

W H I L E L I N E

THE MASONRY MAGAZINE OF TEXAS

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Volume 23, No.3

ST. AUSTIN CATHOLIC CHURCH: BEAUTIFUL AND LIKE NEW!

BRAZOS MASONRY'S
AWARD-WINNING RESTORATION
IN AUSTIN, TEXAS

2019 GOLDEN
TROWEL AWARDS

FLOATING A FACETED
LANDFORM ABOVE A
WEST TEXAS REST STOP

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*Dallas Arboretum Food and Herb Garden,
Golden Trowel Winner*

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LINDSEY R. GEESLIN
TEXAS MASONRY COUNCIL



PARTY LIKE A ROCKSTAR

A re-cap of the annual convention and celebration of 60 years of the TMC

THANK YOU to everyone who supported, donated, golfed, and partied with the Texas Masonry Family at our annual convention in August as we celebrated 60 years of our amazing organization. I can honestly say, this was one of the best conventions that I have been involved with – which is 9 conventions now!

If you missed our week of fun, here is a re-cap for you!

- The Golden Trowel Awards Banquet and Dinner hosted 225 masonry contractors, friends, family and architects.
- Record attendance at the golf tournament.
- \$216,000 raised at the live auction (thank you to Mackie Bounds for auctioneering!).
- Record attendance at the Friday annual meeting and networking with masonry contractors.
- GDA Architects won the first-ever Architecture Firm of the Year Award.
- Debbie Mason (SAMCA), W.W. Bartlett (Houston), and Professor Jim White (Texas Tech University) were inducted into the honorary membership class of 2019.
- Rudd and Adams Masonry won the People's Choice Award for the Cornerstone Christian Schools project.

And . . . if you're wondering "when will the 2020 convention be held?" Good news! We already have 2020 dates for you. Add this amazing event to your calendar!

***2020 TMC Convention – The Line Hotel
Downtown Austin – August 5-7, 2020***

Get involved! Help us expand our workforce, marketing, membership, convention and legislative committee! Let's work together to continue to increase our masonry market share. Join us for our Winter Meetings, February 20th and 21st as we roll up our sleeves and get down to business. More details coming soon!

Remember, an investment in the Texas Masonry Council, is an investment in your future. Now is the time for you to get involved and help us boldly design the future of TMC. It all starts with YOU!



Lindsey R. Geeslin

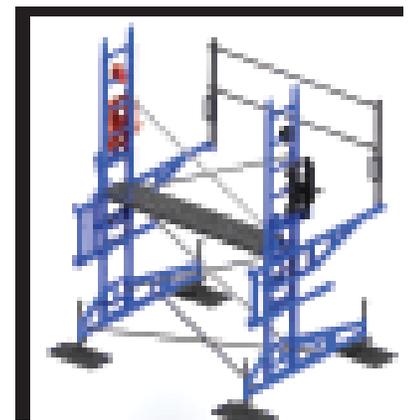
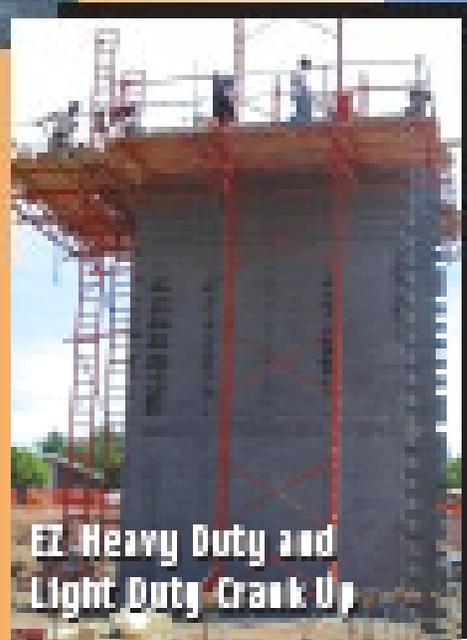
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ST. AUSTIN CATHOLIC CHURCH

BEAUTIFUL AND LIKE NEW!

BRAZOS MASONRY'S AWARD-WINNING RESTORATION IN AUSTIN, TEXAS

Brazos Masonry started operations in 1989 and has grown into one of the leading masonry contractors in the country. We are driven by three “core” values. Number one is always **safety**. I know I am in a people business and our people are very important. Safety starts at the top. Being the founder of Brazos Masonry I realize if I expect my people to be a believer then I must lead the way. Safety must be in the heart and in our company. *I assure you it is.*

