



**CITY OF BELLAIRE TEXAS**  
**BUILDING AND STANDARDS COMMISSION**  
**SEPTEMBER 28, 2016**

**Council Chamber**

**Regular Session**

**7:00 PM**

**7008 S. RICE AVENUE  
BELLAIRE, TX 77401**

**I. REGULAR SESSION**

**A. Call to Order**

Chairman Thurmond called the meeting to order at 7:00 PM.

**B. Announcement of Quorum**

Chairman Thurmond announced that a quorum was present, consisting of the following members:

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Laura Thurmond	Chairman	Present	
Paul Katz	Commissioner	Present	
Burt Martin	Commissioner	Absent	
Mike Baker	Commissioner	Present	
Danny Spencer	Vice Chairman	Absent	
Lee Hampton	Commissioner	Present	
Charles Formica	Commissioner	Present	
John McDonald	Director	Present	
Zachary Petrov	Assistant City Attorney	Present	
William Davidson	Building Official	Present	
Ashley Parcus	Secretary	Present	
David R. Montague	Council Member	Present	

**C. Rules for Public Comment**

Chairman Thurmond stated that the rules for public comment are listed on the agenda.

- 1. Sign up forms will be available at all Regular and Special meetings for registering the names of members of the Public who wish to either: i) speak on an agenda item, provided such items have not been the subject of a prior public hearing; or ii) make a general comment related to the Commission business. These forms will be given to the Secretary prior to the start of the meeting so that the person's name can be called to address the Commission at the appropriate time.**
- 2. Public Comments on agenda items will be made at the time an agenda item appears in the Order of Business and before the Commission's consideration of that item.**
- 3. Public Comments of a general nature shall be made at the time designated by the Order of Business.**

4. **All public comments shall be limited to six (6) minutes per speaker with extensions of two (2) minute increments as approved by a majority vote of Commission members present.**
5. **Public Comment at Workshop meetings will be allowed at the discretion of the Chair. Any comments will be limited as described in Article IV Sec 8.**

#### **D. Approval or Correction of the Minutes**

1. Building and Standards Commission - Regular Session - Aug 24, 2016 7:00 PM

**Motion:** a motion was made by Commissioner Baker and seconded by Commissioner Formica to approve the minutes as written.

Commissioner Katz then made two minor corrections to the minutes.

**Amended Motion :** an amended motion was made by Commissioner Formica and seconded by Commissioner Hampton to approved the minutes as corrected.

The amended motion passed with a vote of 5-0.

**Vote on original motion to approve the minutes:** 5-0.

<b>RESULT:</b>	<b>APPROVED AS CORRECTED [UNANIMOUS]</b>
<b>MOVER:</b>	Charles Formica, Commissioner
<b>SECONDER:</b>	Lee Hampton, Commissioner
<b>AYES:</b>	Thurmond, Katz, Baker, Hampton, Formica
<b>ABSENT:</b>	Martin, Spencer

#### **E. Public Comment**

There was no public comment.

#### **F. Report from Building Official**

Mr. Davidson informed the Commission that residential construction for the month of September is up 2 homes compared to August. He added that there is still no update on the status of the flood grant that the City applied for several months back.

Commissioner Baker asked what the status is on the substandard house that Mr. Davidson mentioned at previous meetings.

Mr. Davidson explained that the property owner is currently out of the country and is not answering his phone. He stated that he doesn't have any other method of communicating with him, but is continuing to work on making contact.

#### **G. Reports of Committees and Communications**

##### **1. Communications to Commission members outside of posted meetings**

There were no communications reported.

##### **2. Committee Reports**

There were no committee reports.

### **3. Reports from Staff other than the Building Official**

There were no reports from staff other than the Building Official.

## **H. Old Business**

### **1. Presentation by Landscape Architect Laura Schwind, Paver Field Manager for Pine Hall Brick Company, on low impact development, as it relates to drainage and paving systems.**

Ms. Schwind gave a presentation on paving systems, including how they should be applied, the advantages of the systems, and the cost of installing them. To view the entire presentation, please visit the link below:

<http://bellairecitytx.igmm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1588&MinutesID=1266&Format=Minutes&MediaFileFormat=ismv>

## **I. New Business**

### **1. Presentation and discussion on the November 8, 2016 Bond Election.**

Mr. McDonald reviewed the three propositions included in the November 8, 2016 Bond Election. He explained that \$20 million from Proposition 1 will be devoted to street and drainage projects, which could also include the installations/reparation of sidewalks in some cases, while the other \$4 million will be strictly for the installation of sidewalks in areas where there currently are not any. Mr. McDonald then informed the Board that Proposition 2 is for an additional \$5.6 million for the construction of new municipal buildings. (\$11 million was approved by the voters back in November of 2013). He added that adjustments to the original site plan and the reconfiguration of the location and compatibility of the buildings and services, based on citizen input, has increased the costs. Mr. McDonald then took a few minutes to describe when construction will begin, where the new facilities will be located, and what the new facilities will offer. He then moved on to Proposition 3 and explained that the City is asking for \$24.38 million for water and wastewater improvements. Mr. McDonald stated that the difference between proposition 3 and the first two are the funding sources. He informed the Commission that whereas the first two propositions will be fully funded by tax supported debt, the 3rd proposition includes a contract for \$12.8 million to Siemens for the installation of digital water meters and improvements to the wastewater treatment plant. Mr. McDonald explained that an increase in efficiencies and cost savings through this performance based contract will create a return on investment over the life of the improvements, and therefore, will not impact Bellaire residents' tax rate.

