



## Meeting Minutes City Council

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Tuesday, July 7, 2020

6:30 p.m.

Clubhouse - 931 Cedar

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**Present:** Mayor Kurt Otten, Councilwoman Amanda Fenwick, Councilman Mark Thompson, Councilwoman Christy Lyons, Councilwoman Angie Terrell, Councilwoman Jan Bailey, City Administrator Brent Spier, Building Official Kevin Harrell, City Secretary Christy Stroup

**Absent:** Police Chief Keele and KVFD Chief Rob Steckler

### 1. CALL TO ORDER & DETERMINATION OF QUORUM:

Mayor Otten called meeting to order at 6:47 p.m. (started meeting as soon as Plaza Ten Corp. mtg. ended)

### 2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE TEXAS FLAG.

Mayor Otten lead the Pledge of Allegiance to the Flag of the United States of America and the Texas Flag

### 3. REPORTS FROM COUNCIL:

**Councilman Thompson:** No report

**Councilwoman Lyons:** No report

**Councilwoman Terrell:** No report.

**Councilwoman Bailey:** Thanked everyone involved in Fourth of July Golf Cart Parade and the Hot Dog Cooks

**Councilwoman Fenwick:** Thanked everyone involved in Fourth of July Golf Cart Parade and the Hot Dog Cooks; stated that everyone needed to get out and vote in the election for the  $\frac{1}{4}$  of one percent road maintenance tax.

**Mayor Otten:** Thanked everyone as well who participated in the Fourth of July Golf Cart Parade and City Council and City Staff that helped with the hot dog cooking and serving.

### 4. STAFF REPORTS:

**Chief Tracy Keele:** absent – Brent Spier gave stats provided by Chief Keele

**Building Official Kevin Harrell:** See report attached (attachment a)

**Kemah Volunteer Fire Dept. Chief Steckler** absent

**Galveston County Health District Amy Weber:** Went over stats since last meeting

**City Administrator Brent Spier:** report attached (attachment b)

### 5. PUBLIC COMMENTS:

No comments

### 6. OLD BUSINESS:

- a. Review and approve "dock box" for Waterfront Lease B-049A/B-049B submitted by leaseholders Tony and Donna Peterson. Recommendation from Waterfront Compliance Committee (WCC).

Doug Roberts with WCC was present and stated that the recommendation from WCC is to allow the dock box with a vote of 4 in favor and 1 nay.

Councilwoman Bailey made motion to discuss  
Councilwoman Terrell second the motion

Councilwoman Lyons made a comment that the dock box needs to be removed if not in use and every evening just like the fire pits and grills are required to be moved.

Councilwoman Terrell asked if the person on WCC that voted no had a reason and Doug Roberts said that he did not recall the reason for the denial.

Councilwoman Bailey and Councilwoman Fenwick asked if the dock box was secured? Doug Roberts said yes that it was secured just like furniture is secured.

Mayor Otten called for a vote

Councilwoman Bailey made motion to allow dock box on waterfront  
Councilman Thompson second the motion

2 – yes: Councilwoman Bailey and Councilman Thompson

3 – nay: Councilwoman Fenwick, Councilwoman Terrell and Councilwoman Lyons

**MOTION FAILED**

**9. NEW BUSINESS:**

**CONSENT AGENDA:**

- a. Check Register: 06/11/20 thru 07/01/20
- b. Council Meeting Minutes 06/16/2020 (regular meeting)
- c. Council Meeting Minutes 06/16/2020 (Emergency meeting)
- d. Council Budget Workshop 06/16/20

Councilwoman Fenwick made motion to accept consent agenda  
Councilwoman Lyons second the motion

**MOTION PASSED UNANIMOUS**

**10. COUNCIL BUSINESS - Discussion and possible action may be taken on the following items:**

- a. **ORDINANCE 2020-10: AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES, TEXAS, DELETING SECTION 22-7, MUNICIPAL COURT BUILDING SECURITY FUND, OF CHAPTER 22, COURTS, OF THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE SHORES, TEXAS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; SPECIFICALLY REPEALING ORDINANCE NUMBER 2006-07, AS CODIFIED AS SECTION 22-7, MUNICIPAL COURT BUILDING SECURITY FUND, OF CHAPTER 22, COURTS, OF THE CODE OF ORDINANCES; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE.**

Councilwoman Terrell made motion to accept Ordinance 2020-10  
Councilwoman Lyons second the motion