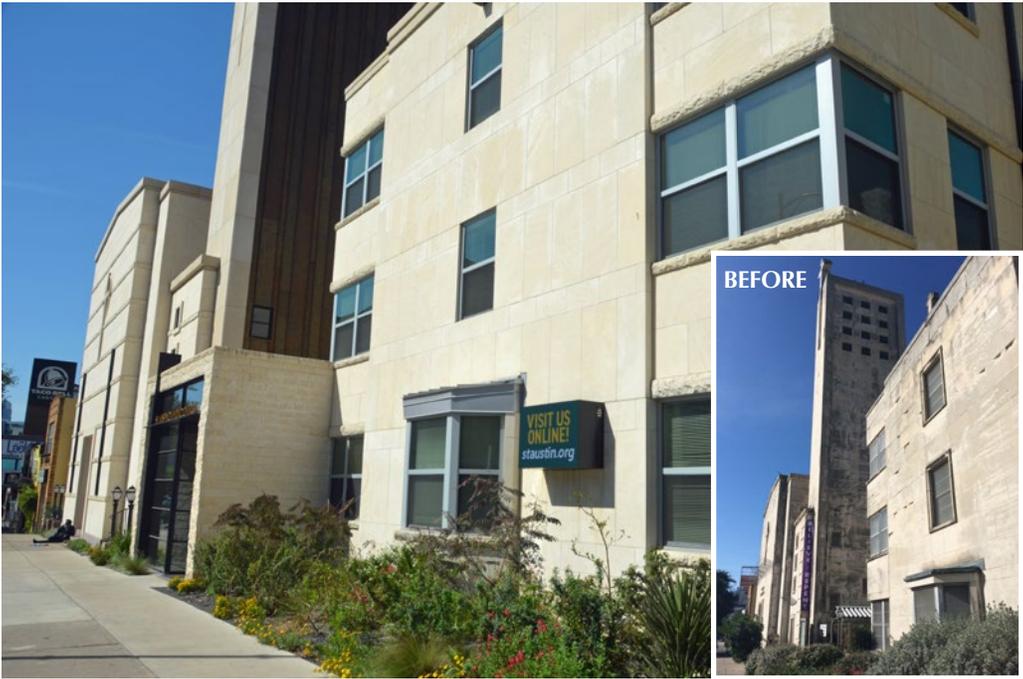
The next core value is **quality**. Our practice is “get it right the first time.” Punchlist cannot be a part of the bid, so therefore it must be done right. With this core value being put to practice through our actions, we are known for quality. It is seen in our projects as you travel through the state looking at our craftsmanship.

Our last core value is **schedule**. Our most favorite days on any project is the first day and the last day. The closer we can move these days together then our profits increase. These three core values made up the driving force on the beautiful St. Austin Catholic Church in Austin, Texas.

This project had limestone literally falling off the building. On my first visit, several pieces were on the ground. As I looked up several more were about to come down. So obvious there was anchor failure along with water penetration. We had to replace faces of limestone that had spalled off along with replacing whole stones. We also added some new walls using split face CMU that was a nice accent with the existing limestone. This project shows how restoration on masonry can make an aging product look new again. Our craftsmen kept the integrity of the historical building while making it look new.

When we use the word craftsman, it brings a fear to our mind. As an industry we are faced with a challenge when it comes to future craftsmen. I am proud to say we are responding; not only as an industry, but also as individual companies. Masonry has been here from the beginning and will remain. It is a long-lasting piece of art that makes our buildings warm and welcoming.

St. Austin Catholic Church is a perfect example of this picture called “Beautiful and Like New!”



2019 Golden Trowel Awards

On Friday, August 9th the Texas Masonry Council (TMC), the trade association for masonry contractors, manufacturers, and suppliers in the State of Texas celebrated 60 years of industry advocacy at the 2019 Golden Trowel Awards Gala in The Woodlands, Texas.

The Annual Golden Trowel Awards Banquet, TMC's flagship event, recognizes and encourages excellence in all phases of masonry construction and design by highlighting award-winning projects that showcase innovation and the timeless craftsmanship of masonry. A panel of professional judges evaluates the winning projects from each region across nine categories rating each project for Design, Craftsmanship, Appropriate Use of Masonry, Aesthetic Appeal, and Difficulty. This special event is our industry's way of honoring the spectacular artistry and innovation of our craftspeople—as well as our industry and design partners, and the communities dedicated to quality development.

RESIDENTIAL SINGLE FAMILY



Golden Trowel
Award

THE BRAUN RESIDENCE

CHAPTER: AMCH
MASONRY CONTRACTOR: VEAZEY
ENTERPRISES, INC.
ARCHITECT: BRAUN DESIGN
INITIATIVES
SUPPLIERS: BEST BLOCK, SESCO
CEMENT, TRINITY LIGHTWEIGHT



RESIDENTIAL MULTI/FAMILY

HONORABLE MENTION



MID LANE II "THE IVY"

CHAPTER: AMCH
MASONRY CONTRACTOR: CAMARATA MASONRY
SYSTEMS, LTD.
ARCHITECT: LRK, INC.
SUPPLIERS: ACME BRICK, HOHMANN & BARNARD,
MUSTANG METAL & SUPPLY, SITEWORKS, INC.



Golden Trowel
Award

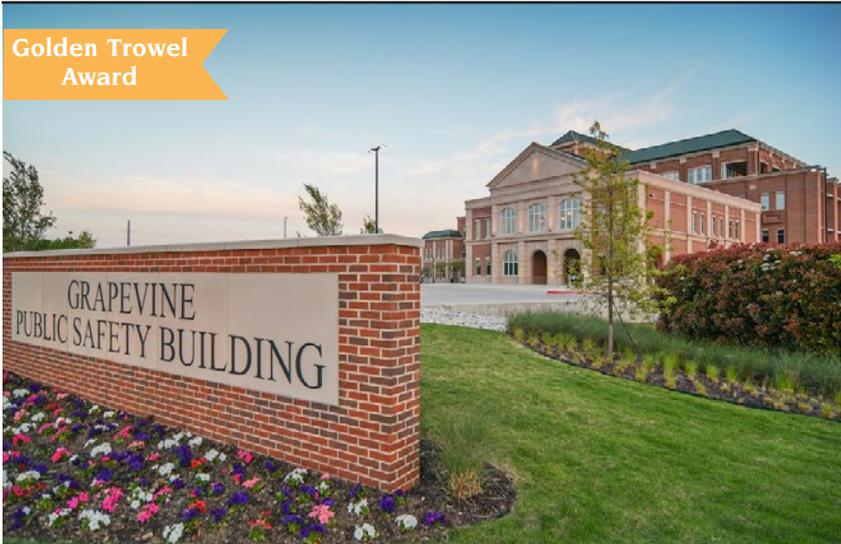
THE MCKENZIE

CHAPTER: CTMCA
MASONRY CONTRACTOR: C.W. OATES
MASONRY, INC.
ARCHITECT: LRK, INC.
SUPPLIERS: ACME BRICK, ADVANCED
ARCHITECTURAL STONE, HOHMANN &
BARNARD, MUSTANG METAL & SUPPLY,
JEWELL, AN OLDCASTLE COMPANY,
PROSOCO, INC., SPEC RENTS, LLC



