND FLOODING COMMITTEE MEETING AGENDA

Notice is hereby given of a meeting of the Drainage and Flooding Committee of the City Council of the City of La Porte, to be held June 12, 2023, in the City Hall Council Chamber, 604 West Fairmont Parkway, La Porte, Texas, beginning at 5:00 pm to consider the following items of business.

Remote participation is available, also. Attend via a screen using this link:

<https://us02web.zoom.us/j/82463309561?pwd=SEFrbzJCMloxNzhMcVcrNk9KZkFRdz09>

Join by phone at 888 475 4499 or 877 853 5257. The meeting ID is 824 6330 9561. The passcode 962951.

1. **CALL TO ORDER**
2. **CITIZEN COMMENT** *(Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*
3. **STATUTORY AGENDA**
 - (a) Presentation, discussion, and possible action to approve the minutes of the Drainage and Flooding Committee meeting held on May 8, 2023. [Councilperson Jay Martin, Chair]
 - (b) Presentation, discussion, and possible action on proposed updates to fill dirt permitting regulations contained in Chapter 86 'Development Regulations' of the La Porte Code of Ordinances. [Teresa Evans, Planning and Development Director]
 - (c) Presentation, discussion, and possible action regarding status of 100-acre-foot detention pond project near the Pasadena Convention Center and Brookglen Subdivision, as established in amended interlocal agreement between the City of La Porte and the City of Pasadena. [Ray Mayo, Director of Public Works]
 - (d) Presentation, discussion, and possible action regarding the Harris County Flood Control District's (HCFCD) and Harris County Precinct 2's current and future plans related to flooding in the City of La Porte. [Ray Mayo, Director of Public Works]
 - (e) Presentation, discussion, and possible action regarding the status of current drainage projects. [Ray Mayo, Director of Public Works]
 - (f) Presentation, discussion, and possible action to provide administrative staff of the City with direction, if necessary, regarding additional drainage concerns. [Ray Mayo, Director of Public Works]
4. **SET NEXT MEETING**

5. **COMMITTEE COMMENT** *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Committee members and City staff, for which no formal action will be discussed or taken.*

6. **ADJOURN**

If, during the course of the meeting and discussion of any items covered by this notice, the Drainage and Flooding Committee determines that a Closed or Executive Session of the Committee is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with counsel on legal matters; Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - implementation of security personnel or devices; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the Drainage and Flooding Committee will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5019), two working days prior to the meeting for appropriate arrangements.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

Councilmembers may attend in numbers constituting a quorum. This is a Drainage and Flooding Committee Meeting at which there will be no deliberation or formal action taken by City Council as a governmental body.

CERTIFICATE

I, Lee Woodward, City Secretary, do hereby certify that a copy of the June 12, 2023, Drainage and Flooding Committee agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE OF
POSTING

TIME OF
POSTING

TAKEN DOWN

Lee Woodward

Lee Woodward, City Secretary

JAY MARTIN, CHAIRMAN
COUNCILPERSON

MANDI WILLIAMS
COUNCILPERSON



CHUCK ENGELKEN
MAYOR PRO TEM

BILL BENTLEY, ALTERNATE
COUNCILPERSON

MINUTES OF THE DRAINAGE AND FLOODING COMMITTEE MEETING MAY 8, 2023

The Drainage and Flooding Committee of the City of La Porte met on Monday, May 8, 2023, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 5:00 p.m. to consider the following items of business:

Committee Members present: Jay Martin, Chuck Engelken, Mandi Williams

Committee Members attending remotely: None

Committee Members absent: Bill Bentley (alternate)

Council-appointed officers present: Corby Alexander, City Manager; Lee Woodward, City Secretary; Clark T. Askins, Asst. City Attorney

CALL TO ORDER – Chair Martin called the meeting to order at 5:00 p.m.

- 2. CITIZEN COMMENT** *(Generally limited to five minutes per person, in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*

There were no comments.

3. STATUTORY AGENDA

- a. Presentation, discussion, and possible action to approve the minutes of the Drainage and Flooding Committee meeting held on April 10, 2023. [Councilperson Jay Martin, Chair]**

Member Engelken moved to approve the minutes; the motion was seconded by Member Williams; the motion was adopted, 3-0.

- b. Presentation, discussion, and possible action on 1) proposed updates to fill dirt permitting regulations contained in Chapter 86 'Development Regulations' of the La Porte Code of Ordinances, and 2) requirement for engineered drainage plans or topographic study in certain developments. [Teresa Evans, Planning and Development Director]**

Director Evans and Kerry Lackey of CobbFendley explained the provisions of proposed Ordinance 2023-3923. Updates to some of the language will be reworked and brought back, especially as regards large lots and arenas, for certification on sourcing and potential contaminants in fill dirt, the ability to deny permits, a measurement/visualization tool for evaluation, and a requirement for an engineered drainage plans for projects of more than 49 loads.

- c. Presentation, discussion, and possible action regarding House Bill No. 5338. [Lorenzo Wingate, Assistant Director of Public Works]**

Member Engelken expressed support for the bill. Mr. Askins noted the bill is still in the House Natural Resources Committee. The Committee agreed to discuss the item again in the future.

- d. **Presentation, discussion, and possible action regarding status of 100-acre-foot detention pond project near the Pasadena Convention Center and Brookglen Subdivision, as established in amended interlocal agreement between the City of La Porte and the City of Pasadena. [Lorenzo Wingate, Assistant Director of Public Works]**

Mr. Wingate said the City had not heard of anything from the U.S. Army Corps of Engineers, as of today. He confirmed the City had placed security cameras in Brookglen due to reports of illegal dumping.

- e. **Presentation, discussion, and possible action regarding the Harris County Flood Control District's (HCFCD) and Harris County Precinct 2's current and future plans related to flooding in the City of La Porte. [Lorenzo Wingate, Assistant Director of Public Works]**

Mr. Wingate discussed the lower pond level and unsightliness at Wood Falls Park due to the slough being de-silted. Mr. Alexander said the Parks and Recreation Department was addressing the issue.

- f. **Presentation, discussion, and possible action regarding the status of current drainage projects. [Lorenzo Wingate, Assistant Director of Public Works]**

Mr. Wingate said the PER for the Brookglen analysis was being reviewed and that Bayside Terrace bids were being evaluated.

- g. **Presentation, discussion, and possible action to provide administrative staff of the City with direction, if necessary, regarding additional drainage concerns. [Lorenzo Wingate, Assistant Director of Public Works]**

Mr. Wingate was asked to keep a focus on the bar ditches on the east side of Broadway which are maintained by TxDOT, with reference to concerns of Chair Martin. Mr. Wingate agreed to visit the Lomax area to investigate items that Member Williams and City Manager Alexander have been working on.

4. SET NEXT MEETING

The next meeting was set for June 12, 2023.

5. **COMMITTEE COMMENT** – *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Committee members and City staff, for which no formal action will be discussed or taken.*

There were no comments.

ADJOURN – The meeting was adjourned without objection at 5:52 p.m.

Lee Woodward, City Secretary



REQUEST FOR DRAINAGE & FLOODING COMMITTEE AGENDA ITEM

<p>Agenda Date Requested: <u>June 12, 2023</u></p> <p>Requested By: <u>Teresa Evans</u></p> <p>Department: <u>Planning & Development</u></p> <p><input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance</p>	<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th colspan="2" style="text-align: center; padding: 5px;">Appropriation</th></tr></thead><tbody><tr><td style="padding: 5px;">Source of Funds:</td><td style="border-bottom: 1px solid black; width: 80%;"></td></tr><tr><td style="padding: 5px;">Account Number:</td><td style="border-bottom: 1px solid black;"></td></tr><tr><td style="padding: 5px;">Amount Budgeted:</td><td style="border-bottom: 1px solid black;"></td></tr><tr><td style="padding: 5px;">Amount Requested:</td><td style="border-bottom: 1px solid black;"></td></tr><tr><td style="padding: 5px;">Budgeted Item:</td><td style="padding: 5px;"><input type="radio"/> Yes <input type="radio"/> No</td></tr></tbody></table>	Appropriation		Source of Funds:		Account Number:		Amount Budgeted:		Amount Requested:		Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No
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Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No												

Exhibits: Ordinance 2023-3923- SHOWING CHANGES; Ordinance 2023-3923- CLEAN; Exhibit A Update; Exhibit A Original; Exhibit A Markups; Policy & Procedures Original; Policy & Procedures Markups; Policy & Procedures Update; Fill Dirt Permit Application Original; Fill Dirt Permit Application Update; Exhibit B; and Exhibit C.

SUMMARY & RECOMMENDATION

Staff presented proposed amendments to the city's fill dirt requirements at the May 8, 2023, meeting of the Flood and Drainage Committee. The Committee members provided feedback and guidance for additional amendments, and staff are now returning to present these updates. Below are the proposed changes.

1. Verify if the proposed fill contains any contaminants.
 - a. Staff have created a stamp that reads: "The use of contaminated fill is strictly prohibited. It is the responsibility of the owner/contractor to ensure that the fill has no traces of contamination." This stamp will be applied to all approved/issued drawings.
 - b. Staff have updated the application with language that requires the applicant to specify the origin of the fill, and a box for applicants to check off either "Yes" or "No" if fill has contaminants.
2. Exemption from permit for ≥ 5 loads for livestock areas.
 - a. Staff have added note number eight on Exhibit A for ≥ 5 loads, it reads: "A permit is not required for areas developed for the sole purpose of maintaining domestic livestock. All fill setbacks must be upheld for small lots and large lots."
3. Updates to proposed Ordinance 2023-3923
 - a. Proposed amendments to the City of La Porte's fill dirt regulations appear in yellow highlight in Ordinance 2023-3923-Showing Changes.

Staff requests that the Flood and Drainage Committee recommend approval of Ordinance 2023-3923 to City Council.

ACTION REQUIRED BY DRAINAGE AND FLOODING COMMITTEE

Recommend approval or denial of proposed amendments to the City of La Porte's fill dirt regulations, Ordinance 2023-3923.