**MOTION PASSED UNANIMOUS**

- b. **ORDINANCE 2020-11: AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES, TEXAS, DELETING SECTION 22-8 OF ITS CODE OF ORDINANCES, MUNICIPAL COURT TECHNOLOGY FUND, OF CHAPTER 22, COURTS, OF THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE SHORES, TEXAS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; SPECIFICALLY REPEALING ORDINANCE NUMBER 2006-07, AS CODIFIED AS SECTION 22-8, MUNICIPAL COURT TECHNOLOGY FUND, OF CHAPTER 22, COURTS, OF THE CODE OF ORDINANCES; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE**

Councilwoman Lyons made motion to accept Ordinance 2020-11  
Councilwoman Fenwick second the motion

**MOTION PASSED UNANIMOUS**

- c. **ORDINANCE 2020-12: AN ORDINANCE OF THE CITY OF CLEAR LAKE SHORES, TEXAS, AMENDING CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF CLEAR LAKE SHORES, TEXAS BY ADOPTING THE 2018 INTERNATIONAL BUILDING (NON-RESIDENTIAL), RESIDENTIAL BUILDING, THE 2017 NATIONAL ELECTRICAL CODE, THE 2018 PLUMBING, THE 2018 FUEL GAS, THE 2018 MECHANICAL, THE 2018 PROPERTY MAINTENANCE, THE 2018 ENERGY CONSERVATION, THE 2018 EXISTING BUILDING AND THE 2018 NFPA LIFE SAFETY CODES; AND BY ADOPTING 2018 INTERNATIONAL FIRE CODE OF CHAPTER 34, ART. I, SECTION 34-1; REPEALING ALL ORDINANCES INCONSISTENT OR IN CONFLICT THEREWITH; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF ANY VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

Councilwoman Terrell made the motion to approve Ord. 2020-12  
Councilwoman Lyons second the motion

**MOTION PASSED UNANIMOUS**

- d. **Recommendation by Mayor Otten for appointment of member to the Economic Development Corporation to replace Ronnie Richards (resigned 06/29/20) term ending October 31, 2021.**

Mayor Otten recommended Amanda Fenwick

Councilwoman Bailey made motion to appoint Amanda Fenwick to EDC  
Councilwoman Terrell second the motion

Councilwoman Fenwick abstained

**MOTION PASSED UNANIMOUS**

- e. **Appointment of City Prosecutor to replace Laticia Fuhr (resigned 06/19/20).**

Brent Spier stated that after interviewing the candidates his recommendation is Donnie Quintanilla

Councilwoman Fenwick made motion to appoint Donnie Quintanilla as Prosecutor  
Councilwoman Bailey second the motion

**MOTION PASSED UNANIMOUS**

**11. ADJOURNMENT:**

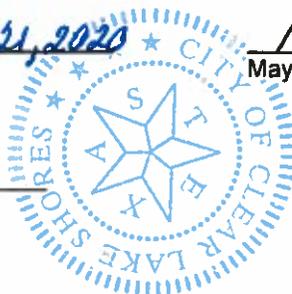
Mayor Otten adjourned the meeting at 7:32 p.m.

Date Approved: July 21, 2020

  
Mayor Kurt Otten

Attest:

  
Christy Stroup  
City Secretary





# CITY OF CLEAR LAKE SHORES

1006 South Shore Drive  
Clear Lake Shores, Texas 77565  
Office: 281-334-2799 Fax: 281-334-2866

## **Building Official Report**

June 17<sup>th</sup>- July 7<sup>th</sup>, 2020

### **Building Department:**

**Twenty-eight new permits** were issued since our last meeting. Twenty-six of the permits were minor construction.

**620 Marina Bay** is remodeling a lease space for a new hair salon.

**815 Grove:** The house has stated construction and is ongoing.

**819 Cedar:** New piling were installed over the weekend and the house if ongoing.

**210 E. Shore:**

**Okie's Yardhouse** Currently the contractor is making changes and responding to redlines from my office and the fire marshal.

### **Code Enforcement:**

I have had 3 code enforcement cases since our last CC meeting. The homeowners are working to resolve the cases or have complied with the ordinances.

One case is high grass and weeds. The yard has been mowed. The homeowner has complied.

Two cases are junked vehicles. One vehicle was towed away by the owner. The other vehicle is still in violation.

**Key changes in the 2018 Building Codes from 2015 Building codes:**

**See Attachment.**



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## What's New in the 2018 I-Codes?

