



# CITY OF JAMAICA BEACH

16628 San Luis Pass Road in City Council Chambers  
5264 Jamaica Beach  
Jamaica Beach, Texas 77554  
PH (409) 737-1142 FAX (409) 737-5211  
www.ci.jamaicabeach.tx.us



## CITY COUNCIL SPECIAL WORKSHOP & CALLED MEETING MINUTES

MAY 15, 2017  
6:00 P.M.

### CALL TO ORDER

*Mayor Steve Spicer called the meeting to order.*

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

*MPT Montgomery 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 Gene Montgomery  
Alderman Sherwood Green  
Alderman Rosemary Lindley  
Alderman Marci Kurtz  
Alderman Terry Hudson (stepped down after David Welch was sworn in)  
Alderman David Welch (took his seat after she was sworn in)*

*The following staff was present:*

*City Administrator Brick  
City Secretary Rushing  
Police Chief Heiman  
City Attorney Steve Schulz  
City Prosecutor Robert Bastien*

### CITIZENS REQUESTING TO ADDRESS COUNCIL ON AGENDA ITEMS

(REQUESTS TO ADDRESS COUNCIL MUST BE MADE TO CITY STAFF BY 5:45 P.M. ON MAY 15, 2017.)

*No requests to address Council.*

### ITEMS OF BUSINESS:

#### 1. DISCUSS AND CONSIDER FOR ACTION CANVASS ELECTION RETURNS FROM THE MAY 6, 2017 CITY OFFICERS' GENERAL ELECTION.

*Mayor Spicer and Council, sitting as the canvassing board to canvass the City Officers' Election on May 6, 2017, certified that the following is a total of all votes received by each candidate as shown on the precinct returns.*

<i>Name of Office</i>	<i>Name of Candidate</i>	<i>Total Votes Received</i>
<i>Mayor</i>	<i>Steve Spicer</i>	<i>82</i>
<i>Alderman</i>	<i>Terry Hudson</i>	<i>46</i>
<i>Alderman</i>	<i>David Welch</i>	<i>69</i>
<i>Alderman</i>	<i>Rosemary Lindley</i>	<i>69</i>

Mayor Spicer said there was a total of 106 ballots cast; he certified that the figures on the tally sheets correspond with the figures on the returns. Alderman Green motioned Council approval of the canvass results. Second by Alderman Kurtz. Motion unanimously approved.

**2. ADMINISTER OATH OF OFFICE TO CITY OFFICERS ELECTED IN THE MAY 6, 2017 CITY OFFICERS' GENERAL ELECTION.**

Mayor Spicer presented Terry Hudson with a Certificate of Recognition for serving on City Council. City Secretary Rushing administered the Oath of Office to Steve Spicer, Rosemary Lindley and David Welch who were elected to office during the May 6, 2017 General Election. Alderman Welch took his seat.

**3. DISCUSS AND CONSIDER FOR ACTION APPOINTING A MAYOR PRO-TEM.**

Alderman Green motioned to appoint Gene Montgomery as Mayor Pro-Tem. Second by Alderman Lindley. Motion unanimously approved.

**4. DISCUSS AND CONSIDER FOR ACTION ADOPTING A SPEED LIMIT ORDINANCE FOR VEHICLES TRAVELING ON FM 3005 WITHIN THE CITY LIMITS IN THE CITY OF JAMAICA BEACH.**

City Prosecutor Robert Bastien explained the proposed Ordinance; he noted the last speed limit Ordinance adopted by the City of Jamaica Beach was in 1989; as part of the original Ordinance, an engineering and traffic investigation study was conducted to determine a safe speed limit; Mr. Bastien requested a new study be conducted by the Texas Department of Transportation; the 2017 study recommends the speed limit to remain at 35 mph on FM 3005 within the city limits in the City of Jamaica Beach; a written report and Speed Zone Strip Map was provided to the city in that regard. MPT Montgomery motioned to adopt the Speed Limit Ordinance. Second by Alderman Welch. Motion unanimously approved. Creating and adopting Ordinance 2017-2.

**5. DISCUSS AND CONSIDER FOR ACTION APPROVING THE CONDEMNATION OF CONSTRUCTION AND MAINTENANCE EASEMENTS OF THE BEACHFRONT PROPERTIES THAT HAVE NOT SIGNED EASEMENTS REQUIRED BY THE GLO AND NECESSARY FOR THE GLO TO PROCEED WITH RESTORATION OF THE BEACH DUNE PROJECT.**

City Administrator Brick noted 11 beachfront property owners that have not signed the GLO Easement. City Attorney Steve Schulz provided an explanation of the condemnation process; he noted he did not specialize in this legal field and recommended the city consult with Attorney Michelle Morris who has 19 years of experience. MPT Montgomery asked multiple questions about the beach dune, its construction and property easements. Attorney Schulz replied by explaining the dune construction and how it will effect property easements. Mayor Spicer opened the item for comment:

Penny Ignazio, 16634 Jamaica Inn, inquired would property owners lose their FEMA insurance if the dune is not constructed.

Attorney Schulz replied the dune construction project does not affect personal home insurance coverage; he clarified by stating if an individual home meets FEMA regulations they will still qualify for FEMA insurance rather the dune is constructed or not.

Jay Aubin, 16712 Jolly Roger, inquired what does the FEMA money buy us and is it refundable; does the city have to pay it back.

