



CITY OF JAMAICA BEACH

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CITY COUNCIL REGULAR MEETING MINUTES

**October 26, 2023
6:00 P.M.**

CALL TO ORDER AND ROLL CALL OF MEMBERS:

Mayor Sharon Bower called the meeting to order at 6:00 pm

The following Council Members were present:

*Mayor Sharon Bower
Mayor Pro Tem Gil Madray
Alderman Sherwood Green
Alderswoman Lorraine Jones
Alderman Russell Rupertus
Alderman David Welch*

The following staff were present:

*Director of Operations – Robert Quintero
Police Chief – Raymond Garivey
Finance Clerk - Ester Abrego
Water Clerk – Tina Sifuentes
Building/STR Clerk – Bailey Clement*

ADJOURN: *Mayor Bower called to adjourn the meeting from October 12, 2023, as the agenda was completed in totality*

RECONVENE: *Mayor Bower reconvened the meeting at 6:10 pm*

PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

SPECIAL PRESENTATION:

1. BIKE THE BLUE PRESENTATION OF TWO POLICE DEPARTMENT PATROL BIKES.

Stephanie Culver, with the non-profit Bike the Blue, presented Jamaica Beach with two bikes for the police officers. The bikes were custom designed to match the Jamaica Beach PD cruisers and are equipped with lights, sirens, and saddle bags. The bikes run about \$3,500 a piece, not including equipment, and are great for beach patrol. Mayor Bower presented Stephanie with a plaque of appreciation and Chief Garivey presented her with Back the Blue t-shirts.

PUBLIC HEARING:

Discussion and consideration to take action to approve replating of Lot 11 and Lot 12 of Jamaica Beach Section 23 and combining them into one property known as 16616 Sandpiper Road, Jamaica Beach, Texas 77554. Legal Description: Abstract 121 Hall & Jones Survey Lot 11 – Jamaica Beach Section 23 of Galveston County, Texas, according to the Official Public Records of Real Property of Galveston County, Texas. Abstract 121 Hall & Jones Survey Lot 12 – Jamaica

Beach Section 23 of Galveston County, Texas, according to the Official Public Records of Real Property of Galveston County, Texas

*Motion made by Alderwoman Jones to **approve**, seconded by Alderman Welch*

VOTE

4 AYES (Green, Welch, Jones, Madray)

0 NAYS

1 ABSTAIN (Rupertus)

MOTION PASSED

ANNOUNCEMENTS:

Mayor Sharon Bower stated that National Night Out and Trunk or Treat will be held on Saturday, October 28, 2023, from 5:00 pm – 7:00 pm. November 9 will be Korean Veteran appreciation and asks for anyone who has someone they would like to add to the list, please contact City Hall.

PUBLIC COMMENTS:

- **Robin Harris:** believes the occupancy limit for the short-term rentals is extremely restrictive and under those rules, he would not be able to have his family over. Asks the council allows 2 occupants per room plus an additional 4 occupants.
- **David Dillman: 16705 Captain Hook.** stated that there have always been rentals in Jamaica Beach, but a realtor was involved but now everything is done online. Renters are renting over occupancy limits. Stated that the current STRs should be treated as a business. Has read the proposed ordinance and agrees with it.
- **Aaron Renick: 16506 Trinidad Way.** Feels the city is a city in crisis. Residents are leaving and being replaced with STRs. Rental sites are advertising for higher occupancy and are encouraging frat party behavior, additional noise, and trash. 295 shootings have occurred in the state of Texas since 2019. There is no process to know if people moving in and out are felons, sex offenders, or performing human trafficking. Asks Council to vote to approve ordinance 2023-11.
- **Paul Wendt:** stated that the hiring of a city manager, for the amount proposed, is not needed.
- **Ginger Jones: 16612 Curlew.** questioned if the occupancy has been discussed with legal, how will it be enforced, and where will the fees for the renewal and registration go. Reminded everyone to vote.
- **Brandon McDermott: 16527 John Davis Rd.** stated he has been here for 45 years and is looking for a larger house. Ad sites state that Jamaica Beach is a great place for STRs and advertise to build out the bottom for more space. Would like the ordinance to be passed to stop outsiders from buying to add more STRs.
- **Andrea Spearing: 16617 Jamaica Beach Rd.** unable to connect through phone and sent email. Addressed concerns about fees for turning on and off water, as well as the STR occupancy limit. Questioned about STR certificate and fines for not posting the certificate on her glass door.

REPORTS FROM DIRECTORS, POLICE, AND FIRE:

- Chief of Police, Garivey – None
- Director of Operations, Quintero – None
- Fire Chief, Baden – None

APPROVAL OF MINUTES:

Mayor Sharon Bower presented the minutes for October 12, 2023

*Motion made by Mayor Pro Tem Madray to **approve**, seconded by Alderwoman Jones*

VOTE

5 AYES (Green, Welch, Rupertus, Jones, Madray)

0 NAYS

0 ABSTAIN

MOTION PASSED

ALDERMAN REPORTS:

Mayor Pro Tem Madray: No report

Alderman Green: Come for hotdogs.