Key changes include:

### 2018 International Building Code® (IBC®)

- Accessory storage spaces of any size are now permitted to be classified as part of the occupancy to which they are accessory.
- New code sections have been introduced addressing medical gas systems and higher education laboratories.
- Use of fire walls to create separate buildings is now limited to only the determination of permissible types of construction based on allowable building area and height.
- Where an elevator hoistway door opens into a fire-resistance-rated corridor, the opening must be protected in a manner to address smoke intrusion into the hoistway.
- The occupant load factor for business uses has been revised to one occupant per 150 square feet.
- Live loads on decks and balconies increase the deck live load to one and one-half times the live load of the area served.
- The minimum lateral load that fire walls are required to resist is five pounds per square foot.
- Wind speed maps updated, including maps for the state of Hawaii. Terminology describing wind speeds has changed again with ultimate design wind speeds now called basic design wind speeds.
- Site soil coefficients now correspond to the newest generation of ground motion attenuation equations (seismic values).
- Five-foot tall wood trusses requiring permanent bracing must have a periodic special inspection to verify that the required bracing has been installed.
- New alternative fastener schedule for construction of mechanically laminated decking is added giving equivalent power-driven fasteners for the 20 penny nail.
- Solid sawn lumber header and girder spans for the exterior bearing walls reduce span lengths to allow #2 Southern Pine design values.



### 2018 International Residential Code® for One- and Two-Family Dwellings (IRC®)

- An updated seismic map reflects the most conservative Seismic Design Category (SDC) based on any soil type and a new map reflects less conservative SDCs when Site Class A, B or D is applicable.
- The townhouse separation provisions now include options for using two separate fire-resistant-rated walls or a common wall.

- An emergency escape and rescue opening is no longer required in basement sleeping rooms where the dwelling has an automatic fire sprinkler system and the basement has a second means of egress or an emergency escape opening.
- The exemption for interconnection of smoke alarms in existing areas has been deleted.
- New girder/header tables have been revised to incorporate the use of #2 Southern Pine in lieu of #1 Southern Pine.
- New tables address alternative wood stud heights and the required number of full height studs in high wind areas.



## 2018 International Fire Code® (IFC®)

- New provisions address hazards related to outdoor pallet storage, higher education laboratories, mobile food trucks and plant processing and extraction activities.
- Mass Notification Requirements for college and university buildings have been added to the code.
- Sprinkler protection is now required in existing Group A-2 occupancies having an occupant load of 300 or more where alcoholic beverages are consumed.
- A new chapter has been added to address issues related to Energy Systems.
- Integrated testing requirements for fire protection and life safety systems have been added for high rise buildings and smoke control systems.
- The requirements for gas detection systems have been revised throughout the code to be more reflective of industry practice.
- Required sprinkler protection of Group E occupancies has been expanded through the introduction of a new thresholds related to fire areas.
- Manual fire alarm systems in Group A occupancies are now required not only when the occupant load is 300 or more but also where the occupant load exceeds 100 above or below the lowest level of exit discharge.
- A manual fire alarm system and an automatic smoke detection system are no longer required in Group R-4 occupancies.
- New provisions require illumination for the exit discharge path of travel to the public way or to a safe dispersal area for all occupancies.
- Provisions have been added to address the hazards associated with outdoor assembly events, indoor trade shows and exhibitions.
- The fire watch requirements for construction and demolition activities have been enhanced.
- The provisions for the maintenance of fire and smoke protection features in Chapter 7 have been enhanced and reorganized.
- The applicability of the decorative materials requirements in Chapter 8 have been clarified.



## 2018 International Plumbing Code® (IPC®)

- Updated table for the Minimum Number of Required Plumbing Fixtures
- Single-user toilet facilities (a room having a single water closet and a single lavatory) are not required to be labeled for use by only a male or female (separated use designations).
- Solar thermal water heating systems need to conform to the ICC 900/SRCC 300 standard.



- Well systems are required to comply with standard NGWA-01 where local requirements do not cover subject matter or are lacking in detail on others.

## 2018 International Mechanical Code® (IMC®)

- Added coverage of pollution control units.
- A new exception was added to recognize Type I kitchen hoods listed for clearances to combustibles of less than 18 inches.
- Added coverage for a newer type of non-metallic duct, phenolic duct.
- New coverage for high volume large diameter fans (HVLD), also referred to as high volume low speed (HVLS) fans.
- Relaxed requirements for sealing of duct joints and seams for Snap-and Button-lock duct joints located within the thermal envelope.



## 2018 International Fuel Gas Code® (IFGC®)

- A new Section was added to recognize arc-resistant CSST products.
- The code now allows Schedule 10 steel pipe to be used, whereas previously, Schedule 40 was the lightest steel pipe material allowed. Schedule 10 steel pipe joints are allowed to be welded, brazed, flanged or assembled with press-connect fittings. Schedule 10 pipe cannot be threaded.
- The code clarifies that appliance shutoff valves located behind movable appliances, such as ranges and clothes dryers, are considered to be provided with the required access.
- The code now calls for the plastic vent pipe material to be labeled as complying with the standards for the specific pipe material as called out by the manufacturer.
- The clearances between direct-vent appliance vent terminals and openings in the building exterior that could allow combustion products to enter the building have been revised.