Approved for Drainage Committee Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2023-3923

AN ORDINANCE AMENDING CHAPTER 86 "DEVELOPMENT REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS BY ADOPTING REGULATIONS PERTAINING TO THE PLACEMENT OF FILL ON PROPERTY, AND AMENDING APPENDIX – A "FEES" AND APPENDIX – B "FINES" OF CHAPTER 86 "DEVELOPMENT REGULATIONS"; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That Chapter 86, "Development Regulations", Article I "In General", Section 86-4 "Definitions" of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by adding definitions for "compaction" and "fill", and which definitions shall be added to said section in proper alphabetical sequence, and shall hereinafter read as follows:

Sec. 86-4. - Definitions.

Fill means material such as soil, gravel, or crushed stone which is dumped in an area and is used to increase the ground elevation. Fill is usually placed in layers and compacted (see definition for "Compaction").

Compaction means the process by which the density of earth fill is increased so that it will provide a sound base for a building or other structure.

Section 2: That Chapter 86, "Development Regulations", Article I "In General", Section 86-16 "Engineering and construction standards for subdivisions" of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

Sec. 86-16. - Engineering and construction standards for subdivisions.

(a) *Streets and alleys.*

- (1) All streets shall be reinforced concrete pavement on a compacted subgrade. Concrete pavement shall be provided with either an integral curb poured with the pavement or a separate curb constructed on top as required by the PICM and subject to the approval of the director.
- (2) Pavement design shall conform to the PICM.
- (3) Curb and combination curb shall be constructed of reinforced concrete. Cross section and slopes shall conform to the PICM.

- (4) All concrete shall be designed and controlled by a competent laboratory as required by the PICM.
- (b) *Drainage and storm sewer.*
- (1) Adequate drainage shall be provided within the limits of the subdivision as to reduce the community's exposure to flood hazards with respect to adjacent, upstream and downstream developments. (See also chapter 94, "Floods," of the Code of Ordinances of the City of La Porte for additional requirements.) Adequate drainage shall be provided within the limits of the subdivision and/or development. The protection of adjoining property shall be accounted for in design of the system in conformance with the PICM, and shall be subject to the approval of the director. The design and sizing of the system shall be in conformance with the PICM, and subject to the approval of the Harris County Flood Control District and the director.
- (2) Any person or persons that alters or changes the elevation of property shall be responsible for applying for and obtaining, prior to said change or alteration of the elevation of the property, a development authorization from the department. Any change or alteration in the elevation of property requires submission of a site plan prior to the change or alteration of property, which said site plan shall delineate the proposed change or elevation of property. Said certified site plan shall be subject to approval by the city engineer.
- ~~(3) Fill dirt permit shall be required by the city. Exhibits show fill dirt regulations, grading standards, and swale standards; requiring sketch plans and approval prior to the introduction of fill material; and providing silt prevention and revegetation standards. Said fee shall be \$25.00 for the first 49 loads of permitted fill dirt, and \$2.00 for each additional load. Any person who places fill dirt on their property without first applying for and obtaining a fill dirt permit shall be guilty of a misdemeanor.~~
- (3)(4)** A stormwater quality permit may be required in accordance with city, state and federal law.
- (c) *Water and sewer system.*
- (1) The design and construction of all water and sewer systems shall be in conformance with the PICM, and subject to approval by the director. The developer or owner shall provide the necessary certificates from all other governmental agencies certifying compliance with their regulations.
- (d) *Street lighting.*
- (1) All public streets and non- residential parking lots where intended for use by the general public in the city must be served adequately by lights. Lighting must be located and installed in accordance with the specifications of the PICM.

Section 3: That Chapter 86, "Development Regulations", Article I "In General", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by adding new Section 86-17 "Placement of Fill", which section shall hereinafter read as follows:

Sec. 86-17. – Placement of Fill.

(a) *Permits.*

- (1) No property shall be raised or filled without a permit therefore being first obtained from the city. Upon application, the permit may be granted for a period up to six months and may be renewed by the city for additional periods not exceeding six months each.

- (2) Property owners applying for a fill permit shall be required to adhere to the permit requirements and conditions contained in the general fill regulations, fill permit application, and fill/drainage site plan illustration, the forms for which are adopted hereby and incorporated into this ordinance as Exhibits A, B and C.
- (3) Fill ~~fill~~ must begin being placed within thirty (30) days of approval of application. It shall be the responsibility of the individual applying for the permit to secure the proper federal and state permits.
- (4) An application fee, in the amount established by the City and listed in Appendix A of this Code, shall accompany each application for an original permit or renewal thereof.
- (5) A permit may be canceled by the City for violation of any provision of this article.

(b) Drainage

(1) No stormwater runoff redirected as a result of placement of fill shall adversely affect neighboring properties.

~~Owners applying for a fill permit shall be required to adhere to the permit requirements and conditions of the application.~~

(2) **Applicant's** Property shall grade from alley or back of property to road right-of-way drainage conveyance, roadside ditch or curb and gutter, unless **an** alternative property site drainage plan has been approved by the city.

(3) Minimum swale slope shall be 0.2% and 3:1 side slope with a minimum depth of 6".

(4) Side swales or drain piping shall be constructed to minimize impact of stormwater runoff to neighboring properties. Owner shall provide calculations to support the stormwater runoff rate for the proposed conveyance.

(5) Property drainage conveyances may be placed within 5-ft offset of property lines.

(6) No unloading of fill may **be placed within 5-ft of property lines** for lots of 1 acre or less and within 15-ft **of property lines** for lots greater than 1 acre. Fill may be spread within this offset as long as **if** it meets the swale requirements **established in this section.**

(7) Construction of common property swales may be shared if both properties are ~~of the same owner~~ **owned by the same person** or **a** joint application between property owners is approved by the City or if approved by site development plan.

(c) Penalty

Any person raising or filling land in violation of this article, without a valid permit, using unauthorized fill material, or failing to comply with application and permit requirements in violation of this article shall be guilty of a misdemeanor and upon conviction shall be punished as shall be subject to a fine in an amount established by the city and listed in Appendix B of this Code. section 1-15. A permit may be canceled by the City for violation of any provision of this article.

Section 4: That Appendix – A “Fees”, Chapter 86, “Development Regulations,” Article I “In General”, of the Code of Ordinances, La Porte, Texas, is hereby established and shall hereinafter read as follows:

“Chapter 86. Development Regulations

Article I. In General

(a)	General Plan	250.00	86-6
(b)	Site Plan		86-7
(1)	Major (Greater than 10 acres)	300.00 up to 10 acres; each additional acre 5.00	
(2)	Minor (Less than 10 acres)	200.00 up to 1 acre; each additional acre 5.00	
(c)	Plat		86-8
(1)	Preliminary Plat		
a.	Residential	200.00 for 0-50 lots; each additional lot 5.00	
b.	Non-Residential	350.00 for up to 10 acres; each additional	

acre 10.00

(2) Final Plat

- a. Residential 200.00 for 0-50 lots;
each additional lot
5.00
- b. Non-Residential 350.00 for up to 10
acres; each additional
acre 10.00

(3) Administrative Plat

- a. Residential 250.00
- b. Non-Residential 350.00

(4) Amending Plat

- a. Residential 150.00
- b. Non-Residential 250.00

(5) Replat

- a. Residential 150.00
- b. Non-Residential 250.00

(6) Vacating Plat

- a. Residential 150.00
- b. Non-Residential 250.00

(d) Waiver

86-26

- a. Residential 150.00
- b. Non-Residential 250.00

(e) Fill Dirt 86-17

a.	1 to 5 loads	No Fee
b.	6 to 49 loads	25.00
c.	50 + loads	2.00 per Load (Max fee=5,000.00)

Section 5. That Appendix-B “Fines” of the Code of Ordinances of the City of La Porte is hereby amended by adding Chapter 86, “Development Regulations,” and shall read as follows:

Chapter 86. Development Regulations			
Article I. In General			
(a)	Fine for violation of §86-17	2000.00	86-17

Section 6. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not to exceed two thousand dollars.

Section 7. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 8. Furthermore, all other ordinances or parts of ordinances in conflict herewith are hereby repealed, but to the extent of such conflict only.

Section 9. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 10. This Ordinance shall be effective fourteen (14) days after its passage and approval. The

City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this, the ____ day of _____ 2023.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney

ORDINANCE NO. 2023-3923

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- (2) Pavement design shall conform to the PICM.
- (3) Curb and combination curb shall be constructed of reinforced concrete. Cross section and slopes shall conform to the PICM.
- (4) All concrete shall be designed and controlled by a competent laboratory as required by the PICM.

(b) *Drainage and storm sewer.*

- (1) Adequate drainage shall be provided within the limits of the subdivision as to reduce the community's exposure to flood hazards with respect to adjacent, upstream and downstream developments. (See also chapter 94, "Floods," of the Code of Ordinances of the City of La Porte for additional requirements.) Adequate drainage shall be provided within the limits of the subdivision and/or development. The protection of adjoining property shall be accounted for in design of the system in conformance with the PICM, and shall be subject to the approval of the director. The design and sizing of the system shall be in conformance with the PICM, and subject to the approval of the Harris County Flood Control District and the director.
- (2) Any person or persons that alters or changes the elevation of property shall be responsible for applying for and obtaining, prior to said change or alteration of the elevation of the property, a development authorization from the department. Any change or alteration in the elevation of property requires submission of a site plan prior to the change or alteration of property, which said site plan shall delineate the proposed change or elevation of property. Said certified site plan shall be subject to approval by the city engineer.
- (3) A stormwater quality permit may be required in accordance with city, state and federal law.

(c) *Water and sewer system.*

- (1) The design and construction of all water and sewer systems shall be in conformance with the PICM, and subject to approval by the director. The developer or owner shall provide the necessary certificates from all other governmental agencies certifying compliance with their regulations.

(d) *Street lighting.*

- (1) All public streets and non- residential parking lots where intended for use by the general public in the city must be served adequately by lights. Lighting must be located and installed in accordance with the specifications of the PICM.

