

CITY OF BELLAIRE TEXAS

BUILDING AND STANDARDS COMMISSION

MARCH 28, 2018

Council Chamber	Regular Session	7:00 PM
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7008 S. RICE AVENUE
BELLAIRE, TX 77401



Chair

Laura Thurmond

Commissioner

Paul Katz

Vice Chair

Danny Spencer

Commissioner

Lee Hampton

Commissioner

Charles Formica

Commissioner

Dan R. Collins

Commissioner

Christina Stone

Mission Statement:

The City of Bellaire is dedicated to outstanding quality service and facilities to ensure an open, progressive, and secure community.

I. REGULAR SESSION**A. Call to Order****B. Announcement of Quorum****C. Rules for Public Comment**

- 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 - Jan 24, 2018 7:00 PM**

E. Public Comment**F. Report from Building Official**

- 1. Recent change in Harris County building code regulations**

G. Reports of Committees and Communications

- 1. Communications to Commission members outside of posted meetings**
- 2. Committee Reports**
- 3. Reports from Staff other than the Building Official**

H. Old Business**I. New Business**

1. Discussion, consideration, and possible action on a proposed amendment to Chapter 9, Buildings, Article IV, Electricity, Division 1, Generally, Section 9-92, Amendments, Section 220.13A, of the City of Bellaire Code of Ordinances.
2. **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.**

J. Public Hearings**K. Announcements & Comments by Commissioners****L. Adjournment**



CITY OF BELLAIRE TEXAS
BUILDING AND STANDARDS COMMISSION
JANUARY 24, 2018

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 6:02 PM.

B. Announcement of Quorum

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

Attendee Name	Title	Status	Arrived
Laura Thurmond	Chair	Present	
Paul Katz	Commissioner	Present	
Danny Spencer	Vice Chair	Absent	
Lee Hampton	Commissioner	Present	
Charles Formica	Commissioner	Present	
Dan R. Collins	Commissioner	Present	
Christina Stone	Commissioner	Present	
William Davidson	Building Official	Present	
Ashley Parcus	Secretary	Present	
David R. Montague	Council Member	Present	

C. Rules for Public Comment

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Minutes Acceptance: Minutes of Jan 24, 2018 7:00 PM (Approval or Correction of the Minutes)

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.

Chairman Thurmond announced that the rules for public comment were listed on the agenda.

D. Approval or Correction of the Minutes

1. Building and Standards Commission - Regular Session - Nov 15, 2017 7:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Christina Stone, Commissioner
SECONDER:	Paul Katz, Commissioner
AYES:	Thurmond, Katz, Hampton, Formica, Collins, Stone
ABSENT:	Spencer

E. Public Comment

There was no public comment.

F. Report from Building Official

1. Update on subsidence within the City of Bellaire

Mr. Davidson mentioned that the subject of subsidence within the City had come up at the last Commission meeting and that he had spoken with the City's Engineer, James Andrews, who had referred him to some information online. He then provided each Commissioner with a map and graphs and explained that there is a monitoring area just outside of the City limits, which is maintained by the Harris Galveston Subsidence District. He explained that the first map includes information from 1981-2016, shows that the subsidence levels off sometime around 1991, and that the amount of subsidence that is taking place has drastically reduced. Mr. Davidson stated that the contour graph on the second page shows the total amount of subsidence for the greater Houston area up until 2000, and that Bellaire is between the 6 foot and 7 foot contours. He added that he has the contact information for the organization, and that the City's Attorney is actually on the Board and might be a good point of contact.

Commissioner Stone asked how the measurements are taken.

Mr. Davidson explained that it measures the compression or extension between some point underground and the surface, and the GPS wells are monitoring elevation above sea level. He added that Mr. Andrews stated that ARKK Engineers has not prepared any extensive studies of this information and that he had mentioned it at some point during a meeting only to say that he didn't feel as though it was much of a factor in the current flooding situation.

Commissioner Collins mentioned that as the new base maps come out, the City might want to consider its position on the current regulation that all new construction must build at one foot above the base flood elevation (BFE).

Commissioner Katz pointed out that Houston is now requiring two feet above the 500 year floodplain.

Mr. Davidson explained that the change is for unincorporated Harris county only, and doesn't apply to Houston. He also mentioned that there are exceptions included in that regulation that allow for homes to be built at one foot above the nearest BFE in lieu of two feet out of the 500. He stated that he could provide that regulation to the Commission if they wished for him to do so.

Chairman Thurmond stated that she felt that would be a good idea. She asked if there has been any staff discussion on making a change.

Mr. Davidson stated that there has not. He added that it is difficult to plan for a 100 year event based on a 1,000 year event. Mr. Davidson informed the Commission that only 2% of the affected homes were structures that are built under the current standard, showing that the current regulation seems to work very well.

Chairman Thurmond asked if there is any expectation of the BFE changing.

