



CITY OF BELLAIRE TEXAS
BUILDING AND STANDARDS COMMISSION
APRIL 25, 2018

Council Chamber

Regular Session

7:00 PM

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

I. REGULAR SESSION

A. Call to Order

Attendee Name	Title	Status	Arrived
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	
Marleny Campos	Secretary	Present	
William Davidson	Building Official	Present	
Zachary Petrov	Assistant City Attorney	Present	
David R. Montague	Council Member	Present	
ChaVonne Sampson	Development Services Manager	Present	

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 - Mar 28, 2018 7:00 PM

Commissioner Stone made several minor corrections for clarification and grammatical errors of the minutes.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Charles Formica, Commissioner
SECONDER:	Danny Spencer, Vice Chair
AYES:	Thurmond, Katz, Spencer, Hampton, Formica, Collins, Stone

E. Public Comment

There were no public comments.

F. Report from Building Official

Mr. Davidson did not have anything to report.

Commissioner Formica asked Mr. Davidson about what Harris County has done in terms of height regulation since the last meeting.

Mr. Davidson answered that unincorporated Harris County is still requiring 2-foot elevation in the 100-year or 200-year flood plain. He then stated that City of Houston has approved 2 feet above the 500-year flood plain.

Commissioner Formica mentioned Bellaire seems to be okay where it is right now and asked if there is any thought of taking a look on changing the requirement.

Mr. Davidson mentioned that Flood Task Force did not make a recommendation to increase the required height and that city staff will not be making any recommendations at this time.

Commissioner Hampton said that a change could be looked at for the Southdale area instead of Bellaire as a whole.

Mr. Davidson added that the 100-year flood plain elevations can be looked up by anyone, but that the elevations for the 500-year flood plain much more complicated to determine.

Chairman Thurmond mentioned that people can opt to go higher than the minimum.

Mr. Davidson confirmed this and that there is no restriction on how high the first floor can be built.

Commissioner Stone mentioned that her street was reconstructed years ago to be lowered so that the street could better conduct water and commented that it worked really well. She asked if there's any plan to reconstruct other streets to do the same.

Mr. Davidson responded that he was unaware if Ione was on the list to be reconstructed, but could find out. He also mentioned that the city has a published list of current Capital Improvement Projects.

Commissioner Stone then questioned if the reconstruction would include lowering the streets.

Mr. Davidson answered "not necessarily", but that there is money set aside for drainage improvements where it may include lowering the streets during the design phase.

Chairman Thurmond asked if the Flood Mitigation Task Force made identifying conclusions about Southdale specifically and if it would had been better with improved drainage or infrastructure.

Mr. Davidson couldn't answer as this was outside his scope, and he would have to talk to City engineer.

Chairman Thurmond said that her street improved after Tropical Storm Allison and avoided 2 floods because of infrastructure improvements.

Mr. Davidson informed that the City is interested in preventing damages of 100-year events.

Council Member Montague gave an update on the Task Force discussion regarding minimum requirements of home elevations. It was concluded that because of the low number of homes built after the 2007 regulation were damaged and the magnitude of Harvey, the Task Force felt that the standard was sufficient.

Vice Chair Spencer mentioned he read that Hurricane Harvey was actually a 1 in 10,000-year event and that there are many things that can still be discussed and improved on other than making the bayou bigger.

G. Reports of Committees and Communications

1. Communications to Commission members outside of posted meetings

There were no communications to Commission members outside of posted meetings.

2. Committee Reports

There were no committee reports.

3. Reports from Staff other than the Building Official

Ms. Sampson went through the slide show that was presented to Council about substandard and abandoned homes. It included the definition of substandard housing, how it's brought to the City's attention, and the steps the City takes in regards to seeking compliance. She also explained the Code Compliance officer's steps in seeking compliance, contacting homeowners about the property, and if ever, unresolved and/or unsecured homes. Ms. Sampson then spoke about the process of substandard and abandoned homes, and the Building Official's role and steps such as inspections and contacting homeowners. She mentioned that it is very rare that it gets to the point where the board needs to get involved. Ms. Sampson then explained about the structures that were flooded and not remediated. She read the numbers on structures that were not immediately remediated, and then those that were demolished, remediated, elevated, and substantially damaged. She went over nuisance properties (secured, but not substandard) that receive reports from neighbors. Ms. Sampson explained that the City makes every effort to seek compliance, but not before giving the resident an opportunity to get it taken care of as to not waste staff and court time.

Commissioner Formica asked how the City reacts to resident complaints.

Ms. Sampson replied that the City is hoping to have the Code Enforcement officer out and about more with re-structuring the department. She then informed how the City receives its complaints.

Chair Thurmond asked if the nuisance calls that the City gets are more in regards to rental properties or elderly property owners.

Ms. Sampson replied that the calls are not just rental or elderly, it's a mixed batch.

Vice Chair Spencer asked Ms. Sampson if she'd be able to give the address of the home that is being boarded up.

Ms. Sampson replied that if he submits an open records request, she can.

Commissioner Collins mentioned that a newspaper article may have triggered the substandard housing presentation. He asked if there has been any change of action of the addresses listed in the article.