GOVERNMENT & INSTITUTIONAL

Golden Trowel Award



GRAPEVINE PUBLIC SAFETY AND COURT BUILDING



CHAPTER: UMCA
 MASONRY CONTRACTOR: DMG MASONRY
 ARCHITECT: BRINKLEY SARGENT WIGINTON ARCHITECTS
 SUPPLIERS: ACME BRICK, FEATHERLITE, ADVANCED ARCHITECTURAL STONE, HOHMANN & BARNARD

HONORABLE MENTION



CHRISTUS SPOHN SHORELINE

CHAPTER: SAMCA
 MASONRY CONTRACTOR: SHADROCK & WILLIAMS MASONRY
 ARCHITECT: PERKINS + WILL, INC.
 SUPPLIERS: ADVANCED ARCHITECTURAL STONE, INC., CAPITOL AGGREGATES, INC., PROSOCO, INC.

INDUSTRIAL/COMMERCIAL

Golden Trowel Award



TEXAS A&M HOTEL & CONFERENCE CENTER



CHAPTER: AMCH
 MASONRY CONTRACTOR: CAMARATA MASONRY SYSTEMS, LTD.
 ARCHITECT: HUITT-ZOLLARS
 SUPPLIERS: BEST BLOCK, HOHMANN & BARNARD, MUSTANG METAL & SUPPLY, SITEWORKS, INC., TRINITY LIGHTWEIGHT, UPCHURCH KIMBROUGH COMPANY

HONORABLE MENTION



CARPENTER HOTEL

CHAPTER: CTMCA
 MASONRY CONTRACTOR: C.W. OATES MASONRY, INC.
 ARCHITECT: SPECHT ARCHITECTS
 SUPPLIERS: ELGIN-BUTLER BRICK, HOHMANN & BARNARD, JEWELL, AN OLDCASTLE COMPANY

HONORABLE MENTION



INTERDISCIPLINARY RESEARCH BLDG.

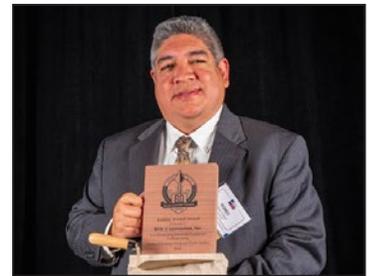
CHAPTER: CTMCA
MASONRY CONTRACTOR: BRAZOS MASONRY, INC.
ARCHITECT: TREATORHL
SUPPLIERS: AHI SUPPLY, L.P., BEST BLOCK, HOHMANN & BARNARD, TEXAS QUARRIES, AMERIMIX

Golden Trowel Award



DALLAS ARBORETUM FOOD AND HERB GARDEN

CHAPTER: UMCA
MASONRY CONTRACTOR: ROC CONSTRUCTION, INC.
ARCHITECT: SWA GROUP
SUPPLIERS: HOHMANN & BARNARD



BLOCK CMU

HONORABLE MENTION



TRAVIS COUNTY ME BUILDING

CHAPTER: CTMCA
MASONRY CONTRACTOR: LEGACY MASONRY, LLC
ARCHITECT: SMITH GROUP/BGK ARCHITECTS
SUPPLIERS: HOHMANN & BARNARD, INC., JEWELL, AN OLDCASTLE COMPANY

Golden Trowel Award



CORINTH FIRE HOUSE NO. 3

CHAPTER: UMCA
MASONRY CONTRACTOR: SKINNER MASONRY, LLP
ARCHITECT: EIKON CONSULTING GROUP
SUPPLIERS: ACME BRICK, ADVANCED ARCHITECTURAL STONE, BLACKSON BRICK, BEST BLOCK, BUILDERS EQUIPMENT & SUPPLY COMPANY



EDUCATION K-12

Golden Trowel Award



UNIVERSITY PARK ELEMENTARY SCHOOL



CHAPTER: UMCA
 MASONRY CONTRACTOR: SKINNER MASONRY, LLP
 ARCHITECT: STANTEC ARCHITECTURE, INC.
 SUPPLIERS: ACME BRICK, BEST BLOCK, BUILDERS EQUIPMENT & SUPPLY COMPANY, HOHMANN & BARNARD, HOLCIM, PROSOCO, INC.

HONORABLE MENTION



CORNERSTONE CHRISTIAN SCHOOLS

CHAPTER: SAMCA
 MASONRY CONTRACTOR: RUDD & ADAMS MASONRY, INC.
 ARCHITECT: WIGODSKY & DERRICK ARCHITECTS
 SUPPLIERS: ACME BRICK, BEST BLOCK, I-10 BUILDING MATERIALS

EDUCATION COLLEGE & UNIVERSITY

Golden Trowel Award



UNIVERSITY OF TEXAS AT DALLAS ENGINEERING BUILDING



CHAPTER: UMCA
 MASONRY CONTRACTOR: DMG MASONRY
 ARCHITECT: SMITH GROUP JJR
 SUPPLIERS: BUILDERS EQUIPMENT & SUPPLY COMPANY, CONTINENTAL CUT STONE, INC., QUICKRETE/SPECMIX, TEXAS BUILDING PRODUCTS

HONORABLE MENTION



TEXAS STATE UNIVERSITY HEALTH PROFESSIONS BUILDING

CHAPTER: CTMCA
 MASONRY CONTRACTOR: C.W. OATES MASONRY, INC.
 ARCHITECT: BGK ARCHITECTS (BARNES GROMATZKY KOSAREK ARCHITECTS)
 SUPPLIERS: ACME BRICK, ADVANCED ARCHITECTURAL STONE, JEWELL, AN OLDCASTLE COMPANY