## 2018 International Energy Conservation Code® (IECC®)

- Revisions to interior and exterior lighting power budgets and better clarity for lighting controls.
- Clarity that regardless of design methodology, system commissioning is required.
- New limits on heated or cooled vestibules.
- Mechanical provisions reorganized based on equipment type rather than design methodology.
- The maximum allowable fenestration U-factors in Table R402.1.2 (for the prescriptive compliance path) for climates zones 3 through 8 have been reduced from the values in the 2015 edition.
- The ICC/RESNET 380 standard has been included as one of standards that can be used for determining the air leakage rate of a building or dwelling unit.
- The Energy Rating Index compliance alternative index values have been increased slightly however, the method for determining an index is now required to be in accordance with standard ICC/RESNET 301.



## 2018 International Existing Building Code® (IEBC®)

- Section 410 Accessibility has been relocated to a new Section 305. Chapters 4, 5, 6, 13 and 14 have been relocated resulting in a reorganization and new chapter numbering.

- Requirements for live loads from Chapters 4 and 8 have been combined and placed in Chapter 3 to apply for all compliance methods.
- Structural components damaged by snow events must be repaired assuming snow loads for new buildings from the IBC.
- A new exception is added for loading of existing structural elements next to an addition in buildings designed using the IRC.
- When a work area includes more than half the building in an alteration, wall anchors must be installed at the roof line along reinforced concrete and masonry walls.
- Buildings undergoing a change of occupancy shall have live, snow, wind and seismic loads checked. Design loads are based on IBC-level forces.
- When a change of occupancy occurs placing a building in a higher risk category, the seismic loads on the building must be evaluated using IBC-level forces. Access to the building must be maintained when passing through or near other buildings and structures.
- Where storm shelters are required based on IBC and ICC 500 for Group E Occupancies, any addition to such existing occupancies where the occupant load of the addition is 50 or more will trigger the construction of a storm shelter.
- Carbon Monoxide provisions have been added in the Prescriptive Method Additions, Alterations Level 2 Additions, and in Additions for I-1, I-2, I-4 and R Occupancies.
- Emergency Escape and Rescue Opening provisions related to being operational have been added to Prescriptive Compliance Method and Alterations Level 1.
- Single exit buildings and spaces under Alteration Levels 2 and 3 have been modified to be more consistent with the IBC.
- The Alterations Level 2 requirement that water for automatic fire sprinkler system be available at the floor of alteration without the need for a fire pump has been moved to Chapter 9 for Alterations Level 3 and the fire pump criterion was deleted.



## 2018 International Swimming Pool and Spa Code® (ISPSC®)

- It was clarified that flotation tank systems for sensory deprivation therapy are not within the scope of the ISPSC.
- Hot water storage tanks are now required to be listed and labeled to a standard.
- New sections were introduced into the code to cover solar thermal water heating systems. Installation requirements refer to the IMC.



## City Administrator Report

June 17 – July 7, 2020

Fire Department Update: N/A

Sixteen weeks into the Coronavirus (COVID-19) pandemic. The City has resumed operations on a daily level and city hall is functioning. We continue our efforts toward hygiene and sanitation. Facemasks have been distributed with the city logo for use on or off-site.

COVID-19 summary of Galveston County is as follows: 68,042 tests, 4,586 confirmed cases, 1,173 recovered, 50 dead. There are 3,363 active cases, 69 hospitalized, 3,294 are self-quarantined. CLS cases at 14, with 6 recovered. Statewide 2,471,029 tests, 210,585 confirmed, 108,485 recovered cases and 2,715 deaths. Contact tracing continues in the hardest hit counties, Harris Co. leads the state in confirmed cases at 37,776, Galveston County is #8.

Based on approval of the extension of the Disaster Declaration from the Emergency Meeting: Our Local Emergency Disaster Declaration is effect until July 21<sup>th</sup>, 2020. It can be affirmatively rescinded at any time. There still is uncertainty and we are now buying materials to implement protocols required by the court. We will continue to follow state and applicable county orders as well as CDC guidance. GA-29 is in effect – it's biggest item is use of face coverings in public places, businesses, etc. and limits on group sizing.