Alderwoman Jones: Last month, I called Congressman Randy Weber's office asking for help with the broken USPS drop-off box by the mailboxes. A new USPS drop-off box was installed yesterday. Today, I emailed and thanked Bradie Burnett and Jarad Bargas from Randy Weber's office for their help. Veterans Day is November 11: In times of conflict and in times of peace, the men and women of the U.S. Armed Forces have dedicated themselves to protecting our freedom, our ideals, our security, and our way of life for generations. As a Gold Star Family, we understand the sacrifice. The City of Jamaica Beach invites our Korean Veterans for a special presentation to honor and thank you for your service on Thursday, November 9 during our City Council meeting: If you are or know a Korean Veteran who lives in Jamaica Beach, please contact City Hall. 409.737.1142

Alderman Rupertus: No report

Alderman Welch: Encouraged voting.

NEW BUSINESS:

1. **Discussion, consideration, and take action to approve Ordinance No. 2023-10, AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS, AMENDING ORDINANCE 2019-9 WATER AND SEWER SYSTEM RATES AND CHARGES; AS AMENDED, TO REVISE AND PROVIDE FOR AN INCREASE IN THE RATES AND FEES TO BE CHARGED FOR WATER AND SEWER SYSTEM SERVICES; PROVIDING FOR THE REPEAL OF ALL OR PARTS OF ORDINANCES IN CONFLICT HERewith; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Bower read the above caption. Rates were discussed and presented in the previous meeting.

*Motion made by Alderman Rupertus to **approve**, seconded by Mayor Pro Tem Madray*

VOTE

5 AYES (Green, Welch, Rupertus, Jones, Madray)

0 NAYS

0 ABSTAIN

MOTION PASSED

2. **Discussion, consideration, and take action to approve only on Ordinance No. 2023-11, AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS, AMENDING THE REGULATIONS AND PERMITTING REQUIREMENTS FOR OPERATION OF A SHORT-TERM RENTAL WITHIN THE CITY; PROVIDING A PENALTY FOR VIOLATIONS, AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Bower read the above caption and presented a slideshow for the ordinance history of the STRs and explained the amendment to the City of Jamaica Beach regulations and permitting requirements for the operation of a short-term rental within the City. Ralph McDermott questioned how the ordinance will be enforced and Mayor Bower stated rental sites will be trolled, and if higher occupancy is advertised, a penalty will be enforced. Ginger Jones questioned the annual operating fee and Mayor Bower stated the fees for rentals with existing STR will be enforced in 2025 and new applicants will pay the annual fee 12 months after the initial fee. Tara Hannan inquired about the STR committee and how the 2+2 regulation was decided. Mayor Bower stated the committee was created in 2019 but is no longer active, and 2+2 regulation was discussed with legal and other counties have implemented the same regulation. Kelly Billiot questioned what the difference between privately owned and not privately owned. Mayor Bower stated it means that its not owned by a governmental entity. Darryl Eitel questioned the annual fee and Mayor Bower reiterated the comment above. Paul Wendt questioned if there are many houses that have not been registered and how we will determine if they have been or not. Mayor Bower stated that Granicus trolls sites and activity, and then forwards us

the information for us to check on. Alderwoman Jones stated that short-term rentals are 30 days or less, so any time over 30 days will not be required to pay taxes. Amanda Martinez expressed concerns about the buildouts and how companies can advertise higher occupancy. She believes this ordinance will help with these issues. Ginger Jones questioned if more STRs can be prevented from entering the city. Mayor Bower stated bans are usually through an HOA and that the city is looking into it now. Aaron Renick how STRs will be notified about the ordinance if it is passed. Mayor Bower stated existing owners will have contact information on file for letters to go out. Mayor Bower stated that legal feels the ordinance as stated will satisfy the points of law that would allow the City to win if we were sued. Occupancy limits have shifted on how they can be approached regarding safety and well-being and legal believes it meets those criteria. Alderman Green stated that there are items that need to be tweaked and questioned if it needs to be looked at before it's passed. Alderman Welch stated that he only had one issue with maximum occupancy and believes a timeframe would be reasonable if you have people over. Alderman Green does not feel that an inebriated person should drive home. Mayor Bower stated that we can enforce more so on what has been advertised. Deborah Talbert believes this refers to the number of beds it rental sleeps, not the number of guests at one time. Dale Hubert questioned the national average per the fire department. Mayor Bower stated residential occupancy 1 person per 200 sq. feet. She stated that Fire Chief Kyle Baden has concerns about occupancy in many homes and he would like more confidence to know the people in the house can get out. David Dillman stated that when a rental has 25 occupants, the citizens should contact the police and let them handle it. Brandon McDermott stated the number should not be in consideration of the guests but of the resident. Alderman Green stated if we are going to do it, we need to do it right the first time. Mayor Pro Tem Madray stated it should be passed now and amended if needed later. Alderwoman Jones stated it's been approved by legal and believe it should be approved.

*Motion made by Alderwoman Jones to **approve**, seconded by Mayor Pro Tem Madray*

VOTE

5 AYES (Green, Welch, Rupertus, Jones, Madray)

0 NAYS

0 ABSTAIN

MOTION PASSED

MAYOR'S REPORT:

Mayor Sharon Bower stated that there are 18 applicants, 9 of which meet our qualifications. At the next meeting, she will propose a special called meeting to bring in the screened applicants, introduce them to the public, and enter executive session. The Bayside Lift Station is moving along and will have a fence around it. We have worked hard on the STR ordinance.

EXECUTIVE SESSION: None

RECONVENE: N/A

ADJOURNMENT:

Motion made by Alderman Welch to **adjourn**, seconded by Alderman Rupertus. Meeting adjourned at 7:28 p.m.