



# CITY OF JAMAICA BEACH

16628 San Luis Pass Road in City Hall Conference Room  
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Jamaica Beach, Texas 77554  
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## CITY COUNCIL REGULAR MEETING MINUTES

### NOTICE OF MEETING VIA TELEPHONE CONFERENCE

In accordance with Order of the Office of the Governor issued March 16, 2020, the City Council of the City of Jamaica Beach, Texas, will conduct the meeting scheduled at 6:00 p.m. on Monday, April 20, 2020 at Jamaica Beach City Hall, located at 16628 San Luis Pass Road, in part by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). There will be no public access to the mentioned location.

The meeting agenda and agenda packet are posted online at [www.ci.jamaicabeach.tx.us](http://www.ci.jamaicabeach.tx.us).

To participate remotely in the telephonic meeting, the public toll-free dial-in number is (888) 453-4395 then enter code 284654#.

The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting.

A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

All individuals (Council, City Staff and/or Public) who speak during the open meeting must identify themselves by name prior to speaking (every time) and all attendees need to mute themselves until such time as public comment is requested or the individual wishes to speak.

### CALL TO ORDER

*Mayor Steve Spicer called the meeting to order.*

### PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

*MPT Sherwood Green led the Pledges of Allegiance to the U.S. and Texas Flags.*

### ROLL CALL OF ALDERMEN

*The following Councilmember's were present:*

*Mayor Steve Spicer  
MPT Sherwood Green  
Alderman Clay Morris  
Alderman Russell Rupertus  
Alderman Marci Kurtz*

*The following Councilmember was absent:*

*Alderman Terry Rizzo*

The following staff was present:

City Administrator Hutchison

City Secretary Rushing

**PUBLIC COMMENTS (LIMITED TO THREE (3) MINUTES PER PERSON)**

Mayor Spicer asked if anyone that joined the meeting via telephone would like to make a public comment. There were no requests to address Council via telephone nor did the city receive any written comments.

**PUBLIC HEARING:**

1. THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH, TEXAS WILL HOLD A PUBLIC HEARING ON THE FOLLOWING ITEM: CONSIDER APPROVING THE REQUEST TO REPLAT LOTS 81 & 82 IN SECTION 26 INTO ONE LOT TO BE KNOWN AS LOT 81 OF JAMAICA BEACH, SECTION 26, ALSO KNOWN AS 4227 SPANISH MAIN. ANY PERSON MAY PARTICIPATE VIA TELEPHONE CONFERENCE IN THE PUBLIC HEARING.

Mayor Spicer read the public hearing notice then opened the item for discussion. MPT Green mentioned the re-plat was approved by the Planning & Zoning Committee. Mayor Spicer asked if anyone that joined the meeting via telephone would like to make a public comment related to the public hearing topic. There were no requests to address Council via telephone nor did the city receive any written comments related to the public hearing topic.

**ITEMS FOR DISCUSSION:**

1. DISCUSS LOCAL COVID-19/CORONAVIRUS RESPONSE.

City Administrator Hutchison noted he has received several inquiries from Council regarding the city's notification protocol regarding people affected with COVID-19; he announced that patient health information is private even during an emergency situation under the HIPAA Privacy Rule; the city cannot release or disclose to the public specific information about treatment of an identifiable patient, such as specific tests, test results or details of a patient's illness without the patient's written authorization; however, there is certain information that can be shared with the county or district courts that comply with communicable disease statutes and rules to keep a community safe and that information is being released by the Galveston County Health District (GCHD); a link to the GCHD website is provided on the city's website.

Alderman Morris inquired about a protocol for phasing out resolutions/orders related to COVID-19 (e.g. opening the beach).

Mayor Spicer replied he will follow the Governor's orders; any decisions that need to be made related to COVID-19 will be based off of the Governor's order.

Alderman Morris inquired about the city seeking funding from the CARE Act for COVID-19 related expenses.

City Administrator Hutchison replied city staff is currently tracking expenses and once the expenses are compiled we will seek funding through FEMA and/or other available resources. City Secretary Rushing noted FEMA only reimburse 75% of qualifying expenses and the city is responsible for 25%. Mayor Spicer commented the city has always pursued funding reimbursement for emergency situations; city staff is on top of it.

**ITEMS FOR CONSIDERATION:**

1. DISCUSS AND CONSIDER FOR ACTION APPROVING THE FOLLOWING MINUTES:
  1. WORKSHOP MEETING – MARCH 2, 2020
  2. REGULAR MEETING – MARCH 16, 2020
  3. SPECIAL CALLED MEETING – MARCH 23, 2020

No edits and/or corrections were mentioned. No discussion.