CITY ELECTIONS: Special Election already approved for November, this will be for city council positions. ¼ of 1% Roads and Drainage election has been extended to September 30, 2020 after its original expiration date of June 30, 2020 was jeopardized by cancellation of the May 2020 election. We are awaiting Governor's Proclamation to allow it to coincide with Galveston's election, we need official approval before June 5, and that appears not be forthcoming. The City will initiate and run its own election for the purpose of continuing our R&D Sales Tax. Special election has been confirmed for July 14, 2020 by signed Governor Proclamation. \*\*\*Update please vote at city hall the rest of this week during business hours. We have had approximately 50 vote by mail-in and in-person, total thus far\*\*\*

Today, Chief Keele, AC Donaldson and Capt. Gist attended a table top exercise at Kemah City Hall. This was a good opportunity to meet other stakeholders and work toward a combined response. Although the day was long from 8a – 4p and our specific workload easily handled, it did provide insight to items we can improve upon prior to a real-life situation. I will be on the planning team for the full-scale exercise but do not think we can adequately do the exercise and maintain our level of service to the community. The Full Scale is July 15, 2020. \*\*\*This has been cancelled due to COVID considerations.\*\*\*

COURT PROCESS: Last month court went well, we learned we can speed the process and medical clearance prior to entry worked and was successful.

PERSONNEL: City Prosecutor Leticia Fuhr submitted her resignation. Per the agenda, candidates were interviewed and a recommendation will be provided.

ROADS/DRAINAGE: Met June 23, 2020 at 6p in the Clubhouse. After a two hour meeting there was some revisions to be made in the initial estimate of services prior to moving forward. 2020 R&D projects are to occur on Blue Point, and Narcissus from S. Shore to Ivy in two divisions. Each section is

estimated separately with engineer input and total construction cost is estimated to be Engineering/Inspection, Geotech \$131K, Blue Point \$96K, \$348K S. Shore to Forest, \$319K Forest to Ivy. Repairs have been identified and three quotes have been received. Following an excavation at CLR and Elm we will assign the work to the most responsive bidder. This is a under \$25,000 and was budgeted.

POOLS/PARKS: Estimate coming for a complete re-tile and plaster before it requires a rebuild. Pool open to 50% capacity with limited seasonal life guard hours, posted near gate. Same rules apply and pool company is continuing enhanced sanitation of the pool restrooms and commonly utilized items, such as buttons and gate. Spoke with pool management company about tiles being scrubbed down by guards and they will pass that on to them.

DROR AVE: Conveyance documents have been forwarded to Mr. Dror for acceptance to procure road right of way.

ECONOMIC DEVELOPMENT CORP (EDC): will be running ads to draw customers to businesses receiving grant funds during the business retention grant.

PLANNING/ZONING: N/A.

PLAZA TEN 06: Natural Gas installation at Okie's has been arranged no firm schedule (COVID delayed). Cost was under \$2,000. Still awaiting utility installation.

CITY HALL: Receiving quotes for maintenance to the city hall and clubhouse as we plan for FY21 budget.

Fire Marshal has been active and site visits and annuals are resuming. Shirts have been received and ID cards have been distributed to fire marshal staff.

July 4<sup>th</sup> cart parade organized by Civic Club in revised fashion was well attended, socially distanced. Citizen appreciation hot dogs distributed with enhanced sanitation and PPE by mayor, council and employees, drive through on carts worked well. Thank you to all who attended. Jammin' on Jarboe was postponed to later in the year if possible due to group size and enhanced PPE requirements.

PUBLIC WORKS: Keeping up on sanitation of facilities and grounds, keeping a positive message on the marquee and making sure we keep things as normal as possible for as many as possible. New refuse receptacles will be placed – these will be emblazoned with the city wheel logo or the revised 'bike rack' EDC logo.

Other Items:

Memorandum of Agreement regarding City Owned Parking Lots has been reviewed and I will visit businesses at a more appropriate time to put in motion.

Will develop a the currently unnamed city park space at Okie's, defining usage, any reserving ability, liability issues, points of contact, etc. This has been forwarded to city legal for review.

Will be working on memorandum of agreement for use of city facilities by Civic Club and Yacht Club. This is in conjunction with the mayor.

**AGENDA ITEMS:**

**Agenda Items referring to ordinance updates. These have been reviewed by municode and city legal. Some represent changes in code that is obsolete or outdated and updates construction code standards that we already apply in on the residential side. This has been talked about previously by the building official. In the future it may require specific code adoption to regulate pools and spas, however that is not crucial at this time.**

**Regarding appointment of City Prosecutor, I recommend, Donnie Quintanilla.**

**To be handled at a later date: Police Department General Orders and Policy Manual.**