Mr. Davidson stated that there are several different rumors going around, but nothing has been confirmed at this time.

Council Member Montague mentioned that this is something that the Flood Mitigation Task Force is addressing.

Mr. Davidson also mentioned that the City is still working with the non-mitigated houses/potentially substandard homes. He added that most have either remediated or have begun the demolition process, but staff will continue to monitor the situation. He added that the City is up to 57 substantially damaged homes currently, and over 1,000 permits for repairs have been issued.

Mr. Davidson then mentioned that the 2018 International Building Code (IBC) either is or will soon be published. He stated that staff will be conducting a review of those changes over the next year, and beginning in 2019 staff will determine if/when the City of Bellaire will adopt the new edition of the building code.

Commissioner Katz asked what electrical code the City is currently working under.

Mr. Davidson stated that the State of Texas is currently working under the 2014 electrical code.

Mr. Davidson also mentioned that he has received a couple of questions from electricians about one of the amendments to the City's electrical code, which requires that extensions to underground electrical services or service masts that are used as supports be metallic conduit, rather than plastic rated electrical conduit. He stated that he would like to put that on the Commission's next agenda as a discussion item and possibly include a recommendation to amend Chapter 9. Mr. Davidson asked the Commission to think about what the advantages and disadvantages would be if that change was made.

Chairman Thurmond mentioned that she had recently spoken with a salesperson working for a homebuilder who stated that they have gone away from the Ty-vek house wrap due to the fact that the State of Texas now requires a vapor retarder that has thermal insulation properties. She stated that she has not heard this and asked Mr. Davidson if he was aware of this.

Mr. Davidson stated that he has not heard anything about that. He then explained that the energy code is somewhat similar to a cookbook in that the "ingredients"

used can be altered and still achieve the same end result. He added that people who are not very familiar with the energy code tend to draw a conclusion that the one "recipe" that they see is the only way to do it.

Commissioner Katz mentioned that Ty-vek is a good vapor retarder, but not as good for air sealing.

Chairman Thurmond asked if the State of Texas adopts the IBC codes in that manner.

Mr. Davidson explained that the State of Texas has adopted the 2015 Energy Code for areas that have not adopted a specific energy code themselves.

G. Reports of Committees and Communications

Council Member Montague mentioned the Commission's November meeting in which Mr. Davidson had stated that none of the sidewalks with a 5 foot requirement had been installed. He asked if staff is proactively contacting the builders to let them know that the requirement has now changed from 5 feet to 4 feet.

Mr. Davidson stated that he has already spoken with some of them, and is working on preparing an email blast to go out to all of the City's registered builders.

Council Member Montague stated that there is a new home located on Beech for which a 5 foot sidewalk was installed. He added that there is also one at the corner of Bellaire Court and Bellaire that has forms for 5 feet. Council Member Montague suggested sending the Code Compliance Officer out to speak with the builders directly.

Mr. Davidson stated that it is his responsibility and that he will take care of it as soon as possible.

Council Member Montague mentioned that he had a conversation with James Andrews, the City Engineer, when this first came up, regarding the implementation of the regulation. He pointed out that the Commission made it clear that there may be instances within the City where larger (or smaller) sidewalks would be appropriate. Council Member Montague stated that Mr. Andrews felt that it would be beneficial to get a small sub group together to prepare a matrix which would help to determine what size sidewalks should be installed in each area of the City. He mentioned that he had taken it upon himself to prepare an agenda for that meeting which he had sent to Mr. Andrews, Chairman Thurmond, Commissioner Stone and the Development Services Department. Council Member Montague added that if anyone else on the Commission would like to attend the meeting he will be sure to let them know when it is scheduled for.

Chairman Thurmond asked Council Member Montague if he had any updates on the Flood Mitigation Task Force.

Council Member Montague stated that he didn't have much of an update. He mentioned that each meeting has run two hours and could have gone longer, and that the group is very actively involved. He urged the Commission members to attend the public hearing on January 29th, which will give an update on where the Task Force is as well as get public feedback on the process. Council Member Montague mentioned that he believes that they are still on schedule to make some recommendations to City Council in March. He stated that he and Mr. Hofmann have set up a meeting with Marvin Odum, the Chief Recovery Officer of the City of Houston, to share with him Bellaire's experience/data

obtained during Harvey to find out what they are doing and what the City of Bellaire might do together with them to help alleviate future flooding.

Chairman Thurmond asked for an update on a potential new logo for the City.

Council Member Montague explained that the City Council saw several different proposals. He added that the City Council gave their feedback and it will be presented again in the future. He then showed the Commission a picture of the primary recommendation.

1. Communications to Commission members outside of posted meetings

There were no communications to report.

2. Committee Reports

There were no committee reports.

3. Reports from Staff other than the Building Official

There were no additional reports from staff.

H. Old Business

There was no old business.

