



**CITY OF BELLAIRE TEXAS**  
**BUILDING AND STANDARDS COMMISSION**  
**MARCH 28, 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 7:03 PM.

**B. Announcement of Quorum**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Laura Thurmond	Chair	Present	
Paul Katz	Commissioner	Present	
Danny Spencer	Vice Chair	Present	
Lee Hampton	Commissioner	Present	
Charles Formica	Commissioner	Present	
Dan R. Collins	Commissioner	Present	
Christina Stone	Commissioner	Present	
William Davidson	Building Official	Present	
David R. Montague	Council Member	Present	
Ashley Parcus	Development Services Coordinator	Present	
Marleny Campos	Secretary	Present	

**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.**

Chairman Thurmond noted that there wasn't going to be much public comment and passed over the rules.

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

1. Building and Standards Commission - Regular Session - Jan 24, 2018 7:00 PM

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Charles Formica, Commissioner
<b>SECONDER:</b>	Christina Stone, Commissioner
<b>AYES:</b>	Thurmond, Katz, Spencer, Hampton, Formica, Collins, Stone

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

There was no public comment.

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

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

Mr. Davidson reported that Harris County regulation is that the top of the subfloor of the lowest habitable floor must be elevated to 24 inches or more of the 500-year flood elevation or 12 inches above the level of the crown of the nearest public street – whichever is higher. He added unincorporated Harris County is going to require 2 feet above the 500-year flood plain, as stated on their website.

Commissioner Hampton asked if the regulations are new.

Mr. Davidson answered that it is new since Hurricane Harvey. He further clarified that it's unincorporated Harris County, not Houston. City of Houston is still requiring 1 foot above base flood elevation per their flood plain regulations.

Commissioner Collins asked what the previous regulations were.

Mr. Davidson was not sure what they were but could speculate that they followed the basic FEMA regulations, which are just above base flood elevation.

Commissioner Katz asked how Houston is differentiated from Harris County if Houston is in Harris County.

Mr. Davidson replied that the Harris County rules only apply to an area that do not have an authority-having jurisdiction, an area that does not have a flood plain regulation.

Chairman Thurmond asked what the relationship is between the 500-year flood plain and the base flood elevation.

Mr. Davidson answered that there is not an exact scale between the two. He added that the 500-year flood plain is higher above sea level and would have to refer to flood insurance study for the area to find the information, where the flood plain map would show the base flood elevation.

Vice Chair Spencer asked if the base flood elevation is the same as 100-year.

Mr. Davidson replied yes.

Commissioner Hampton stated that he wouldn't draw too many parallels between unincorporated Harris County, and the City of Bellaire and Houston. He added that the costs of going 2 feet above base flood elevation in unincorporated Harris County doesn't compare to the costs in City of Houston and Bellaire.

Mr. Davidson agreed and explained that in the areas without jurisdiction, dirt is packed down and then a slab is poured for the needed thickness.

Chairman Thurmond asked when the maps were done for the 100-year flood zone.

Mr. Davidson responded that the map was adopted after Tropical Storm Allison in 2007.

Commissioner Collins asked about the map being redone after the Brays Bayou project.

Mr. Davidson answered that the project will have some affect to be determined by FEMA and Harris County Flood Control District.

Commissioner Formica recalled from the previous meeting that only 2% of the homes in Bellaire built to the new standard flooded in Hurricane Harvey. He stated that his house was recently built to the new standard and was 6 inches from getting water in the house.

Mr. Davidson stated that the requirement of 1 foot above base flood elevation seems to be effective in keeping people dry – especially in a thousand-year flood event. Mr. Davidson then informed that the Flood Mitigation Task Force has finished their report and presented it to Council, meaning that any regulatory changes that may be coming up will come to the Building and Standards Commission if it pertains to Chapter 9.

Chairman Thurmond asked if there are any anticipated changes coming up.

Mr. Davidson replied that there weren't any that he was aware of, and that a lot of their recommendations were for communications and Public Works.

Commissioner Stone mentioned that she didn't realize from the Executive Summary from the Flood Hazard Mitigation Report that if the City takes certain steps and does certain things, then everybody gets a bigger cut in their flood insurance, and that the community is rated higher.

Mr. Davidson confirmed and that the City aims to maintain the CRS rating.

Chairman Thurmond shared her experience with the discount of the CRS and mentioned it's the same reason why there are a lot of vacant homes with "For Sale"

signs in front. She added many can't afford or obtain a loan to rebuild. She stated that they should look into the benefits and consequences of the CRS program.

Mr. Davidson mentioned that Council has adopted an ordinance change where the City now has the right to suspend or refuse to register a builder who wants to work in Bellaire along with an appeals process. Mr. Davidson then introduced Marleny Campos as the Administrative Secretary and will taking over the meetings for Building and Standards Commission. He informed that Ashley Parcus is now the Development Services Coordinator and will be taking on Planning and Zoning.

Council Member Montague followed up on Mr. Davidson's comments regarding builder registrations and added the City Attorney is looking the minimum liability insurance requirement for builders that is \$300,000. Council considered it to be low considering the risks that happen during construction. The City Attorney will be looking at other entities and provide a recommendation for the City if it should remain as it is or be changed. Council Member Montague then stated that he was one of three Council representatives on the Flood Mitigation Task Force. He added a subgroup of citizens on the Task Force are going to continue and take the numerous recommendation that were made and try to sort through them. Council Member Montague then informed that some of the members of the Task Force and Council were out to talk to the people of Project Brays. He brought forth highlights from the experience including completion dates, the 30% improvement throughput of water through Brays Bayou, what is left to be done, and how it will affect Bellaire's flood plain zone. No recommendation was made by Flood Mitigation Task Force to change the current standard of 1 foot above base flood elevation, but it can still be changed by City Council in the future.