HONORABLE MENTION



RIVER OAKS ENGLISH TUDOR

CHAPTER: AMCH
 MASONRY CONTRACTOR: VEAZEY ENTERPRISES, INC.
 ARCHITECT: NEWBERRY ARCHITECTS
 SUPPLIER: MUSTANG METAL & SUPPLY



Golden Trowel Award

ST. AUSTIN'S CATHOLIC CHURCH

CHAPTER: CTMCA
 MASONRY CONTRACTOR: BRAZOS MASONRY, INC.
 ARCHITECT: SIXTHRIVER ARCHITECTS
 SUPPLIERS: CONTINENTAL CUT STONE, HILTI, INC., HOHMANN & BARNARD, MUSTANG METAL & SUPPLY, SPEC RENTS, LLC, SPECMIX/QUICKRETE



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Floating a Faceted Landform above a West Texas Rest Stop

By Timothy A. Schuler

Pecos West County safety rest area, one of two matching buildings flanking Interstate 10 near Fort Stockton, Texas.

Photo by David Richter.

There is an unspoken assumption among transportation departments that pairs of public rest areas flanking opposite lanes of America's 46,876 miles of interstate highway ought to mirror one another, offering the same face to visitors. But along Interstate 10, west of Fort Stockton, Texas, near the edge of the Chihuahuan Desert, at least one rest area breaks that mold. Richter Architects demurred flipping either of the two buildings at the Pecos West County safety rest area in order to preserve their relationships to the site.

"Everything suggests that the building be flipped, but when we started looking at how the building would actually perform, particularly capturing the views, we said, 'Wait a minute, this is not such a good idea,'" says David Richter, FAIA, who co-leads the Corpus Christi, Texas-based firm with Elizabeth Chu Richter, FAIA.

As a result, the facilities are not mirrored, but instead are duplicates in design and orientation. Each 7,600-square-foot building consists of two limestone-clad volumes connected by a glazed atrium lobby. Accessible via north and south entries, the lobby is topped by a jagged roof inspired by the Davis Mountains, which amass along the southern horizon of I-10. The roof dips low on the south elevation to offer shade from the intense desert sun and allows views out to the mountains and both directions of I-10, emphasizing "this notion of where you came from and where you're headed to," Richter notes.



Photo by Craig Blackmon

With more than 20 irregularly shaped facets, the folded-plate roof and canopy created a number of design challenges, Richter says. The roof is supported by a series of approximately 20-foot-long, steel C-channel joists that tie into the building's load-bearing concrete masonry unit structure and the atrium's pressure-glazed curtain wall sash system, framed in weathered steel tubing that soars up to 20 feet tall. Inside, the roof's sharp undulations are expressed in a white, perforated gypsum board ceiling. Outside, the canopy's plywood decking is topped with a PMMA membrane while a fiber-cement fascia and earth-toned plaster soffit reinforce the building's connection to the natural forces of uplift and accretion.

Cantilevering the canopy up to 8 feet past the curtain wall to evoke the sense of a floating landform was particularly complex. Richter Architects worked with the Dallas office of JQ Engineering to design a continuous, welded steel tube beam that traces the roof's dramatic contours and tucks above the head of the curtain wall.

Recessing the beam into the roof cavity presented a structural conflict with the intersecting steel joists, which visually appear to run continuously across the curtain wall. "They can't occupy the same space," Richter says. To resolve the issue, the design team stitched each joist to the beam using two 18-gauge steel plates. The plates, which are 18 inches long, attach to the top and bottom flanges of the joists, span the intervening beam, and are secured on either side with five #10 screws. Three inches of rigid insulation on the outboard face of the beam reduce thermal transfer.

Though the solution took time to design and detail, Richter says, "it was a relatively simple proposition." However, ensuring that the joists visually aligned was difficult. "Because the framing is essentially stick-built and there is no contiguous shoring to assist in alignment, quality execution is dependent on care," Richter explains. To ensure that the orientation of the joists matched in the horizontal and vertical planes, the architects worked on-site with the steel contractor, Richter adds, "climbing scaffolding and looking down ridges to verify an acceptable level of precision."

Where the atrium canopy terminates in an expanse of limestone masonry, the connection is more straightforward. A continuous steel strap formed to the roof's folded shape is bolted to the building's CMU structure, like a giant lintel. However, because the architects wanted the stone volumes to appear as solid, stand-alone masses, they added a reveal—a 0.75-inch gap left between the gypsum board ceiling and the limestone veneer. (Outside, a plaster casing bead creates a similar effect.) This detail meant the stone masonry under the roofline of the canopy had to be laid prior to the roof structure being erected, after which the stone masons could return to finish the job.



Photo by David Richter

The project's biggest challenge was achieving a naturalistic coursing for the stone, which the architects envisioned as emulating the linear but variable striations visible in the hillsides. However, the stonemasons gravitated toward a consistent size of stone block, in part because that was what was arriving from the quarry, some 280 miles east of the site.

"They were starting to lay this thing, and it didn't look anything like what we asked them to do," Richter says. "So we put a stop to it and said, 'OK, we have to go to the quarry because they're not even getting these things out of the ground the way they're supposed to be.'"

At the quarry, the architects hand-picked several stone types, some just 1 inch thick. "The quarry started realizing that we didn't want uniformity," Richter says. "We wanted the rocks as long and as skinny as we could get them." The team then constructed an on-site mock-up, laying the stones on the ground in the desired pattern.