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(a) *Permits.*

- (1) No property shall be raised or filled without a permit therefore being first obtained from the city. Upon application, the permit may be granted for a period up to six months and may be renewed by the city for additional periods not exceeding six months each.
- (2) Property owners applying for a fill permit shall be required to adhere to the permit requirements and conditions contained in the general fill regulations, fill permit application, and fill/drainage site plan illustration, the forms for which are adopted hereby and incorporated into this ordinance as Exhibits A, B and C.
- (3) Fill must begin being placed within thirty (30) days of approval of application. It shall be the responsibility of the individual applying for the permit to secure the proper federal and state permits.

- (4) An application fee, in the amount established by the City and listed in Appendix A of this Code, shall accompany each application for an original permit or renewal thereof.
- (5) A permit may be canceled by the City for violation of any provision of this article.

(b) Drainage

- (1) No stormwater runoff redirected as a result of placement of fill shall adversely affect neighboring properties.
- (2) Property shall grade from alley or back of property to road right-of-way drainage conveyance, roadside ditch or curb and gutter, unless an alternative property site drainage plan has been approved by the city.
- (3) Minimum swale slope shall be 0.2% and 3:1 side slope with a minimum depth of 6".
- (4) Side swales or drain piping shall be constructed to minimize impact of stormwater runoff to neighboring properties. Owner shall provide calculations to support the stormwater runoff rate for the proposed conveyance.
- (5) Property drainage conveyances may be placed within 5-ft offset of property lines.
- (6) No unloading of fill may be placed within 5-ft of property lines for lots of 1 acre or less and within 15-ft of property lines for lots greater than 1 acre. Fill may be spread within this offset if it meets the swale requirements established in this section.
- (7) Construction of common property swales may be shared if both properties are owned by the same person or a joint application between property owners is approved by the City or if approved by site development plan.

(c) Penalty

Any person raising or filling land using unauthorized fill material or failing to comply with application and permit requirements in violation of this article shall be guilty of a misdemeanor and upon conviction shall be subject to a fine in an amount established by the city and listed in Appendix B of this Code.

Section 4: That Appendix – A “Fees”, Chapter 86, “Development Regulations,” Article I “In General”, of the Code of Ordinances, La Porte, Texas, is hereby established and shall hereinafter read as follows:

“Chapter 86. Development Regulations

Article I. In General

(a)	General Plan	250.00	86-6
(b)	Site Plan		86-7
	(1) Major (Greater than 10 acres)	300.00 up to 10 acres; each additional acre 5.00	
	(2) Minor (Less than 10 acres)	200.00 up to 1 acre; each additional acre 5.00	
(c)	Plat		86-8
	(1) Preliminary Plat		
	a. Residential	200.00 for 0-50 lots; each additional lot 5.00	
	b. Non-Residential	350.00 for up to 10 acres; each additional acre 10.00	
	(2) Final Plat		
	a. Residential	200.00 for 0-50 lots; each additional lot 5.00	
	b. Non-Residential	350.00 for up to 10 acres; each additional acre 10.00	

(3)	Administrative Plat		
a.	Residential	250.00	
b.	Non-Residential	350.00	
(4)	Amending Plat		
a.	Residential	150.00	
b.	Non-Residential	250.00	
(5)	Replat		
a.	Residential	150.00	
b.	Non-Residential	250.00	
(6)	Vacating Plat		
a.	Residential	150.00	
b.	Non-Residential	250.00	
(d)	Waiver		86-26
a.	Residential	150.00	
b.	Non-Residential	250.00	
(e)	Fill Dirt		86-17
a.	1 to 5 loads	No Fee	
b.	6 to 49 loads	25.00	
c.	50 + loads	2.00 per Load (Max fee=5000)	

Section 5. That Appendix-B “Fines” of the Code of Ordinances of the City of La Porte is hereby amended by adding Chapter 86, “Development Regulations,” and shall read as follows:

Chapter 86. Development Regulations			
<i>Article I. In General</i>			
(a)	Fine for violation of §86-17	2000.00	86-17

Section 6. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not to exceed two thousand dollars.

Section 7. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 8. Furthermore, all other ordinances or parts of ordinances in conflict herewith are hereby repealed, but to the extent of such conflict only.

Section 9. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 10. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Po1te at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this, the ____ day of _____ 2023.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED AS TO FORM:

Clark T. Askins, Assistant City Attorney

EXHIBIT A

FILL DIRT REGULATIONS

PERMIT REQUIREMENTS AND CONDITIONS		All Lots	Small Lots (1 acre or Less)		Large Lots (1 acre or More)	
		0-5 Loads	6-49 Loads	50 and more Loads	6-49 Loads	50 and more Loads
1	Permit Required	*See Note 8	*	*	*	*
2	Permit Fee Assessed		*	*	*	*
3	180 Day Permit for Project Completion	*	*	*	*	*
4	Spreading of Delivered Fill Must Begin within 30 Days	*	*	*	*	*
5	Sketch, Survey or Site Plan showing proposed Fill Placement and location of proposed drainage drawn to scale	*	*	*See Item 10	*	*See Item 10
6	Drainage swales to be min. 0.2% slope toward street		*	*See Item 10	*	*See Item 10
7	Drainage system pipe (min. 4") to be custom engineered for each site		*See Note 6	*See Item 10		*See Item 10
8	Overland slope for lot grading to be min. 0.2% toward street		*	*See Item 10	*	*See Item 10
9	For Lots Abutting an Alley Way, Existing drainage must be maintained.Fill shall not impede drainage from alley way		*	*	*	*
10	Grading & Drainage Plan must be submitted, signed, and sealed by Professional Engineer licensed in the state of Texas			*See Note 3		*See Note 3
10A	Storm Water Pollution Prevention Plan (SWPPP) and Revegetation Plan shall be submitted		*See Notes 4 & 5	*	*See Notes 4 & 5	*
10B	Watershed Analysis must be submitted that demonstrates that the watershed is not being adversely impacted			*See Note 7		*See Note 7
11	Drainage Swale/Pipes shall be offset 1-ft from property line		*	*		
12	Drainage Swale/Pipes shall be offset 5-ft from property line				*	*
13	Fill shall not be unloaded within 5 ft of Property Line	*	*	*		
14	Fill shall not be unloaded within 15 ft of Property Line				*	*
15	All Fill must be Delivered to the address where Fill is to be placed		*	*	*	*
16	Any deviation from these permit requirements shall be reviewed and approved by the City	*	*	*	*	*

* = Required Information, Activity or Regulation

Notes:

- 1 No dump trucks larger than 12 CY dump trucks shall be allowed for use in delivery to addresses off truck routes.
- 2 Only one Fill Dirt Permit will be issued for any one property address over a 180 day span.
- 3 Grading Plan should indicate any off-site contributing areas and demonstrate that the fill being placed is not blocking off site drainage sheet flow.
- 4 SWPPP shall at a minimum consist of silt fencing and/or block sodding two rows of sod wide along the leading edge of filled area.
- 5 Revegetation shall consist of seeding, sprigging, sodding, turf establishment (or combination thereof) that produces and effective vegetative cover of 75% within 90 days.
- 6 Private drainage pipe shall not be placed in public right-of-way, unless approved by the City
- 7 A detailed Watershed Analysis must be submitted for any fill being placed on property adjacent to a stream to demonstrate that fill being placed is not adversely impacting the watershed.
- 8 A permit is not required for areas developed for the sole purpose of maintaining domestic livestock. All fill setbacks must be upheld for small lots and large lots.

EXHIBIT A
TO
ORDINANCE 1444-A

PERMIT REQUIREMENTS AND CONDITIONS		All Lots	Small Lots (1 acre or less)		Large Lots (1 acre or more)	
		1-5 Loads	6-49 Loads	50 and more Loads	6-49 Loads	50 and more Loads
1	Permit Required		*	*	*	*
2	Permit Fee Assessed		*	*	*	*
3	180 Day Permit for Project Completion		*	*	*	*
4	Spreading of Delivered Fill Must Begin within 30 Days	*	*	*	*	*
5	For Open Ditch Roadways Maximum Fill to be 6 inches below top of adjacent crown of road		*	*	*	*
6	Recommended overland slope for lot grading to be 0.2%-0.75%		*		*	
6A	For Curb & Gutter Streets, Grade Fill at 0.2%-0.75% toward street		*			
7	For Lots Abutting an Alley Way, Match the Grade of the Alley and Grade to Drain Toward Street		*		*	
8	Grading & Drainage Plan submitted signed and sealed by Professional Engineer licensed in the State of Texas			*		*
8A	Storm Water Pollution Prevention Plan and Revegetation Plan submitted			*		*
8B	Demonstration that Watershed is Not Being Adversely Impacted			*		*
8C	Grade of swales to be customized/engineered for each site			*		*
9	Sketch, Survey or Site Plan Showing Proposed Fill Placement and Location of Proposed Drainage drawn to scale		*	*See Item 8	*	*See Item 8
10	Silt Prevention and Revegetation plan required		*See Notes 3&4	*See Item 8A	*See Notes 3&4	*See Item 8A
11	1 ft Top of Bank Swale Offset from Property Line		*	*	*	*
12	5 ft Top of Bank Swale Offset from Property Line				*	*
13	No Fill Unloaded within 15 ft of Property Line		*	*		
14	No Fill Unloaded within 5 ft of Property Line		*	*		
15	Address for Site Required And Fill Must be Delivered to this address		*	*	*	*
16	Any deviation from these permit requirements Shall be Review and Approved By the City		*	*	*	*

* = Required Information, Activity or Regulation

Note:

- 1 No dump trucks larger than 12 CY dump trucks shall be allowed for use in deliver to addresses off truck routes.
- 2 Only one Fill Dirt Permit will be issued for any one property or address over a 180 day span.
- 3 Silt prevention plan shall at a minimum consist of silt fencing and/or block sodding two rows of sod wide along the leading edge of the filled area. Revegetation shall consist of seeding, sprigging, sodding, turf establishment (or combination thereof) that produces an effective vegetative cover of 75% within 90 days.

- no change

- changes

EXHIBIT A

FILL DIRT REGULATIONS

Notes:

Row 5 in the original exhibit was removed.