*Alderman Rupertus motioned to approve the above listed minutes. The motion was second by Alderman Kurtz. City Secretary Rushing did a roll call of those in favor of the motion, since the meeting was being conducted via telephone. In Favor: MPT Green, Alderman Morris, Alderman Rupertus & Alderman Kurtz. All verbally consented to being in favor of the motion, none verbally opposed. Motion was unanimously approved by those present.*

2. **DISCUSS AND CONSIDER FOR ACTION APPROVING THE REQUEST TO REPLAT LOTS 81 & 82 IN SECTION 26 INTO ONE LOT TO BE KNOWN AS LOT 81 OF JAMAICA BEACH, SECTION 26, ALSO KNOWN AS 4227 SPANISH MAIN.**

*MPT Green motioned to approve the request to re-plat lots 81 & 82 in Section 26 into one lot to be known as lot 81 of Jamaica Beach, Section 26. The motion was second by Alderman Morris. City Secretary Rushing did a roll call of those in favor of the motion, since the meeting was being conducted via telephone. In Favor: MPT Green, Alderman Morris, Alderman Rupertus & Alderman Kurtz. All verbally consented to being in favor of the motion, none verbally opposed. Motion was unanimously approved by those present.*

3. **DISCUSS AND CONSIDER FOR ACTION GIVING THE CITY STAFF DIRECTION TO SEQUESTER NON-CRITICAL ITEMS IN THE FY 19-20 BUDGET DUE TO COVID-19.**

*Alderman Rupertus motioned to authorize the city staff to sequester non-critical items in the FY 19-20 budget due to COVID-19 with the exception of excluding the funding to install video recording equipment in the Council Chambers and repairing the JBVFD stairs. The motion was second by Alderman Morris. City Secretary Rushing did a roll call of those in favor of the motion, since the meeting was being conducted via telephone. In Favor: MPT Green, Alderman Morris, Alderman Rupertus & Alderman Kurtz. All verbally consented to being in favor of the motion, none verbally opposed. Motion was unanimously approved by those present.*

4. **DISCUSS AND CONSIDER FOR ACTION APPROVING A CHANGE ORDER REQUEST TO THE 2019 WATER LINE IMPROVEMENT PROJECT TO ADD 135 CALENDAR DAYS TO THE COMPLETION DATE DUE TO RAIN, HIGH-WATER TABLE AND THE CORONAVIRUS, AND TO REMOVE THREE (3) EXISTING FIRE HYDRANTS AND REPLACE THEM WITH NEW ONES AT \$3,750 EACH, THE NEW CONTRACT PRICE WITH ALL CHANGE ORDERS SHALL NOT EXCEED \$238,929.**

*Alderman Morris motioned to approve the change order as stated. The motion was second by Alderman Kurtz. City Secretary Rushing did a roll call of those in favor of the motion, since the meeting was being conducted via telephone. In Favor: MPT Green, Alderman Morris, Alderman Rupertus & Alderman Kurtz. All verbally consented to being in favor of the motion, none verbally opposed. Motion was unanimously approved by those present.*

5. **DISCUSS AND CONSIDER FOR ACTION APPROVING THE RE-APPOINTMENT OF GENE MONTGOMERY AND GILBERT MADRAY TO THE PLANNING AND ZONING COMMITTEE FOR A TWO YEAR TERM BEGINNING MAY 1, 2020 THRU APRIL 30, 2022.**

*Alderman Kurtz motioned to approve the re-appointment of Gene Montgomery and Gilbert Madray to the Planning and Zoning Committee for the stated term. The motion was second by Alderman Rupertus. City Secretary Rushing did a roll call of those in favor of the motion, since the meeting was being conducted via telephone. In Favor: MPT Green, Alderman Morris, Alderman Rupertus & Alderman Kurtz. All verbally consented to being in favor of the motion, none verbally opposed. Motion was unanimously approved by those present.*

6. **DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY OF JAMAICA BEACH, TEXAS, DENYING TEXAS GAS SERVICE COMPANY'S REQUESTED RATE INCREASE; REQUIRING THE COMPANY TO REIMBURSE THE CITY'S REASONABLE RATEMAKING EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND THE CITY'S LEGAL COUNSEL.**

*Alderman Morris motioned to approve the above caption resolution. The motion was second by Alderman Kurtz. City Secretary Rushing did a roll call of those in favor of the motion, since the meeting was being conducted via telephone. In Favor: MPT Green, Alderman Morris, Alderman Rupertus & Alderman Kurtz. All verbally consented to being in favor of the motion, none verbally opposed. Motion was unanimously approved by those present. Creating Resolution 2020-4.*

## **ADJOURN**

*Mayor Spicer said if there was no further business to come before Council he would call for a motion to adjourn. Alderman Rupertus motioned the meeting be adjourned. The motion was second by Alderman Morris. City Secretary Rushing did a roll call of those in favor of the motion, since the meeting was being conducted via telephone. In Favor: MPT Green, Alderman Morris, Alderman Rupertus & Alderman Kurtz. All verbally consented to being in favor of the motion, none verbally opposed. Motion to adjourn the meeting was unanimously approved by those present. Meeting was adjourned at 6:30 p.m.*