Thousands of drivers from around the world have stopped at the new I-10 rest areas since their opening in February

2018. The firm is pleased with the project's connection to the austere, breathtaking landscape of West Texas. Civic architecture, Richter notes, can often become, intentionally or not, caricatures of a region. However, he continues, "we have always felt [that] civic buildings ... should be fun and interesting, but they should also be serious, genuine, and respectful of their place."

About the Author

Timothy A. Schuler is a contributing editor at Landscape Architecture Magazine and writes about architecture, landscape architecture, and urban design for a variety of national and international publications. Based in Honolulu, he is a graduate of Kansas State University. Follow him on Twitter or visit timothy-schuler.com.

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IT'S "GRAB BAG DAY" IN THE LINE'S LEGAL BULLPEN

SPIKE CUTLER

Attorney Spike Cutler, and the firm of Cutler-Smith, P.C., are staunch advocates for the rights and interests of construction trade contractors. Cutler provides legal counsel to a number of trade organizations, including the Independent Electrical Contractors (IEC) of Texas, IEC- Dallas, IEC – Fort Worth, the Subcontractors Association of the Metroplex ("SAM"), the Texas Masonry Council, the United Masonry Contractors Association of DFW, and the North Texas Stone Fabricators Association. He is also a member of the Attorneys Council of the National Subcontractors Alliance.

BID BONDS IN PRIVATE WORK, AND PROPER BID QUALIFICATIONS

A troubling new trend has surfaced: general contractors demanding Bid Bonds for subcontractors bidding private work. It's a bad idea, for a lot of reasons, but a good opportunity to be reminded of good bidding practices.

A Bid Bond is a bond issued by your bonding company promising to pay a certain amount of money (often 5% or 10% of the underlying bid amount) if the bidding contractor fails to actually enter into a contract with the party to whom the bid is extended.

Bid Bonds traditionally are used in the context of general contractors bidding to public works owners (state or federal agencies, school districts and the like), because such bonds are required by state or federal law.

A general contractor asking for a bid bond from a private works subcontractor is nothing close to the same thing, though; public agencies soliciting bids for construction work have secure funds readily available, through public funds. In private work, the general contractor may have faith that the owner of the private project has the money, but still expects that the subcontractors will accept the risk of nonpayment.

General contractors are using bid bonds from subcontractors in order to attempt to subvert the contract and scope review process, thus forcing subcontractors to accept projects which, upon the greater scrutiny given to plans, scopes and coordination of scope between trades, may be impractical.

More importantly, general contractors are using bid bond requirements to force subcontractors into accepting bad subcontract documents before they even bid the job. Bad deal!

Every time you bid a project, regardless of what the prebid document say, you **MUST** include appropriate conditions and qualifications on your bids. Most important among these,

of course, are: (1) the right to negotiate mutually acceptable subcontract language as a condition of accepting the project, and (2) the right to verify the financial ability of the owner and contractor to satisfy its obligations in paying subcontractors for the work they provide. You should also, always, include detailed qualifications regarding scope every set of plans and specifications includes numerous ambiguities and inconsistencies, both as to the work to be done, and as to which specific bidding trade contractor will actually be doing certain aspects of the work, so you must include extremely detailed qualifications, inclusions and exclusions, in every bid.

If you choose to bid to a general contractor who is requesting a Bid Bond as part of the bid process, you must always include at the very minimum this qualification: "SUBCONTRACTOR'S BID AND ITS AGREEMENT TO PERFORM WORK ON THIS PROJECT ARE CONTINGENT UPON NEGOTIATION OF MUTUALLYACCEPTABLE SUBCONTRACT LANGUAGE." You might also include this: "Subcontractor does not accept Contractor's proposed form of Subcontract as presented."

Finally, and importantly, even where the general contractor attaches its proposed form of Bid Bond, you should always have your surety agent and your attorney review and approve the form of Bid Bond; bid bonds proposed by general contractors always grant the general contractor the unilateral right to decide whether the bidding subcontractor has, or has not, met its obligations in the bidding process. It works out to be a blank check for the general contractor, so don't fall for it!

NEW OVERTIME THRESHOLD FOR OFFICE EMPLOYEES

There is a persistent belief that, so long as in-office employees are paid a "salary," rather than being paid hourly, that they were exempt from overtime. This is by no means always true,



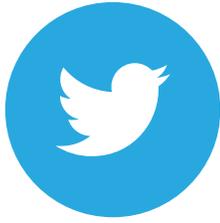
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and this belief has often been a source of trouble for construction employers.

Using what is commonly known as the "whitecollar exemption," employers of personnel performing executive, administrative or professional roles for the business who are paid a fixed, nonfluctuating salary of at least \$455 per week (amounting to \$23,660 per year), could consider such employees as "exempt" from the calculation and payment of overtime.

This threshold has been low enough that very few office employees did not qualify, and thus, very few such employees were required to be paid overtime.

Under the new final overtime rule just proposed by the United States Department Of Labor, the salary threshold would be raised to \$684 per week, or the equivalent of \$35,568 per year. Under this new, substantially higher wage threshold, many more employees of contractors will qualify for overtime pay, if hours worked amount to enough to otherwise qualify for overtime absent the exemption.

In determining whether an employee's salary is sufficient to make them exempt, employers may consider nondiscretionary bonuses, incentives and commissions of up to 10% of an employee's annual salary, as long as such payments are made annually.

As a practical matter, if you find that inoffice administrative employees are at the low end of the salary spectrum in your company, you might simply consider tracking hours and paying overtime, anyway; it's very easy for motivated employees to work extra hours without being asked, but in the event you have a Department Of Labor wage and hour audit, your intentions, or those of your employees, won't much matter; and you may find yourself paying backovertime, and possibly subjected to penalties as well.

The proposed Final Rule will take effect on January 1, 2020, unless it is challenged in court, as a prior-proposed increase in the salary threshold (to an even greater number) was in 2016.