	PERMIT REQUIREMENTS AND CONDITIONS	All Lots	Small Lots (1 acre or Less)		Large Lots (1 acre or More)	
		0-5 Loads	6-49 Loads	50 and more Loads	6-49 Loads	50 and more Loads
Same	1 Permit Required	*See Note 8	*	*	*	*
Same	2 Permit Fee Assessed	*	*	*	*	*
	3 180 Day Permit for Project Completion	*	*	*	*	*
	4 Spreading of Delivered Fill Must Begin within 30 Days	*	*	*	*	*
Was 9	5 Sketch, Survey or Site Plan showing proposed Fill Placement and location of proposed drainage drawn to scale Moved	*	*	*See Item 10	*	*See Item 10
New	6 Drainage swales to be min. 0.2% slope toward street	*	*	*See Item 10	*	*See Item 10
Nas 8C	7 Drainage system pipe (min. 4") to be custom engineered for each site Language updated	*	*See Note 6	*See Item 10	*	*See Item 10
Was 6	8 Overland slope for lot grading to be min. 0.2% toward street Removed a word	*	*	*See Item 10	*	*See Item 10
Was 7	9 For Lots Abutting an Alley Way, Existing drainage must be maintained. Fill shall not impede drainage from alley way language updated	*	*	*	*	*
Was 8	10 Grading & Drainage Plan must be submitted, signed, and sealed by Professional Engineer licensed in the state of Texas Moved	*	*	*See Note 3	*	*See Note 3
Nas 8A	10A Storm Water Pollution Prevention Plan (SWPPP) and Revegetation Plan shall be submitted Updated wording slightly	*	*See Notes 4 & 5	*	*See Notes 4 & 5	*
Nas 8B	10B Watershed Analysis must be submitted that demonstrates that the watershed is not being adversely impacted Updated wording slightly	*	*	*See Note 7	*	*See Note 7
	11 Drainage Swale/Pipes shall be offset 1-ft from property line Reworded	*	*	*	*	*
	12 Drainage Swale/Pipes shall be offset 5-ft from property line Reworded	*	*	*	*	*
Was 14	13 Fill shall not be unloaded within 5 ft of Property Line Moved & Reworded	*	*	*	*	*
Was 13	14 Fill shall not be unloaded within 15 ft of Property Line Moved & Reworded	*	*	*	*	*
Same	15 All Fill must be Delivered to the address where Fill is to be placed Reworded	*	*	*	*	*
Same	16 Any deviation from these permit requirements shall be reviewed and approved by the City added "ed" ———→	*	*	*	*	*

* = Required Information, Activity or Regulation

Notes:
 added "s"

1 No dump trucks larger than 12 CY dump trucks shall be allowed for use in delivery to addresses off truck routes.

2 Only one Fill Dirt Permit will be issued for any one property address over a 180 day span. Removed the word "or"

3 Grading Plan should indicate any off-site contributing areas and demonstrate that the fill being placed is not blocking off site drainage sheet flow. NEW

4 SWPPP shall at a minimum consist of silt fencing and/or block sodding two rows of sod wide along the leading edge of filled area. Reworded

5 Revegetation shall consist of seeding, sprigging, sodding, turf establishment (or combination thereof) that produces and effective vegetative cover of 75% within 90 days.

Use to be a part of note #3 from the original Exhibit A

6 Private drainage pipe shall not be placed in public right-of-way, unless approved by the City. NEW

7 A detailed Watershed Analysis must be submitted for any fill being placed on property adjacent to a stream to demonstrate that fill being placed is not adversely impacting the watershed. NEW

8 A permit is not required for areas developed for the sole purpose of maintaining domestic livestock. All fill setbacks must be upheld for small lots and large lots. NEW

FILL DIRT POLICY & PROCEDURE GUIDELINES

1. Applications can be obtained in the Planning and Development Department. For specific questions on fill dirt permitting, email Engineering@laportetx.gov with written questions.
2. The Texas State Water Code Section 11.086 reads as follows:
 - (a) *No person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded.*
 - (b) *A person whose property is injured by an overflow of water caused by an unlawful diversion or impounding has remedies at law and in equity and may recover damages occasioned by the overflow.*

The property owner is solely responsible for complying with and adhering to the above state statute. The property may be held liable for failing to comply with Section 11.086.

3. Property owner shall attach survey, sketch or site plan illustrating existing and proposed improvements for less than 50 truckloads – or- grading & drainage plan (signed and sealed by Texas Professional Engineer) for more than 50 truck loads. Site plan shall include the location of fill dirt to be located on their property and estimated dimensions of fill dirt volume. [Exhibit A: Fill Dirt Policy, Items 5 & 10]
4. Haul routes for the delivery of fill should be held to those routes listed in Section 70-231 of the Code of Ordinances. Repetitive trips off of these designated routes may result in the assessment of a Trucking/Hauling surcharge. Any damage to City streets and/or thoroughfares may be subject to damages as defined in Section 70-259 of the Code of Ordinances which reads as follows:

"Any person moving or causing to be moved a load which, together with the weight of the vehicle, exceeds the limit as set out in section 70-256, shall be liable to the city for any damage done by any such excessively loaded vehicle to the streets, bridges or culverts in the city and the acceptance of either of the permits provided for in this division shall be conclusive evidence that the person to whom such permit is issued agrees to make good and pay all such damages upon demand thereof made by the city."
5. Fill dirt projects shall conform to the requirements on Exhibit "A" – Fill Dirt Permit Requirements and Conditions and Exhibit "B" – Fill Dirt Permit Details.
6. No fill may be placed in the riverine floodplain without compensatory excavation [Section 94-86 (8)] or as required by FEMA. Any fill placed in the floodplain shall be accompanied by an approved compaction test stating that the fill has been compacted to 95% Standard Proctor or better.
7. Any deposited fill dirt that is liable to hold stagnant water is a violation of section 34-128 of the city's code of ordinances. Section 34-128 reads as follows:

"The following specific acts and conditions are declared to constitute a public nuisance and are hereby prohibited and made unlawful: Any lot or parcel of real estate situated within the city which has the surface thereof filled or partly filled with holes, or is in such condition that the lot or parcel holds or is liable to hold stagnant water therein, or, from any other cause, is in such condition as to be liable to cause disease, or produce, harbor, or spread disease germs of any nature or tend to render the surrounding atmosphere unhealthy, unwholesome or obnoxious."
8. Upon receipt of a fill dirt permit, the permit holder must place a green placard (provided with permit) at a prominent location at or near the entrance of the site where fill dirt operations will occur and contact City Inspections by calling 281-470-5130
9. Fill dirt permit fees shall be \$25.00 for 6 to 49 loads of permitted fill dirt, and \$2.00/load for each additional load [Section 86-16 (b) (3)]. The first 5 loads of permitted fill dirt are free. The Fill Dirt Application Permit Fee shall not exceed \$5,000.00
10. 1 load = 12 cubic yards.

FILL DIRT POLICY & PROCEDURE GUIDELINES

1. Applications can be obtained in the Inspections Division. For specific questions on fill dirt permitting, contact the Engineering Division at 281-471-5020 to schedule an appointment with the City Engineer or his designated assistant.
2. The Texas State Water Code Section 11.086 reads as follows:

- (a) *No person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded.*
- (b) *A person whose property is injured by an overflow of water caused by an unlawful diversion or impounding has remedies at law and in equity and may recover damages occasioned by the overflow.*

The property owner is solely responsible for complying with and adhering to the above state statute. The property may be held liable for failing to comply with Section 11.086.

3. Property owner should determine the size of their property and an estimate of required fill dirt volume on the attached matrix.
4. Haul routes for the delivery of fill should be held to those routes listed in Section 70-231 of the Code of Ordinances. Repetitive trips off of these designated routes may result in the assessment of a Trucking/Hauling surcharge. Any damage to City streets and/or thoroughfares may be subject to damages as defined in Section 70-259 of the Code of Ordinances which reads as follows:

"Any person moving or causing to be moved a load which, together with the weight of the vehicle, exceeds the limit as set out in section 70-256, shall be liable to the city for any damage done by any such excessively loaded vehicle to the streets, bridges or culverts in the city and the acceptance of either of the permits provided for in this division shall be conclusive evidence that the person to whom such permit is issued agrees to make good and pay all such damages upon demand thereof made by the city."

5. For fill projects requiring 6-49 loads, the standard swale to be used shall conform to the minimum dimensions shown on the example diagram (located in the Fill Dirt Information Packet).
6. The City of La Porte is *NOT* responsible for providing fill dirt.
7. No fill may be placed in the floodplain without compensating excavation. The City of La Porte reserves the right to require that any fill placed in the floodplain be accompanied by a sealed compaction test stating that the fill has been compacted to 95% Standard Proctor or better.
8. After the property owner has demonstrated sufficient compliance with the intent of these policies and procedures, a permit may be issued through the Inspection Division.
9. Any deposited fill dirt that is liable to hold stagnant water is a violation of section 34-128 of the city's code of ordinances. Section 34-128 reads as follows:

"The following specific acts and conditions are declared to constitute a public nuisance and are hereby prohibited and made unlawful: Any lot or parcel of real estate situated within the city which has the surface thereof filled or partly filled with holes, or is in such condition that the lot or parcel holds or is liable to hold stagnant water therein, or, from any other cause, is in such condition as to be liable to cause disease, or produce, harbor, or spread disease germs of any nature or tend to render the surrounding atmosphere unhealthy, unwholesome or obnoxious."

10. Upon receipt of a fill dirt permit, the permit holder must place a green placard (provided with permit) at a prominent location at or near the entrance of the site where fill dirt operations will occur.
11. Fill dirt permit fees shall be \$25.00 for 6 to 49 loads of permitted fill dirt, and \$2.00/load for each additional load. The first 5 loads of permitted fill dirt are free. The Fill Dirt Application Permit Fee shall not exceed \$5000.00
12. 1 load = 12 cubic yards.

FILL DIRT POLICY & PROCEDURE GUIDELINES

1. Applications can be obtained in the Planning and Development Department. For specific questions on fill dirt permitting, email Engineering@laportetx.gov with written questions. ↗ Reworded
2. The Texas State Water Code Section 11.086 reads as follows:
 - (a) No person may divert or impound the natural flow of surface waters in this state, or permit a diversion or impounding by him to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded.
 - (b) A person whose property is injured by an overflow of water caused by an unlawful diversion or impounding has remedies at law and in equity and may recover damages occasioned by the overflow.