I. New Business

1. Approval of the Building and Standards Commission's 2017 Annual Report to City Council.

Chairman Thurmond stated that she had spoken with Council Member Montague regarding the following modifications that needed to be made to the report:

First Page:

- The addition of Ashley Parcus as the Commission's secretary as well as Council Member Montague as the Commission's Council Liaison
- #3.b. Clarify that the Commission advised the ESB Board to work with staff...

Second Page:

- #3.d. should say "directive to all City departments"
- #4.a.iii. Revised last sentence to say " and the role that the Commission plays..."
- #5.e. should say "2016 Annual Report"

The rest of the Commission agreed with the suggested modifications.

RESULT:	ADOPTED AS CORRECTED [UNANIMOUS]
MOVER:	Charles Formica, Commissioner
SECONDER:	Christina Stone, Commissioner
AYES:	Thurmond, Katz, Hampton, Formica, Collins, Stone
ABSENT:	Spencer

2. **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.**

There was no new business brought to the attention of the Commission.

J. Public Hearings

There were no public hearings.

K. Announcements & Comments by Commissioners

Commissioner Collins mentioned that he had recently participated in a ride along with the Bellaire Police Department. He added that it was a very enlightening experience that made him appreciate their service even more than before. Commissioner Collins urged the other Commissioners to participate as well, if they ever get the opportunity to do so.

L. Adjournment

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

Vote: the motion carried with a vote of 6-0.

The meeting was adjourned at 7:44 PM.

**Building and Standards
Commission**

Council Chamber, First Floor of City
Hall
Bellaire, TX 77401



Meeting: 03/28/18 07:00 PM
Department: Development Services
Category: Code Amendment
Department Head: ChaVonne
Sampson
DOC ID: 2508

**SCHEDULED
INFORMATION ITEM (ID
2508)**

Item Title:

Discussion, consideration, and possible action on a proposed amendment to Chapter 9, Buildings, Article IV, Electricity, Division 1, Generally, Section 9-92, Amendments, Section 220.13A, of the City of Bellaire Code of Ordinances.

Background/Summary:

The City of Bellaire has long required that electrical contractors use metallic conduit for above-ground installations. Section 9-92 of the City Code says, "In underground services and feeders extended above ground, the extensions shall be rigid or IMC conduit." The original thinking behind this requirement was to protect the wiring found inside those conduits. At the time of the amendment, the quality of plastic conduit was thought not sufficient to the task.

In practice, this amendment has resulted in rust and failure of electrical conduits. Because the installations are close to grade and outside the building, they are exposed to large amounts of ground water, which can lead to oxidation. The suggestion of City staff would be to delete the amendment, and allow the existing electrical code section to prevail; therefore, no draft language is necessary.

The Commission's Rules of Procedure requires a 45 day review period for all recommendations made to City Council, which would begin upon the appearance of the recommendation on a regular or special meeting agenda. However, the Commission reserves the right to waive the review period in situations for which it is deemed unnecessary. If the Commission chooses to waive this regulation, the item will be added to the Commission's April agenda for consideration.

A copy of the current code language is attached.

ATTACHMENTS:

- Sec._9_92.____Amendments. (PDF)

Sec. 9-92. - Amendments.

220-13A. The Electrical Code is hereby amended by adding a new section thereto, numbered and reading as follows:

220-13A. Load Demand Factors. Total amperage load for circuits in commercial installations shall not exceed 80 percent of the rated current carrying capacity of conductor used. No. 14 A.W.G. may be used for control circuits. All other wiring to be No. 12 A.W.G. or larger wire.

All wiring in commercial buildings must be installed in rigid conduit, metal tubing, BX cable or IMC conduit.

The use of rigid or nonmetallic conduit for concealed work may be permitted by the building official upon finding of special facts warranting such use when such use shall not cause an unnecessary hazard. If flexible conduit is used (maximum six feet), a separate bonding conductor sized for the largest fuse for a conductor in that raceway shall be required.

In residential construction up to three stories with wood frame construction, the use of copper romex wire is permissible.

In underground services extended above ground, the extensions shall be rigid or IMC conduit. In subfeeder conduits to remote panels, sealtite flexible conduit with grounding may be used to facilitate installation not to exceed six feet in length.

All wiring in any commercial building must be in rigid metallic conduit, metal tubing, or other metallic raceway approved by electrical examining board for certain classes of construction, except wiring in one- and two-family dwelling units in zones where wood frame construction is permitted.

In underground services and feeders extended above ground, the extensions shall be rigid or IMC conduit.

Any change in the electrical service or change to new type of service will require approval by the Electrical Inspector before the electricity utility may connect new service.

A request for temporary service for construction or testing of equipment will not be issued without a release of liabilities to the City of Bellaire, the inspection department, and all inspection officials, this release to be executed by the owner and the general contractor in a form prescribed by the City of Bellaire. A copy of such form may be examined in the office of the city clerk.

([Ord. No. 14-057, § 1, 10-6-2014](#))