CITY-MANDATED PAID SICK LEAVE – AN UPDATE

Many of you are aware of mandatory paid sick leave ordinances being proposed and passed by municipalities in Texas.

It all started in Austin, when the Austin City Council, despite strong opposition from its small business community, enacted a mandatory paid sick leave ordinance requiring that employers of people working in the city of Austin grant those employees one hour of paid sick leave for every 30 hours worked within the city of Austin, up to a minimum of 48 hours of leave per year (for employers with up to 15 employees), or 64 hours per year (for employers with 16 or more employees).

The reasons for which employees could use the paid "sick leave" go well beyond actual employee illness, and employers' right to verify the reasons is so restricted, that the so-called "sick leave" pretty much amounts to vacation time.

Immediately upon its passage, the Austin ordinance was challenged in court, in a lawsuit brought by a consortium of business groups and employers, and after an unsuccessful result in the trial court, the Third Court Of Appeals, sitting in Austin, enjoined enforcement of the ordinance by the City of Austin. The City subsequently appealed the matter to the Texas Supreme Court, and as this is written, briefing by the parties, as well as a number of interested amici curiae, (friends of the court) is underway, and oral argument before the Supreme Court has yet to be scheduled. Based upon the ruling from the Third Court Of Appeals, this commentator believes the Texas Supreme Court will ultimately declare the Austin ordinance to be at odds with state law and, thus, unenforceable.

Meanwhile, the cities of San Antonio and Dallas have each passed ordinances which are virtually identical to the Austin ordinance (all of them were promoted by the same "progressive" advocacy group). Mindful that efforts to enforce an ordinance which has a strong likelihood of being ruled invalid anyway would be wasteful of scarce city resources, the city of San Antonio has suspended enforcement of its ordinance (originally scheduled to take effect on August 1, 2019), pending outcome of the Supreme Court case.

The City of Dallas, despite the inescapable good sense of deferring enforcement pending a Supreme Court ruling, chose not to defer the effective date of its paid sickleave ordinance, and as a result, finds itself in a newlyfiled lawsuit against enforcement of the ordinance, as well. As this is written, the Dallas lawsuit (which is to be heard in Sherman, Texas because it was filed in the United States District Court, Eastern District of Texas, where the named plaintiffs in the lawsuit are based, in Collin County into which Dallas city limits intrudes) is in its early phases, with the plaintiffs requesting that the court enjoin enforcement of the ordinance, and the city trying to get the suit moved from Sherman, to Dallas. Also, the State of Texas has intervened in the lawsuit, also seeking a ruling that the ordinance is invalid on state law grounds.

The City of Dallas has stated that actual penalties relating to the sick leave ordinance will not be assessed until April, 2020, but in the meantime, employers are still obligated to keep track of hours worked by their employees who are actually working within the city limits of the city of Dallas. It's a real administrative nightmare.

It is, as they say, getting very interesting out there!



Scan the QR code and follow TMC on Facebook for these articles and more.

THE NEW AND MUCH-DISCUSSSED UNIVERSITY PARK ELEMENTARY SCHOOL BUILDING OPENED ITS DOORS FOR THE 2018-19 school year, and the reviews are in from teachers, students, and administrators alike: Awe. Shout out to our Education Facility (K-12) Golden Trowel Award Winner, University Park Elementary School, for presenting a spectacular example of superior masonry design and construction of in Dallas.

BUILDING A CHAMPION: BRICK BY BRICK. Ashton White, the first female to win the National SkillsUSA post-secondary masonry competition two years in a row tells us about her journey and plans to start her own masonry company upon graduation.

<http://bit.ly/2MpvZub>



<http://bit.ly/33YxB3B>

FEDS' RESILIENCE PROGRAM FUNDS CONCRETE, MASONRY BUILDING RESEARCH. Among awardees and their research aims: University of Texas at Austin (\$691,000). Analytical tools to describe reinforced concrete wall failure, plus effectiveness of retrofit schemes to limit damage from earthquakes.

<http://bit.ly/33IDVfw>

CAN SUNSHINE REALLY MELT VINYL SIDING? YES! The National Association of Home Builders has hundreds of complaints about this problem happening across the US. Read more here:

<http://bit.ly/2lRnqMQ>



STATE OF TEXAS
OFFICE OF THE GOVERNOR

The Lone Star State continues to be widely recognized as having the strongest economy in the nation. As one of the top exporters and relocation destinations for business and families, Texas' population is booming. However, this growth presents serious challenges, as we must maintain the workforce to build new homes, businesses, and infrastructure.

Texas needs men and women dedicating their talents to the construction industry, and as a start, we must encourage students and Texans of all ages to consider construction as a worthy career option.

Each year, October is dedicated to increasing public awareness and appreciation of the construction industry. During this month, employers, trade associations, and schools are encouraged to conduct job fairs, panel discussions, and community events to inform students of the industry's many employment opportunities.

At this time, I encourage all Texans to learn more about our construction industry and recognize the critical role it plays in the development of Texas and the nation.

Therefore, I, Greg Abbott, Governor of Texas, do hereby proclaim October 2019, to be

Careers in Construction Month



in Texas, and urge the appropriate recognition whereof.

In official recognition whereof, I hereby affix my signature this the 18th day of September, 2019.

Greg Abbott
Governor of Texas

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You're building a legacy!