Mr. Davidson replied that one of the addresses had not brought to the City's attention. He stated that the Code Compliance Officer, Linda, is working on it. He mentioned that another address was found to be unsecured and the City went back by to secure it.

H. Old 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.

Motion: a motion was made by Commissioner Katz and seconded by Commissioner Formica to delete the section of the ordinance.

Vote: the motion carried with a vote of 7-0.

I. New Business

1. Discussion with the City Engineer on the standards for sidewalk widths within the City of Bellaire.

Mr. James Andrews introduced himself and Mr. Bobby Vasek. He announced they were here to answer any questions that the Commission may have.

Chair Thurmond mentioned that many questions were born out of the City Manager taking statements from Council where all new sidewalks needed to be 5 feet. She stated that many felt that it was not a "one-size-fits-all" scenario, and asked how would they go about addressing the problem with individual situations.

Mr. Andrews responded that they are tasked with meeting ADA guidelines and putting improvements in. He mentioned that they can do whatever the City aesthetically wants, provide factual estimates and recommendations. He also gave detail on how sidewalks are designed around trees as to not destroy properties.

Commissioner Formica asked if the way sidewalks are designed right now are "one-size-fits-all" or if there are different sizes for different locations.

Mr. Andrews stated in general they can get 5-foot sidewalk in, and that it just needs to meet ADA guidelines. He mentioned that the City of Houston has implemented a 5-foot sidewalk minimum everywhere as well as Sugar Land and Missouri City.

Commissioner Hampton stated that City of Houston has an exemption process and can file for it pretty easily.

Mr. Vasek stated that there is a standard 5-foot for any major construction project.

Chairman Thurmond stated that there is a very important differentiation between commercial and residential guidelines because Bellaire does not do major construction.

Vice Chair Spencer said he understands that ADA requirement for commercial areas and that there are different standards for residential.

Mr. Vasek replied that it was incorrect. He added that all accessible path are sidewalks and need to meet certain accessibility guidelines.

Vice Chair Spencer asked Commissioner Hampton if there is an ADA inspection for homes in Bellaire.

Commissioner Hampton answered no.

Mr. Vasek responded that anything less than \$50,000 is not going to require an inspection, that inspections are dependent on the value of the sidewalk.

Mr. Davidson clarified what Commissioner Spencer that there's a difference between doing one sidewalk in front of home and one long one going down a street as a City project.

Chairman Thurmond brought up the Community Pathways document that was put together by consultants. She stated that they need to figure out how to take documents and recommendations to make the connection between engineering and design; how to get to the decision making process and make an appropriate resolution.

Commissioner Stone said that a lot of concern remains in amount of foot traffic and should be determined case-by-case basis

Commissioner Hampton asked Mr. Andrews if they are charged with reconciling the "appropriate sidewalk" decision.

Mr. Andrews answered no.

Council Member Montague stated that a 4-foot sidewalk is by and large more applicable to residential areas, and it is known where in Bellaire there shouldn't be 4-foot sidewalks. He informed that Council removed the 5-feet requirement and replaced it with an interim 4-feet requirement. He said that after speaking

with the City Engineer, a matrix was developed. City Council said 4-foot is the residential standard. He mentioned that safety and aesthetics need to be considered.

Commissioner Formica stated that someone needs to be tasked with combining the City standard and the Community Pathways plan.

Vice Chair Spencer stated that though the 4-foot sidewalk is the standard, if someone wants to go bigger, they would go through a variance process and the request be reviewed like it would with anything else.

Commissioner Stone stated that they need to sit down and come up with policies.

Mr. Andrews responded that there is no clear critical issue as to why one sidewalk standard is needed over the other (4-foot vs 5-foot), except for aesthetics.

Commissioner Formica stated that the concern is in residential neighborhood streets and aesthetics against existing and new construction homes. He then questioned who would be coming up with a program to resolve that concern.

Council Member Montague suggested a workshop with the City Engineer.

Vice Chair Spencer asked if it was agreed that the Commission would not be sticking their nose in commercial street standards.

Mr. Davidson replied that the Commission's task covers permit re-development, but doesn't cover a CIP or any city projects in City's ROW.

Vice Chair Spencer asked if the City has looked into permeable sidewalks where water could go through.

Mr. Andrews answered that it can be done and it would be a maintenance issue because of the sidewalk life cycle. He added that there is a negligible amount of runoff.

Commissioner Stone mentioned that the ADA is concerned with wheelchair compliance and expressed that permeable sidewalks could be an issue.

Vice Chair Spencer stated that there are some permeable sidewalks that are pavers and are getting better in quality, but they wouldn't be prepared to tear up all the City's sidewalks to replace with the permeable sidewalks.

Commissioner Formica stated that cost would be almost twice as much to do such a project.

Chairman Thurmond stated she would get with the Commission's secretary to a workshop with City Engineers in regards to sidewalks.

Commissioner Collins added to include in the workshop the layout of the pathways design and reign it in with current sidewalk discussion to get it clarified.

- 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 made a comment about his vehicle getting broken into and wanted to raise questions about Bellaire's current Police force. He then mentioned that David Montague gave him information on how crime rates are coming down in Bellaire and that there were no open seats at the police station. He commended the City's police force.

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 7-0.

The meeting was adjourned at 8:22 PM