The property owner is solely responsible for complying with and adhering to the above state statute. The property may be held liable for failing to comply with Section 11.086.
3. Property owner shall attach survey, sketch or site plan illustrating existing and proposed improvements for less than 50 truckloads – or- grading & drainage plan (signed and sealed by Texas Professional Engineer) for more than 50 truck loads. Site plan shall include the location of fill dirt to be located on their property and estimated dimensions of fill dirt volume. [Exhibit A: Fill Dirt Policy, Items 5 & 10] ↗ New
4. Haul routes for the delivery of fill should be held to those routes listed in Section 70-231 of the Code of Ordinances. Repetitive trips off of these designated routes may result in the assessment of a Trucking/Hauling surcharge. Any damage to City streets and/or thoroughfares may be subject to damages as defined in Section 70-259 of the Code of Ordinances which reads as follows:

"Any person moving or causing to be moved a load which, together with the weight of the vehicle, exceeds the limit as set out in section 70-256, shall be liable to the city for any damage done by any such excessively loaded vehicle to the streets, bridges or culverts in the city and the acceptance of either of the permits provided for in this division shall be conclusive evidence that the person to whom such permit is issued agrees to make good and pay all such damages upon demand thereof made by the city."

↘ New
5. Fill dirt projects shall conform to the requirements on Exhibit "A" – Fill Dirt Permit Requirements and Conditions and Exhibit "B" – Fill Dirt Permit Details. ↘ New
6. No fill may be placed in the riverine floodplain without compensatory excavation [Section 94-86 (8)] or as required by FEMA. Any fill placed in the floodplain shall be accompanied by an approved compaction test stating that the fill has been compacted to 95% Standard Proctor or better.
7. Any deposited fill dirt that is liable to hold stagnant water is a violation of section 34-128 of the city's code of ordinances. Section 34-128 reads as follows:

"The following specific acts and conditions are declared to constitute a public nuisance and are hereby prohibited and made unlawful: Any lot or parcel of real estate situated within the city which has the surface thereof filled or partly filled with holes, or is in such condition that the lot or parcel holds or is liable to hold stagnant water therein, or, from any other cause, is in such condition as to be liable to cause disease, or produce, harbor, or spread disease germs of any nature or tend to render the surrounding atmosphere unhealthy, unwholesome or obnoxious."
8. Upon receipt of a fill dirt permit, the permit holder must place a green placard (provided with permit) at a prominent location at or near the entrance of the site where fill dirt operations will occur and contact City Inspections by calling 281-470-5130 ↗ New
9. Fill dirt permit fees shall be \$25.00 for 6 to 49 loads of permitted fill dirt, and \$2.00/load for each additional load [Section 86-16 (b) (3)]. The first 5 loads of permitted fill dirt are free. The Fill Dirt Application Permit Fee shall not exceed \$5,000.00 ↗ New
10. 1 load = 12 cubic yards.

 - no change
 - changes

City of La Porte
604 W. Fairmont Pkwy.
La Porte, TX 77571

Planning & Development Department
FILL DIRT PERMIT APPLICATION

Phone: 281.470.5073
Fax: 281.470.5005
permits@laportetx.gov

STORM WATER QUALITY PERMIT REQUIRED PRIOR TO FILL DIRT PERMIT APPROVAL

1. PROJECT INFORMATION:

DATE OF SUBMITTAL: _____

PROJECT ADDRESS (if existing) _____

HCAD PARCEL NO(s) 13-digit Tax ID(s) _____

PROPERTY LEGAL DESCRIPTION _____

DESCRIPTION OF PROJECT _____

ORIGIN OF FILL _____ PROJECT AREA (ACREAGE): _____ MAX TRUCKLOADS
REQUESTED: _____

2. PROPERTY OWNER CONTACT INFORMATION:

OWNER'S NAME: _____ PHONE: _____

MAILING ADDRESS: _____

E-MAIL: _____

3. CONTRACTOR:

CONTRACTOR COMPANY: _____

PHONE 1: _____ PHONE 2: _____

E-MAIL: _____ FAX #: _____

MAILING ADDRESS: _____

CONTACT PERSON'S NAME: _____ PHONE: _____

4. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION (Check applicable boxes):

- ☐ YES ☐ NO WILL THERE BE ANY CONTAMINENTS WITHIN THE PROPOSED FILL DIRT? PLEASE CHOOSE EITHER "YES" or "NO".
- ☐ ATTACH SURVEY, SKETCH OR SITE PLAN ILLUSTRATING EXISTING & PROPOSED IMPROVEMENTS FOR LESS THAN 50 TRUCKLOADS -or- GRADING & DRAINAGE PLAN (signed/sealed by Texas Engineer) FOR MORE THAN 50 TRUCKLOADS
- ☐ SUBMIT APPLICATION FEE PAYMENT (1-5 LOADS = \$0; 6-49 LOADS = \$25; 50+LOADS = \$2/LOAD; MAX. PERMIT FEE = \$5,000)

NOTES TO APPLICANT:

- 1.) APPLICANT MUST COMPLETE ITEMS 1-4
- 2.) REFER TO "FILL DIRT POLICY & PROCEDURE GUIDELINES (attached)
- 3.) THE CITY RESERVES THE RIGHT TO INSPECT FILL PLACEMENT & RECOMMEND STEPS TO MITIGATE IMPACT TO NEIGHBORING PROPERTIES

APPLICANT PRINTED NAME: _____ APPLICANT SIGNATURE: _____

(STAFF USE ONLY):

OWNERSHIP VERIFIED?: _____ SKETCH APPROVED?: _____ FLOOD ZONE: _____ BFE: _____

PERMIT FEE: _____

SPECIAL CONDITIONS OF PERMIT: _____

PERMIT APPROVED BY: _____ DATE: _____

PERMIT NO. _____

City of La Porte
604 W. Fairmont Pkwy.
La Porte, TX 77571

Planning & Development Department
FILL DIRT PERMIT APPLICATION

Phone: 281.470.5073
Fax: 281.470.5005
www.laportetx.gov

STORM WATER QUALITY PERMIT REQUIRED PRIOR TO FILL DIRT PERMIT APPROVAL

1. PROJECT INFORMATION:

DATE OF SUBMITTAL: _____

PROJECT ADDRESS (If existing): _____

HCAD PARCEL NO(s) 13-digit Tax ID(s): _____

PROPERTY LEGAL DESCRIPTION: _____

DESCRIPTION OF PROJECT: _____

PROJECT AREA (ACREAGE): _____ MAXIMUM TRUCKLOADS REQUESTED: _____

2. PROPERTY OWNER CONTACT INFORMATION:

OWNER'S NAME: _____ PHONE: _____

MAILING ADDRESS: _____

E-MAIL: _____

3. CONTRACTOR:

CONTRACTOR COMPANY: _____

PHONE 1: _____ PHONE 2: _____

E-MAIL: _____ FAX #: _____

MAILING ADDRESS: _____

CONTACT PERSON'S NAME: _____ PHONE: _____

4. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION (Check applicable boxes):

☐ WILL FILL DIRT BE PROVIDED BY CITY OF LA PORTE? YES ☐ NO ☐

☐ ATTACH SURVEY, SKETCH OR SITE PLAN ILLUSTRATING EXISTING & PROPOSED IMPROVEMENTS FOR LESS THAN 50 TRUCKLOADS –or– GRADING & DRAINAGE PLAN (signed/sealed by Texas Engineer) FOR MORE THAN 50 TRUCKLOADS

☐ SUBMIT APPLICATION FEE PAYMENT (1-5 LOADS = \$0; 6-49 LOADS = \$25; 50+LOADS = \$2/LOAD; MAX. PERMIT FEE = \$5,000)

NOTES TO APPLICANT:

- 1.) APPLICANT MUST COMPLETE ITEMS 1-4
- 2.) REFER TO "FILL DIRT POLICY & PROCEDURE GUIDELINES (attached)
- 3.) THE CITY RESERVES THE RIGHT TO INSPECT FILL PLACEMENT & RECOMMEND STEPS TO MITIGATE IMPACT TO NEIGHBORING PROPERTIES

APPLICANT PRINTED NAME: _____ APPLICANT SIGNATURE: _____

(STAFF USE ONLY):

OWNERSHIP VERIFIED?: _____ SKETCH APPROVED?: _____ FLOOD ZONE: _____ BFE: _____

PERMIT FEE: _____

SPECIAL CONDITIONS OF PERMIT: _____

PERMIT APPROVED BY: _____ DATE: _____

PERMIT NO. _____

EXHIBIT B

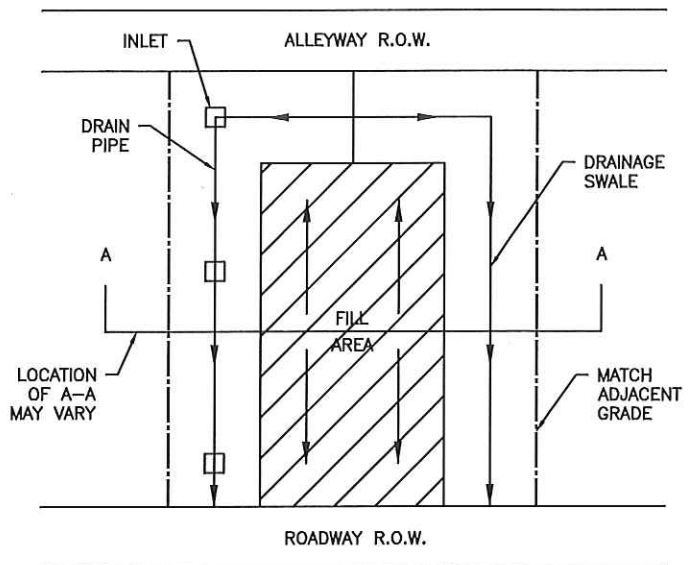
NOTE:

INLET TO BE PLACED AT ALL JUNCTIONS AND ROOF DOWNSPOUTS WITH NO MORE THAN 20' SPACING.