Build Your Future: October Careers in Construction Month Resolution

WHEREAS, Careers in Construction Month is an annual month designated to increase public awareness and appreciation of construction craft professionals and the entire construction workforce during the month of October;

WHEREAS, the Texas Masonry Council (TMC), is committed to narrowing the skills gap in the construction industry by educating Texas' youth and displaced workers on the fulfilling career a craft professional, such as a mason, can achieve;

WHEREAS, TMC will work together with other industry and government leaders to promote and advocate masonry construction and the critical role masons play in Texas development, as exemplified in the beautiful capitol building of our great State; now, therefore, be it

RESOLVED, that the Texas Masonry Council fully supports the designation of October as Careers in Construction Month and urges the masonry industry to offer their full support and increased participation in construction trades training and long-term workforce initiatives of the Texas Masonry Council.

On August 22, 2019, the Board of Directors of the Texas Masonry Council votes unanimously to support this resolution.

Lindsey R. Geeslin

Lindsey R. Geeslin
Executive Director
Texas Masonry Council

200 W. Hwy 6, Suite 216 | Waco, Texas 76712 | (254) 300 - 4544
www.texasmasonrycouncil.org

On August 22, 2019, the Board of Directors of the Texas Masonry Council voted unanimously to support Build Your Future's October Careers in Construction Month. We fully support and urge the masonry industry to offer their full support and increased participation in construction trades training and long-term workforce initiatives of the Texas Masonry Council.

"BUILDERS ARE NOT LICENSED IN #TX, & CONSUMERS LOOK TO THEIR CITY TO PROVIDE STANDARDS and to make inspections by qualified [personnel] to improve the quality of construction," City of Grapevine Texas Mayor Tate said. "Any limitation on local gov[t] will make their citizens more vulnerable to fraud and poor workmanship. This is a dangerous precedent." Read more here ... <http://bit.ly/2kdqplp>



The March 7, 2017 fire destroyed the under-construction Metropolitan apartment building in the foreground, and damaged the Link Apartments, on the right, and the Quorum Center, in the rear. TravisLongtlong@newsobserver.com

Stick-built apartments are a rising risk in the Triangle

By Brian Powell

We all know the old folktale about the three little pigs – two built their houses out of quick and cheap materials like sticks and straw so that they could spend more time goofing off. The third spent more time building a strong house out of brick and stone. The first two pigs were devoured by a wolf, who easily blew down their houses. But the third pig was safe and sound in a sturdy home. The moral of the story is that investing more time up front to complete a task the right way, without cutting corners, leads to durability and security down the line.

So why are municipal leaders in the Triangle working with developers to cover our cities with dangerous, hastily constructed condos and apartment homes made out of sticks? The News & Observer and Herald-Sun recently reported that yet another mixed-use wood-frame apartment complex is slated to go up next to Durham Central Park soon, but it is past time for leaders to begin limiting the hazardous trend of wood constructed complexes taking over the city.

You've undoubtedly seen the buildings – blocky apartment complexes about five stories tall with a fresh coat of colorful modern paint. There's even a good chance you even live in one, as I do. After all, these housing complexes have gone up faster than weeds in Raleigh, Durham and all points in between. If you are a renter who needs to live close to the city, there are very few options that don't fit this mold.

Here's the problem: the projects we see going up around town are all made out of cheap wood – “stick” construction is the industry's term. This type of structure saves wealthy developers more money but renders buildings extremely vulnerable to fire (particularly during construction). Stick-built apartments

in New Jersey (the now-infamous Avalon fires), Boston and West Oakland have gone up in flames within the last few years. Here at home, Raleigh suffered major fires to wood-built housing structures in 2016 and again in 2017. In fact, catastrophic fires in major metro areas are on the rise, according to a report released in May by the insurance rating firm AM Best. Bloomberg reports that, “Of the 13 U.S. blazes that resulted in damages of \$20 million or more in 2017, according to the National Fire Protection Association, six were at wood-frame apartment buildings under construction.”

To return to the three little pigs analogy — which buildings will remain strong when the next wolf comes to blow them down? North Carolina is experiencing an historic heat wave on the heels of historically intense storms, flooding and wildfires over the past few years. As climate change intensifies, extreme weather will only get worse. Does anyone believe these cheap wood mid-rises will stand the test of time?

Other communities have pushed back against this trend. Sandy Springs and Dunwoody, two suburbs of Atlanta, enacted bans on wood-frame buildings greater than three stories (the restrictions were later overturned by the Georgia legislature). It's time for Durham, Raleigh and all of our surrounding towns to do the same. Let's demand more from developers, rather than giving them carte blanche to cover our streets with cheap buildings that often paradoxically come with unaffordable rent. In the end, doing nothing is an unaffordable risk.

Brian Powell is an attorney living in Durham. He is on the staff of the NC Conservation Network, but this opinion is his own.



Cheers to our Sponsors!



60 YEARS OF INDUSTRY SERVICE!

The 2019 60th Anniversary TMC Convention and Gala was a huge success due to the generous contributions of our sponsors, exhibitors, and attendees. Thank you all for your continued support of this timeless industry and its future achievements!

Congratulations to the City of Dayton, Texas for winning the TMC 2019 Sustainable City Award

The vision set forth by the City of Dayton's leadership makes for a beautiful, safe, and durable city for decades to come. Thanks to all the city officials who attended the TMC 2019 Golden Trowel Gala, August 9 in The Woodlands, Texas

The Golden Trowel Awards Gala recognizes and encourages excellence in all phases of masonry construction and design. This time-honored tradition has become the flagship awards event of the industry. Projects from around the state compete in nine categories both at the regional level and the state level.

Each year the Texas Masonry Council recognizes the most outstanding projects of the year, as well as the architects, contractors, and suppliers who demonstrated excellence in the design and use of masonry products. The Sustainable City

Award was added to the awards program in 2016 to recognize and honor cities that have shown leadership in best practices and exemplary public policy in sustainable design.

Decisions made by city leaders play a vital role in how a community is built and developed long term. TMC recognizes the importance and impact of those decisions with the Sustainable City Award. With the adoption of their Unified Development Code in May 2019 and, in particular, it's building design standards, the City of Dayton will be recognized and honored for their commitment to high quality development that is sure to add value, beauty, durability, and resilience to their community.