Commissioner Hampton asked about how much of the 30% improvement to the Brays project was already in place when Hurricane Harvey hit.

Council Member Montague responded that he could not answer because he did not get the specific numbers, just the local areas that were done.

Chairman Thurmond asked if the results of the Task Force determined whether the new regulations put in place since 2006 had adequately prepared them for the flood event and to confirm that there are no recommended changes.

Council Member Montague clarified that the regulations adequately prepared them for a 100-year flood event, not the one that they had.

Chair Thurmond asked Mr. Davidson if Bellaire has limitations how high a residential building can go with their foundation.

Mr. Davidson answered no, but there are height restrictions that starts from the lowest air-conditioned floor to the roof ridge which is 35 and a half feet.

Commissioner Hampton mentioned that some of his clients want much higher than the minimum.

Mr. Davidson responded that the cost of raising a home may stop people raising their home at an extreme level.

Commissioner Katz stated that it made more sense to make a water-resilient home than to climb steps every day for an elevated home.

Mr. Davidson stated that the CFR 44, the federal flood plain ordinance Bellaire has adopted portions of, allow to flood-proof non-residential structures, but residential structures have to be elevated.

Chairman Thurmond asked Commissioner Hampton if he's seen people ask about elevators or lift systems.

Commissioner Hampton answered no.

Mr. Davidson mentioned that Public Works Department will have the City sidewalk standards available for the next meeting.

Commissioner Formica asked what the builders are being told.

Mr. Davidson replied that they're being told about the 4-foot ordinance. He added that an e-mail was sent to the builders, a meeting was held with them, and that City's field personnel were informed as well.

Commissioner Collins asked for an updated number of substantially damaged homes.

Mrs. Parcus answered that it is around 65.

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

### **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**

Council Member Montague briefly summarized about improvement to the Boards and Commissions application process. The improvements included things such as changing the application with a new layout, providing more information to applicants on what the expectations are from Council, what questions would be asked and the interview process. Council Member Montague stated that interviews will start around the week of June 11th. He asked the commission how much time they spent getting ready for the meeting. The commission responded that they average about 2 to 6 hours getting ready for a meeting.

## **H. Old Business**

There was no 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.

Mr. Davidson provided a handout of pictures and stated that the City currently requires the use of metallic conduit in underground installation above grade. He informed the commission that several electricians have asked why the City of Bellaire requires this. Mr. Davidson stated that in conversations with his predecessor the amendment was passed out of concern about damage to

electrical conduit where they are typically located in area that can be damaged by landscaping work. He stated that his assumption why the amendment passed was that the metal conduit would be better resistant to physical damage than plastic or other listed wiring methods. Mr. Davidson mentioned that at least 2 builders have come to get an electrical permit to replace meters on houses they built where the metal conduit has corroded and referred to the pictures he handed out. He summarized pros and cons to the metal conduit. As part of the downsides of having a metal conduit, Mr. Davidson highlighted the fact that metal conduit would be subject to corrosion due to the humid area and moisture. He mentioned that the electrical code allows the use of metal conduit, but there are performance failures. Mr. Davidson informed the commission that PVC is a cheaper alternative and seems to perform just as well without the downside of corrosion. He suggested deleting the section of the code that requires the use of metal conduit and move forward with the installation of PVC as long as it meets the electrical code.

Commissioner Formica asked if the corrosion in the photos were showing the corrosion property of the conduit, because not all metals would not corrode the same.

Mr. Davidson answered that it's supposed to be a steel conduit and is treated with corrosion resistant coating, which even in a very humid environment would not be good enough.

Commissioner Katz elaborated on where service lines are attached to the house and provided examples. He stated that the City missed, when passing the amendment, the issue of with metal conduit and proper corrosion protection. He stated that in his experience of being an electrician of 40 years that he's never had an issue with PVC.

Commissioner Formica asked of the code calls out Schedule 80 PVC.

Commissioner Katz confirmed by reading the code that it does and stated that one cannot use anything less than Schedule 80 PVC and there would be nothing wrong with non-metallic conduits. He recommended to just go with the code.

Mr. Davidson mentioned that in his conversations with contractors, this is an issue that is unique to Bellaire, and just costing people money along with possibility of being dangerous.

Mrs. Parcus informed the commission that they could not vote on the amendment that night but could vote to waive the 45-day review period and vote on the amendment at the next meeting. She clarified that if it's not waived, then the review period will be posted on the website and an email through NotifyMe would sent for anyone to make a comment.

Commissioner Katz asked Mr. Davidson if he thought that any builder would object.

Mr. Davidson answered no.

Commissioner Hampton brought up that deleting the amendment would allow builders to use the approved materials per the electrical code and could still use metal conduit if they want to.

Vice Chair Spencer motioned to waive the 45-day review period.

Commissioner Formica seconded the motion.

All were in favor of the motion.

- 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**

Vice Chair Spencer stated that City Council has been working on a couple of different items about the rebranding of Bellaire. He encouraged the commission to get involved, come to the meetings, understand what's happening with City Council, and voice their opinions. He informed that the logo is up for being replaced, but the font has already been passed.

Chairman Thurmond encouraged the commission to read the community pathway plan draft on the website. She shared how it broadened her thinking on what's being recommended as far as sidewalks, not just 4-foot versus 5-foot sidewalks. Commissioner Formica also recommended for the commission to do the reading.

#### **L. Adjournment**

Motion: a motion was made by Commissioner Katz 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 8:20 PM.**