Chairman Thurmond mentioned that she didn't realize until recently that some time ago the decision was made to defer maintenance and repairs to City Hall. She asked Mr. McDonald if he knew when that decision had been made.

-Mr. McDonald explained that prior to the 2013 election, a study was done to determine the status of the structures of City Hall/civic center and the police department/municipal courts building. He added that the findings were that the continuing cost of repairs and maintenance was approaching the cost to replace the buildings. Mr. McDonald stated that when Council approved the project in 2013 to replace the buildings, maintenance was cut back to a minimum. He added that there is also a pool of money that was approved previously for

repairs, and part of that is being saved for the new project.

Chairman Thurmond stated that she knows there has been a lot of controversy regarding what to do with the municipal buildings, however, she believes that now is a good time for cities to be taking on more debt. She added that she doesn't feel as though the City should be leaving it to future residents who will have to borrow at a much higher rate.

2. Discussion on Chapter 6, Types of Construction, of the 2012 International Building Code, with regard to regulations on non-combustible materials within commercial construction.

Mr. Davidson explained that at one point there was a City ordinance requiring that all buildings within the fire zone be of Type II, 1- hour rated construction. He added that this was an amendment to the International Building Code (IBC), which has since, based on a recommendation from this Commission, been deleted from the Code of Ordinances entirely. Mr. Davidson then explained that now, construction type is rated from I-V, the higher the number the more combustibile the construction. He then reviewed several types of construction and how each would be rated. Mr. Davidson stated that within those ratings there are two types, A and B, which refer to whether they have fire sprinklers or not. He added that the fire resistance is measured in an hour rating, which is a burn through time. Mr. Davidson informed the Commission that under his predecessor, and prior to the change of this ordinance, the City had interpreted Type II, 1- hour rating, to mean Type II A. He stated that since the code section cited in that has changed, and given that the he and the previous Building Official felt that the restrictions from the IBC itself were adequate to protect occupants of a building, they didn't feel that requiring a Type II construction was necessary for commercial buildings. He also stated that the code has changed the fire zone definitions and how the International Fire Code handles that, therefore rendering it nonsensical as an amendment to the building code.

Mr. McDonald further explained that about a year and a half ago, the City was involved with a project for Nature Discovery Center (NDC). He added that with the NDC being a commercial development within a residentially zoned area, it didn't mesh with the way that the ordinance was set up. He stated that due to the fact that it was in a residential area it was required to meet a higher standard, based on the amendment, that what the City felt was necessary. He added that after discussions with representatives of the NDC project, City staff brought forward an amendment to the Building and Standards Commission to delete that one section from the code. Mr. McDonald stated that it was adopted by ordinance in June of 2015, and agreed with Mr. Davidson that the regulations set forth within the IBC are sufficient. He added however, that the City's online ordinance bank has not received a copy of the ordinance and therefore it has not been updated as such. Mr. McDonald added that City staff does occasionally get phone calls from builders asking about the City's requirements. He also mentioned that in the instance of the Nature Discovery Center, they were on a strict timeline and were not able to wait until the ordinance had passed, therefore, they went ahead and met the higher standard.

Commissioner Baker asked for clarification that a Type II project cannot use wood.

Mr. Davidson explained that lumber can be used within interior finishes, however, structural members within a Type II building must be made of a non-combustible material.

3. Review of the Commission's Rules of Procedure, Article XII, Making Recommendations to City Council.

Staff reminded the Commission that at the last meeting they asked for a review of the procedures for making recommendations to City Council. It was explained that a copy of those procedures was included in the Commissioner's packets.

Mr. McDonald reviewed the process with the Commission and explained that one of the ideas behind the creation of the procedure was to incorporate a period of time to allow those in the industry, the contractors, builders, etc. a chance to give their thoughts and opinions on an upcoming amendment to the building code. He added that the procedure now includes a 45 day period of review to allow for those public comments due to the fact that amendments to Chapter 9 do not require a public hearing. Mr. McDonald mentioned that the rules will not apply in the instances when Council votes on an amendment without ever referring it to the Commission. He also pointed out that in the instance of an emergency, the 45 day period can be waived.

Commissioner Baker stated that he just wanted to ensure that the Commission was refreshed on the process that is in place. He added that it is important when taking proposed amendments to Council that City staff and the Commission are a united front.

- 4. The Chair shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion on a future agenda of the Commission or referral to Staff for investigation.**

No new business was brought forward.

#### **J. Public Hearings**

There were no public hearings.

#### **K. Announcements & Comments by Commissioners**

Commissioner Formica applauded the Bellaire Police Department for being the first ones on the scene of the recent shooting in West University.

#### **L. Adjournment**

**Motion:** a motion was made by Commissioner Formica and seconded by Commissioner Katz to adjourn the Regular Meeting.

**Vote:** the motion carried on a unanimous vote of 5-0.

**The meeting was adjourned at 8:22 PM.**