For more information, contact Tony Topping, tony@texasmasonrycouncil.org.

Curbing Unfounded Lawsuits in Public Construction

The 86th Texas Legislature took steps to curb a trend that is costing the industry time and money with regards to public building construction. Many of you may have experienced the problem first hand, but let's examine it.

More lawsuits for more money

Recent years have seen an uptick and trend towards construction defect lawsuits- particularly in school districts. Typically, a small group of lawyers solicit local governments (mostly school districts) for construction defect lawsuits against general contractors. These law firms use their "experts" to evaluate the facilities, and more often than not, their "experts" find construction or design defects in the building. This prompts the law firm to file multi-million dollar lawsuits to recover the cost of repair. These lawyers are paid on a contingency fee basis, meaning local governments have nothing to lose by attempting a lawsuit. The general contractors then bring virtually all the subcontractors into the lawsuit, creating a large pot of money where the plaintiff lawyer can attain a settlement from. These lawsuits are typically filed up to 10 years after construction with no warning given that there was an issue with the facility. This means the contractors find themselves with no opportunity to inspect the defect nor to correct it if it existed. These lawsuits cost the industry time and money.

A comprehensive legislative approach

Thankfully, Texas state legislators listened and acted on this. Three pieces of legislation are now in effect that, combined, should eliminate the problem:

HB 2826 by Representative Greg Bonnen and Senator Joan Huffman places limitations on contingency fee contracts for legal services by local governments and school districts; thus removing the incentive for unfounded lawsuits. Senator Joan Huffman wrote about the need for this legislation in the September 2019 Advocate, which is the newsletter for the Texans for Lawsuit Reform (TLR). TLR was instrumental in getting this legislation passed. Huffman said: "The proliferation of these contingency fee agreements has prevented many reputable companies, particularly contractors and subcontractors, from doing business with local governments. These frivolous lawsuits even resulted in increased contract costs for our local school districts. To end this unfair practice, House Bill 2826 ensures local governments can get well-qualified attorneys at a fair rate and that the hiring of outside, contingency fee lawyers is openly discussed in a public forum."

HB 1999 by Representative Jeff Leach and Senator Brandon Creighton requires that prior to litigation, a public



ANNOUNCING

City of Dayton

2019 TEXAS SUSTAINABLE CITY AWARD



The Sustainable City Award recognizes and celebrates best practices in sustainable masonry design, development, and leadership. The award program was established in 2016 as a Thank-You to the communities that prioritize and implement these best practices through regulatory tools and collaboration with the development community.



CITY OF DAYTON ELECTED OFFICIALS & STAFF:

Caroline Wadzeck, Mayor
Wendell Null, Council Member
Sherial L. Lawson, Council Member
Alvin Burress, Council Member

Dr. John S. Johnson, Council Member
Troy Barton, Council Member
Theo Melancon, City Manager
Kimberly Judge, Assistant City Manager/ Director of Planning

IN THE NEWS

entity must obtain and share a report detailing alleged construction defects with the contractors to allow them to inspect and repair damages. The contractors then have 5 days to notify the subcontractors.

HB 1734 by Representative Justin Holland and Senator Eddie Lucio increases oversight of construction defect litigation by school districts and requires that any proceeds actually be used to repair the construction defects. Representative Holland sent the following statement to TMC about the bill: "My goal when writing House Bill 1734 was to bring clarity to the industry when civil litigation is initiated. Too many loopholes and agency standards were simply being overlooked to the detriment of industry leaders, while funds from the awards and settlements were being abused once they were received. I am happy to bring overdue reforms to this area through the passage of this critical piece of legislation. HB1734 closes loopholes, curbs the abuse of funds, and brings clarity to the industry."

There is still work left in the realm of design defects and the right to repair, but these three pieces of legislation will save the industry money and they are a large stride in the right direction.



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A Winning Sack, Off the Gridiron

Teamwork Tackles a Fresh Finish for Local History

No ordinary team could combine historical authenticity with a sacked brick finish to create Phi Mu's new home at the University of Arkansas. Architects harmonized nearby Carnall Hall with the work of Palladio and Lutyens to create classical details in a rich façade. Then Acme engineers devised special brick shapes to create details that were added directly to contract drawings. Architects, engineers, Acme's plant manager, and masonry contractors coordinated throughout the project to ensure that particular shapes could be manufactured and then properly installed in the right sequence. Acme Brick believes in winning teamwork on every project.

"The Phi Mu exterior features a variety of special brick shapes and traditional details, including a rusticated base, horizontal banding and soldier courses, quoining, layered arches, jack arches, niches, recessed paneling, and even a raised quatrefoil motif (Phi Mu's symbol) at the entry loggia. The design and execution of these details in brick elevate and define the building's unique architectural character."

– Michael G. Imber, Architects

"It's important to enlist a skilled mason and brick maker to be efficient and economical without compromising the design. Acme has the resources to do that, and allows us to do a better job for our clients."

– Michael Baldwin, AIA, Project Architect, Core Architects

"Acme's engineering drawings were perfect. We knew to expect a high initial rate of absorption, soft brick, more "old world" in its character. We watched how Acme builds molds, pushes the clay mix through, and hand-cuts shapes. The Acme plant manager made sure the brick was consistent overall."

– Terrance Reese, Tri-Point Masonry Contractor

"Brick is an art when manufacturing shapes. Sometimes art takes a little time to be done well. We had to be creative ourselves, but communication among architects, Acme engineers, and the mason made the timeline possible."

– Lynn Ramsey, Acme Brick Plant Manager



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See the full 12-page case study at brick.com/casestudy
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