NO PIPE SHALL BE PLACED IN STREET R.O.W. EXCEPT AS APPROVED BY THE CITY.

NO FILL SHALL IMPEDE DRAINAGE FROM ALLEYWAY (IF APPLICABLE).

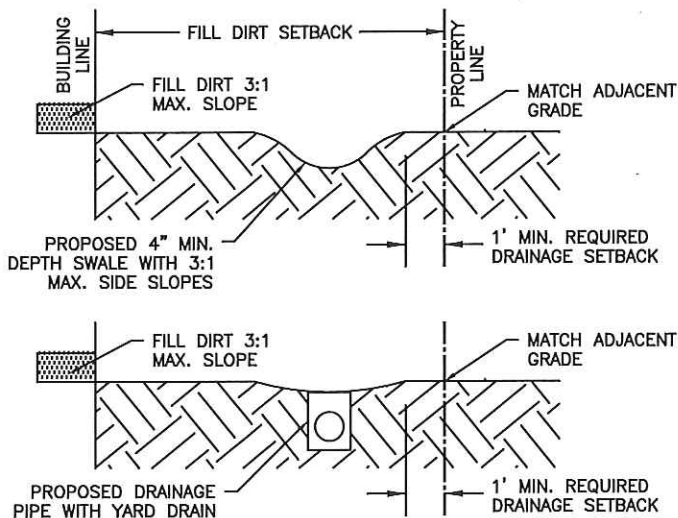
RETAINING WALL IS REQUIRED IF 3:1 FILL DIRT SLOPE CANNOT BE MAINTAINED OUTSIDE OF THE FILL DIRT SETBACK FROM THE PROPERTY LINE.



**SMALL & LARGE LOT GRADING
TOP VIEW
(LESS THAN 50 LOADS)**

NOTE:

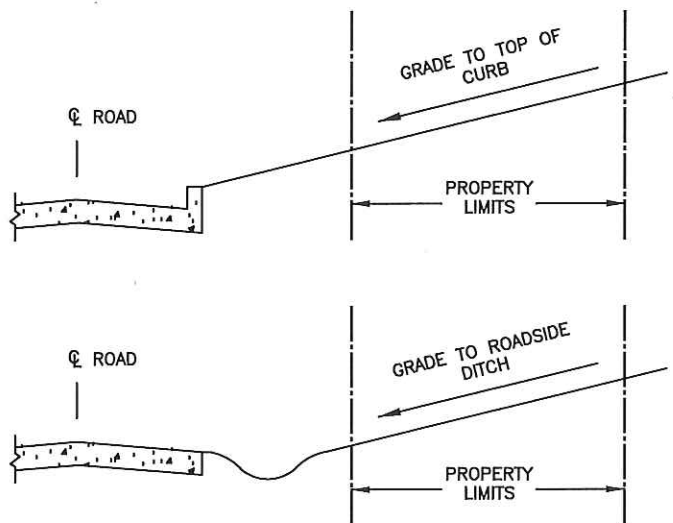
DRAINAGE SWALES TO BE MIN. 0.20% SLOPE TOWARD STREET.



**TYPICAL SWALE OR DRAIN PIPE DETAIL
PROFILE VIEW**

NOTE:

OVERLAND SLOPE FOR LOT GRADING TO BE A MIN. OF 0.20% TOWARD STREET OR ROADSIDE DITCH



**SMALL & LARGE LOT GRADING
PROFILE VIEW
(LESS THAN 50 LOADS)**

1 LOAD = 12 CUBIC YARDS

NO FILL SHALL BE PLACED WITHIN REQUIRED FILL DIRT SETBACK.

FILL DIRT PERMIT DETAILS

CITY OF LA PORTE

604 W. Fairmont Parkway
Planning Dept./Engineering Div.
La Porte, Texas 77571
281-471-5020



N.T.S. DATE: MAY 2022

DWG NO: FILL

EXHIBIT C

NOTES:

1. LOT GRADING: ALL DRAINAGE SHALL BE FROM REAR OF LOT TO FRONT.
2. ALL SITE DRAINAGE MUST BE CONTAINED ON PROPERTY. NO DRAINAGE IS ALLOWED TO ADJACENT PROPERTIES. IF NECESSARY, ADD SWALES ALONG SIDE AND REAR PROPERTY LINES TO CONTAIN SITE DRAINAGE, PRIOR TO HOME CONSTRUCTION.
3. DEPTH OF SWALE SHALL BE A MINIMUM OF 4" TO PREVENT WATER FLOW ONTO ADJACENT PROPERTIES.
4. USE CAUTION WORKING AROUND EXISTING TREES TO REMAIN. DO NOT DISTURB ROOTS. RE-ROUTE SWALES TO AVOID DAMAGE TO TREES AND ROOTS.
5. RETAINING WALL IS REQUIRED IF 3:1 FILL DIRT SLOPE CANNOT BE MAINTAINED OUTSIDE OF THE FILL DIRT SETBACK FROM THE PROPERTY LINE.
6. SHOW DIMENSIONS OF SETBACKS FROM PROPERTY LINE FOR ALL STRUCTURES.
7. SHOW ELEVATIONS OF EXISTING NATURAL GROUND AROUND PROPERTY LINE IN ORDER TO DETERMINE GRADING.
8. SHOW BORDER OF ALL AREAS WHERE FILL IS TO BE PLACED.
9. CALCULATE AMOUNT OF FILL BASED ON THE FOLLOWING:

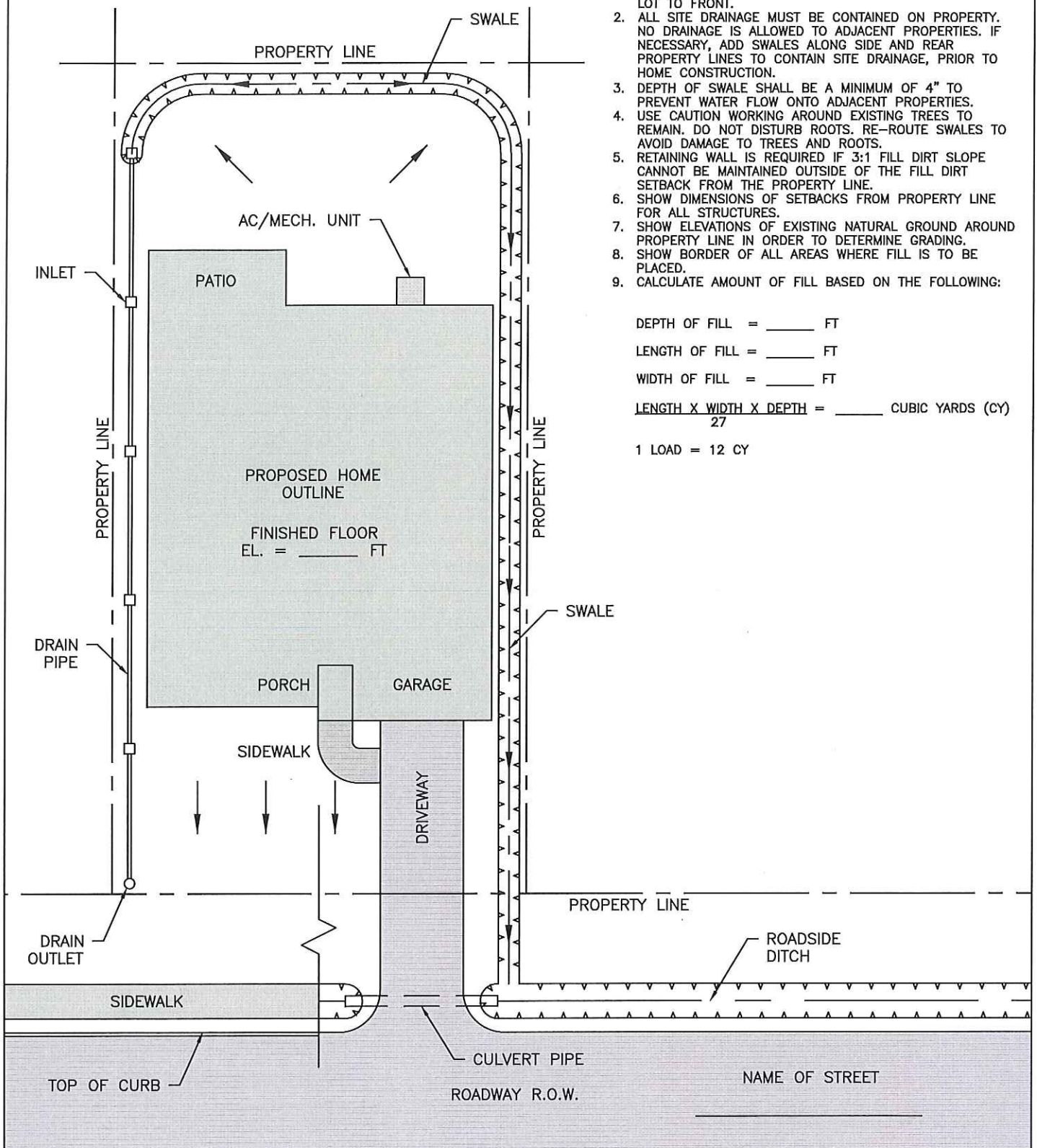
DEPTH OF FILL = _____ FT

LENGTH OF FILL = _____ FT

WIDTH OF FILL = _____ FT

$\frac{\text{LENGTH} \times \text{WIDTH} \times \text{DEPTH}}{27} = \text{_____ CUBIC YARDS (CY)}$

1 LOAD = 12 CY



ADDRESS: _____

 HCAD NO: _____
 PERMIT NO: _____

EXAMPLE FILL DIRT/DRAINAGE SITE PLAN (LESS THAN 50 LOADS)

CITY OF LA PORTE
 604 W. Fairmont Parkway
 Planning Dept./Engineering Div.
 La Porte, Texas 77571
 281-471-5020



N.T.S. DATE: _____

DWG NO: _____



REQUEST FOR DRAINAGE & FLOODING COMMITTEE AGENDA ITEM

Agenda Date Requested: June 12, 2023

Requested By: Ray Mayo, Director

Department: Public Works

☒ Report ☐ Resolution ☐ Ordinance

Exhibits:

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: ☐ Yes ☐ No

SUMMARY & RECOMMENDATION

The City of Pasadena prepared a wetlands delineation report and submitted it to the USACE as part of an Approved Jurisdictional Determination (AJD) request on October 5, 2022. The USACE's response was expected within 120 days. However, during a December 2022 on-site wetlands inspection, the USACE observed an apparent unauthorized wetlands disturbance, and directed the City of Pasadena staff to mitigate the disturbance. As a result, the USACE suspended progress on the ADJ until the mitigation efforts were completed by Pasadena. Pasadena confirmed that all mitigation efforts were completed in mid-March 2023, and Pasadena expected to submit formal documentation to the USACE by the end of March 2023. Having completed the mitigation efforts, the AJD is expected by the end of June 2023. The drainage impact analysis was submitted to HCFCD in October 2022 and was approved by HCFCD in February 2023. Further project efforts are on hold, pending the USACE determination.

ACTION REQUIRED BY DRAINAGE AND FLOODING COMMITTEE

Receive report, and provide staff with direction, as necessary.

Approved for Drainage Committee Agenda

Corby D. Alexander, City Manager

Date



REQUEST FOR DRAINAGE & FLOODING COMMITTEE AGENDA ITEM

Agenda Date Requested: June 12, 2023

Requested By: Ray Mayo, Director

Department: Public Works

☒ Report ☐ Resolution ☐ Ordinance

Exhibits:

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: ☐ Yes ☐ No

SUMMARY & RECOMMENDATION

Receive report regarding Harris County Flood Control District's (HCFCD) and Harris County Precinct 2's current and future plans related to flooding in the City of La Porte.

ACTION REQUIRED BY DRAINAGE AND FLOODING COMMITTEE

Receive report, and provide Staff with direction, as necessary.

Approved for Drainage Committee Agenda

Corby D. Alexander, City Manager

Date



REQUEST FOR DRAINAGE & FLOODING COMMITTEE AGENDA ITEM

Agenda Date Requested: June 12, 2023

Requested By: Ray Mayo, Director

Department: Public Works

☒ Report ☐ Resolution ☐ Ordinance

Exhibits: Project map; Project update chart and Harris County Drainage Network Map

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: ☐ Yes ☐ No

SUMMARY & RECOMMENDATION

Refer to attached exhibit(s) for updates on various drainage projects throughout the City.

ACTION REQUIRED BY DRAINAGE AND FLOODING COMMITTEE

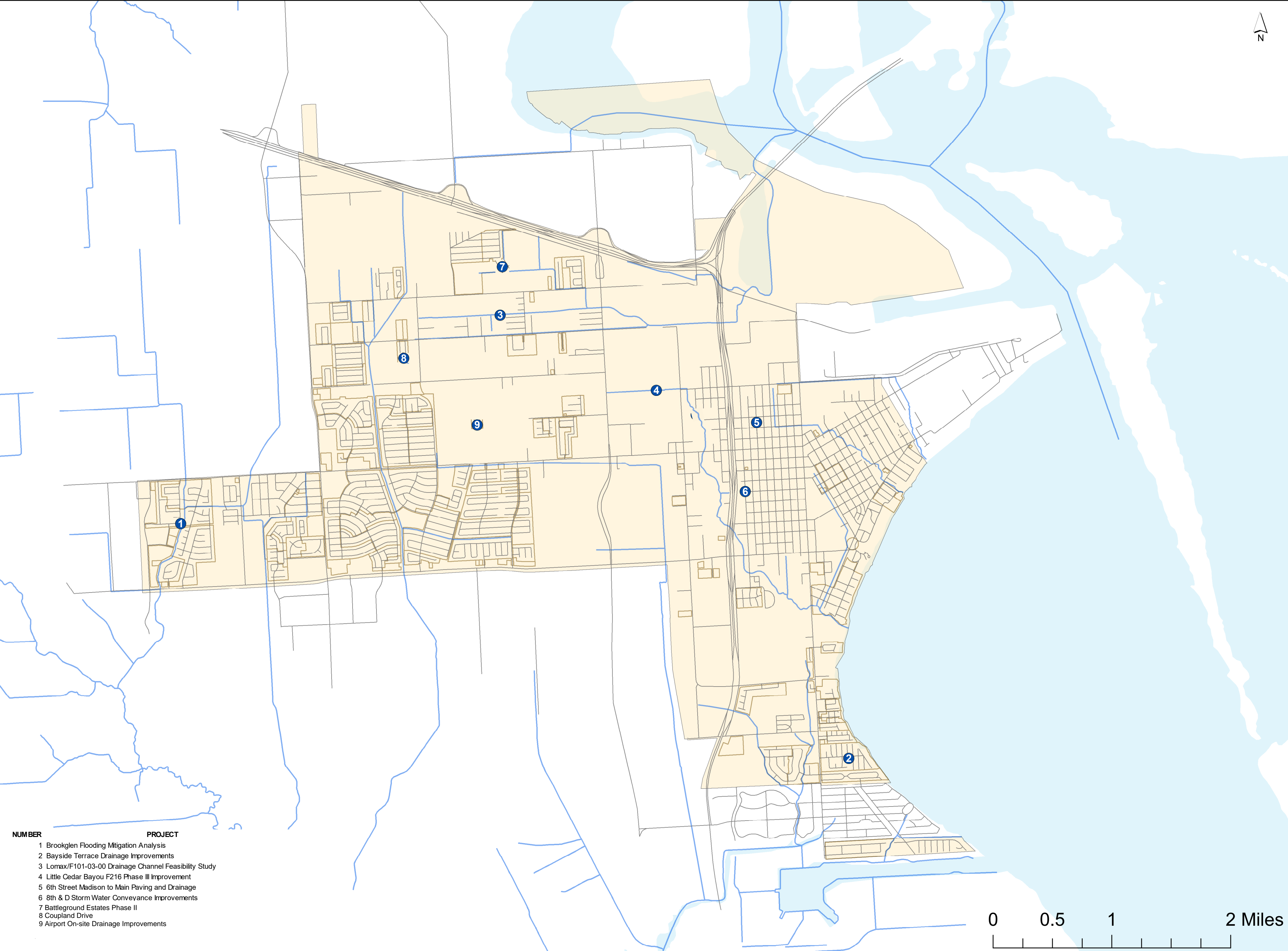
Receive report, and provide staff with direction, as necessary.

Approved for Drainage Committee Agenda

Corby D. Alexander, City Manager

Date

The City of La Porte Drainage Projects 2019

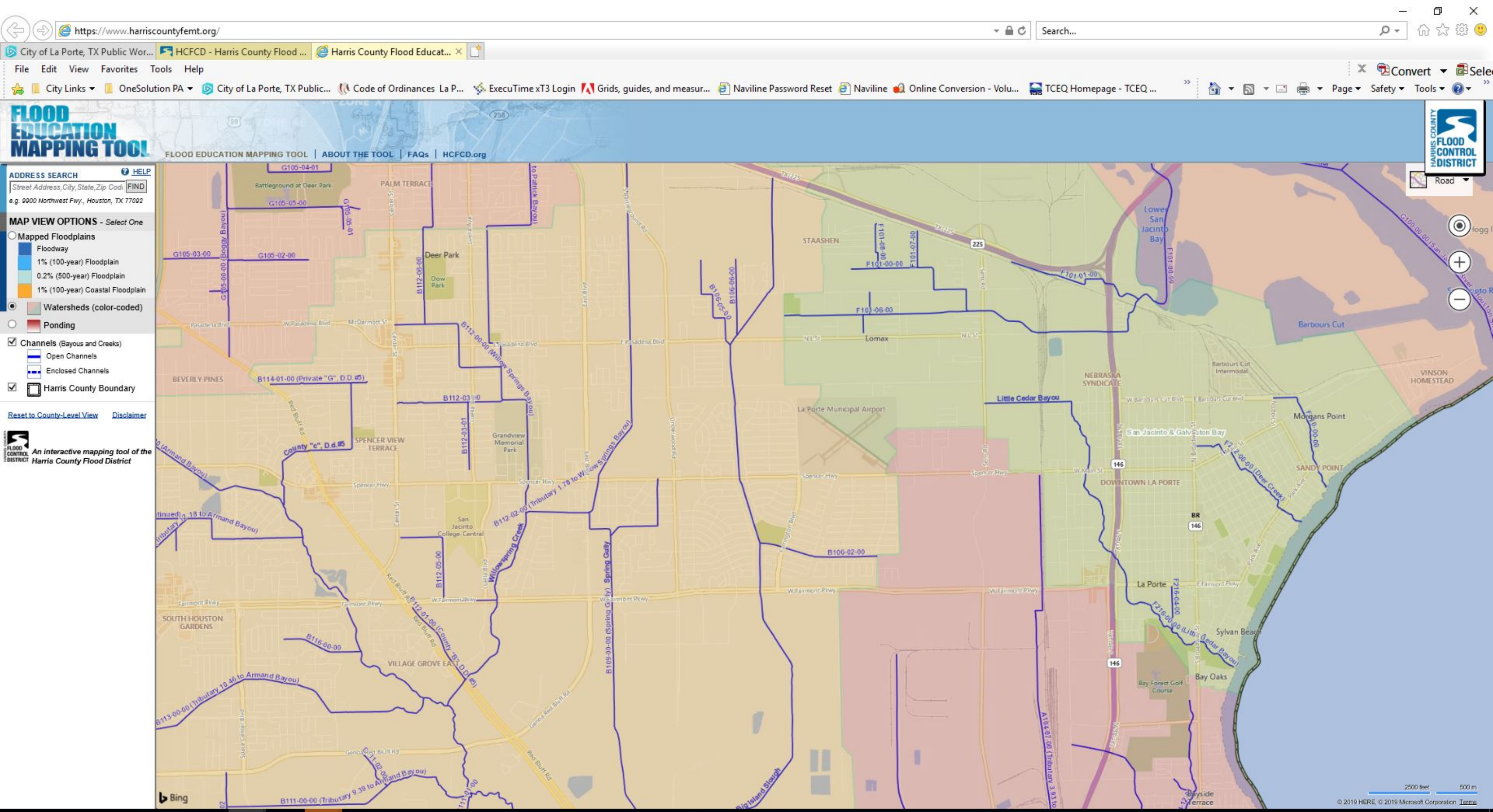


DRAINAGE PROJECTS

*Estimated completion date references total project completion.

**% complete references percent completion of current project phase.

NO.	PROJECT	PROJECT MANAGER	DESCRIPTION	PROJECT PHASE (Feasibility/Preliminary Design/Final Design/Bidding/Construction)	Status	Anticipated Construction Cost	Potential Grant Funding	Potential COLP Cost Share	COLP Budgeted Amount	Estimated Completion Date	% Complete (Phase)	On Schedule
1	Brookglen Flooding Mitigation Analysis	HCFCF / Public Works	The 2009 City-wide Drainage Study identifies the Brook glen subdivision as an area with significant drainage-related problems, attributed to inadequate sewerage and insufficient channel capacity within the B112-00-00 Channel. Compounded improvements recommended within the City-wide Drainage Study could reduce the flood risk within the Brook glen area. This analysis would expand upon the recommendations provided within 2009 study.	HCFCF (NCRS) - Final Design; COLP - Feasibility/Preliminary Engineering	The existing conditions drainage model is being developed utilizing field data and record drawings. preliminary modeling results indicate that the existing storm sewer is undersized for current rainfall conditions. Staff is currently reviewing the initial drafter of the PER, received on April 24th. Final design is expected to begin upon completion of preliminary engineering, with a target construction start date of March 4, 2024. The project is expected to be completed by June 30, 2025.	\$11,400,010.00	GL0 - \$4,000,000; Pct. 2 Partnership - \$2,900,023.28; ARPA - TBD;	Harris County - 24%; GL0 - 33%; COLP - 42;	COLP - \$4,275,000	NCRS - TBD; Bond - TBD; COLP - TBD	NCRS - 35%; COLP - 0%	NCRS - Yes Bond - No COLP - TBD
2	Bayside Terrace Drainage Improvements	Public Works	Approximately 800 linear feet of RCP pipe, ranging in size from 15" to 24", exists within the Bayside Terrace Subdivision, which has not been properly maintained due to access issues attributed to limited access to infrastructure, provided within a five foot utility easement. Portions of Hamilton Street and Fondren Street utilize this system to convey stormwater to its outfall point of Galveston Bay. The system fails to function properly, causing flooding within the adjacent portion(s) of the subdivision. A proposed drainage study would discuss feasibility of rerouting this flows from the 800 feet of RCP, towards Bayside Dr. and utilizing the existing system within Bayside Dr. to convey the storm water within the existing system.	Bidding	Bid advertisements were published on April 6th and April 13th. A pre-bid conference was held on April 16, 2023. Bids are due on May 3rd.	\$8,821,834.36	Pct. 2 Partnership - \$2,982,496	Harris County - \$2,982,496; COLP - \$4,356,041	\$5,405,000.00	TBD	75%	Yes
3	Lomax/F101-03-00 Drainage Channel Improvements	HCFCF	Harris County Flood Control District's (HCFCF) F101-06-00 Channel system conveys storm water runoff from the Lomax area and ultimately outfalls into Lower San Jacinto Bay. The downstream section of the channel has been improved to ultimate capacity. An existing pipeline corridor, containing several pipelines located at depths ranging from approximately 2' to 18', cross the channel, limiting the depth of potential channel improvements. Moderate/heavy rain events, compounded with backwater conditions from this section of the channel, contributes to wide-spread flooding within the Lomax Area.	Feasibility	HCFCF extended the limits of the initial drainage study to include the area from Valleyview to Lomax School Road. New project limits are currently being evaluated by HCFCF to determine additional project options.	\$3,400,000.00	HCFCF Bond; ARPA - TBD	50/50	\$950,000.00	TBD	75%	No
4	Little Cedar Bayou F216 Phase III Improvements	HCFCF / Public Works	Phase I and Phase II Improvements to Little Cedar Bayou, from Hwy 146 to Madison, have either been completed or are currently awarded for construction. Phase I and Phase II improvements include, but are not limited to, excavating and disposing off-site soil as required for the new channel alignment, clearing and grubbing, demolition of existing structures, erosion control, and site restoration for approximately 5,533 LF of channel. Approximately 4,680 LF of channel remains unimproved upstream, with those improvements slated to be included within this project, to be considered Phase III. Survey data has been collected on this most upstream section. Routine maintenance of clearing overgrowth, trees, and obstructions; minor erosion control and slope stabilization; and destilling is planned to maintain existing conveyance capacity. Those maintenance operations are projected to begin late 4th quarter 2018 or early 1st quarter 2019 (calendar year). The following Phase III mitigation action is proposed, as recommended within the Hydraulic Analysis for Little Cedar Bayou Watershed HCFCF Unit F216-00-00: lowering the low line of the Bayou 1' - 2' feet, from W. Madison to Sens Rd. Current channel side slopes would be modified to achieve 3:1 side slopes from W Madison St. to Sens Rd. An estimated 200,000 cubic yards are to be excavated from the channel. Over excavation is provided to yield sufficient storage volume in the pond after siltation and build-up in the pond bottom.	Feasibility	The feasibility of several project options are being evaluated. The consultant is evaluating an additional project alternative that was not previously considered. The draft of the preliminary engineering report will be delayed, to allow for the new alternative to be evaluated. Staff, consultant, and HCFCF, participate in bi-weekly project status meeting to discuss project progression.	TBD	HCFCF Bond - \$8,000,000; ARPA - TBD	\$2,000,000.00	\$3,055,232.00	TBD	60%	No
5	6th Street Madison to Main Paving and Drainage	Public Works	The segment of 6th St from W. Madison St to W. Main St is considered part of Old La Porte, which was generally noted in the City-Wide Drainage Study as not having sufficient storm sewer capacity due to undersized storm sewer, undersized storm inlets, or not enough storm inlets. RPS-Klotz provided an analysis of the existing storm sewer system and identified problem areas within the project limits. Additional analysis is required to determine most efficient improvement alternative.	Phase 2 - Final Design	Drainage Impact Analysis has been approved by HCFCF. Staff is coordinating with HCFCF for mitigation credits. USACE has acknowledged receipt of pre-construction notice. The project solicitation packet has been prepared, but the advertisement is on hold, pending USACE approval.	Phase 2 - \$3,400,000	Phase 2 - \$3,472,757	\$125,000.00	\$1,140,000.00	Phase 2 - TBD	Phase 2 - 90%	Phase 2 - Yes
6	8th & D Storm-Water Conveyance Improvements	Public Works	The area generally bounded by 8th Street to the west, Main Street to the north, 5th Street to the east, and D Street to the south experiences flooding during heavy rain events due to undersized culverts within the area increasing culvert sizes within the area will provide additional conveyance capacity within the existing open ditch system.	Completed	This project has been incorporated into the 8th Street Rehabilitation Project. Construction activity began on September 13, 2021. Storm sewer-related infrastructure is 100% complete.	\$4,800,000.00	N/A	N/A	\$4,867,000.00	February 2023	100%	Yes
7	Battleground Estates Phase II	Public Works	A proposed conditions hydraulic model was developed during the preliminary design for the N P Street Culvert Improvement Project, which recommended replacing the upstream portion of the existing composite structure at N P Street, with structures matching the downstream portion of the composite structure. That project allows for full utilization of the structure's capacity, as well as protect the channel during rainfall events that produce higher amounts of runoff. Per the recommendations of the Phase I report, a more detailed Phase 2 engineering analysis of segments F101-00-00 and F101-08-00, that are upstream of N P Street, as well as an evaluation of the roadside ditch drainage conduits within Battleground Estates should be performed to identify necessary improvements to address structural flooding within the area. The more detailed study would evaluate the impacts of culverts located upstream of N P Street, along F101-00-00 resulting from the 10-, 50-, and 100-year rain event. Channel improvements, and increasing culvert sizes to provide sufficient capacity within culverts along the roadside ditches are the anticipated mitigation efforts.	Feasibility	Staff is re-considering utilization of ARPA funding on this project, as ARPA funding may be reallocated to higher priority projects.	TBD	ARPA - TBD	50/50	\$215,000.00	August 2023	0%	No
8	Coupland Drive	Public Works	The proposed storm sewer improvements include re-aligning Coupland Drive to drain towards inlets located throughout the subdivision. The inlets will drain into proposed storm sewer ranging in size from 24" to 30" RCP. This storm sewer will then flow underneath the existing roadside ditch along L Street to a combined outfall with the existing roadside ditch to Big Island Slough. The proposed storm sewer underneath the existing ditch on L Street will be 42" RCP and the combined outfall will need to be a 60" RCP. These improvements will result in no net fill within the Big Island Slough 100-year floodplain. The proposed storm sewer was sized for the 2 year storm event, per the City of La Porte drainage criteria.	Bidding	The bid solicitation advertised on September 15th, as part of the Lomax Lift Station Consolidation Project. Bid were received in December 2023, but exceeded the budgeted amount. The bid was reject by Council at the January 9th meeting. Staff is working with the Texas Water Development Board (TXWDB) to determine the most appropriate approach to proceed with the Lomax Lift Station Consolidation Project. Future advertisement of the Coupland Drive project will be contingent upon direction received from the TXWDB.	\$1,550,000.00	N/A	N/A	\$1,310,000.00	TBD	50%	Yes





REQUEST FOR DRAINAGE & FLOODING COMMITTEE AGENDA ITEM

Agenda Date Requested: June 12, 2023

Requested By: Ray Mayo, Director

Department: Public Works

☒ Report ☐ Resolution ☐ Ordinance

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: ☐ Yes ☐ No

Exhibits:

SUMMARY & RECOMMENDATION

Opportunity to discuss any drainage concerns not covered by previous items.

ACTION REQUIRED BY DRAINAGE AND FLOODING COMMITTEE

Receive report, and provide staff with direction, as necessary.

Approved for Drainage Committee Agenda

Corby D. Alexander, City Manager

Date