Attorney Schulz replied FEMA pays a contractor directly thru the GLO to construct the dune; no the city does not have to pay FEMA back for building the dune; he noted if the dune is constructed FEMA will continue to pay for it to be reconstructed if damaged in a disaster; if the city does not build the dune by the required deadline then the city will lose the FEMA funding and be ineligible for future dune funding.

Marilyn Petty, 16908 Beachcomber, inquired if the drainage pipe will be replaced at Beachcomber.

Attorney Schulz replied yes it will be replaced if the dune is constructed.

Jerry Mohn, with the West Galveston Island Property Association, spoke in favor and encouraged the city to have a dune system.

Alderman Green motioned to authorize the city to move forward with the condemnation process. Second by Alderman Lindley. All in Favor: Alderman Green, Alderman Lindley and Alderman Kurtz; Opposed: Alderman Welch; Abstained: MPT Montgomery; Motion carries.

**6. DISCUSS AND CONSIDER FOR ACTION APPROVING THE ENGAGEMENT LETTER BETWEEN MICHELLE MORRIS WITH ROGERS, MORRIS AND GROVER LAW FIRM AND THE CITY OF JAMAICA BEACH FOR LEGAL SERVICES ASSOCIATED WITH THE CONDEMNATION PROCESS DELEGATING THE CITY ADMINISTRATOR AS THE CONTRACTING OFFICER.**

City Attorney Steve Schulz summarized the engagement letter presented by Attorney Michelle Morris; he noted the city would only be charged per consultation. Mayor Spicer opened the item for discussion: Lorraine Jones, 16712 Jolly Roger, inquired if there was a maximum amount the city would spend.

Attorney Schulz replied the engagement letter can be terminated anytime.

Alderman Green motioned to approve the Engagement Letter between Michelle Morris for the legal services associated with the condemnation process delegating the City Administrator as the contracting officer. Second by Alderman Lindley. All in Favor: Alderman Green, Alderman Lindley, Alderman Kurtz and Alderman Welch; Abstained: MPT Montgomery; Motioned carries.

**7. DISCUSS AND CONSIDER FOR ACTION THE PROPOSAL FROM BEACHSIDE ENVIRONMENTAL FOR THE 2017 BEACH RAKING AND CLEANING SERVICES DELEGATING THE CITY ADMINISTRATOR AS THE CONTRACTING OFFICER.**

City Administrator Brick provided Council with a copy of the proposal from Beachside Environmental; he noted Beachside Environmental has raked and cleaned the beach for the last few years. Mayor Spicer opened the item for discussion:

Terry Rizzo, 16502 Jamaica Inn, inquired if the beach was raked 4 times last year.

Mayor Spicer replied the proposal list 9 times.

Alderman Green motioned to approve the proposal from Beachside Environmental for the 2017 beach raking and cleaning services delegating the City Administrator as the contracting officer. Second by Alderman Lindley. Motion unanimously approved.

**8. DISCUSS AND CONSIDER FOR ACTION THE PROPOSAL FROM CAHOON CONSULTING FOR THE COMMUNITY RATING SYSTEM APPLICATION DELEGATING THE CITY ADMINISTRATOR AS THE CONTRACTING OFFICER.**

City Administrator provided Council with a copy of the proposal from Cahoon Consulting; he noted the proposed fee for services was \$8,000 due to the amount of documentation and presentation requirements. Mayor Spicer opened the item for discussion:

Terry Rizzo, 16502 Jamaica Inn, commended John Brick for all the work he has done involving the community rating system.

Alderman Welch motioned to approve the proposal from Cahoon Consulting for services involving the community rating system application delegating the City Administrator as the contracting officer. Second by MPT Montgomery. Motion unanimously approved.

**9. DISCUSS AND CONSIDER FOR ACTION AUTHORIZING THE PAYMENT OF FUNDS TO USA POOL MANAGEMENT FOR CONTRACT FEES BEGINNING SEPTEMBER 2016 TO JUNE 2017.**

Alderman Lindley motioned to Table the item noting the contract had already been approved by Council. Second by MPT Montgomery. Motion unanimously approved.

**10. DISCUSS AND CONSIDER FOR ACTION APPROVING AN INTERLOCAL PARTICIPATION AGREEMENT AND RESOLUTION BETWEEN TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUY BOARD) AND THE CITY OF JAMAICA BEACH DELEGATING THE CITY ADMINISTRATOR AS THE AUTHORIZED REPRESENTATIVE AND THE CITY SECRETARY AS THE COORDINATOR.**

City Administrator Brick explained the Interlocal Participation Agreement; he noted local governmental entities use the company as a cooperative purchasing source; they provide a list of vendors who have met competitive procurement requirements; the membership is free to governmental entities. No discussion. MPT Montgomery motioned to approve the Interlocal Participation Agreement and Resolution between Texas Local Government Purchasing Cooperative and the City of Jamaica Beach delegating the City Administrator as the authorized representative and the City Secretary as the coordinator. Second by Alderman Green. Motion unanimously approved.

**CITY ADMINISTRATOR'S REPORT – No Report**

**MAYOR'S REPORT**

Mayor Spicer reminded everyone of the Park Board Memorial Day Event Fundraiser on May 27, 2017.

**ALDERMEN REPORTS**

Alderman Lindley reported USA Management Pool Company will open the city pool on May 27, 2017.

Alderman Kurtz mentioned she would like to propose new beach signage at the beach entrances.

MPT Montgomery, Alderman Green and Alderman Welch – No Reports

**POLICE REPORT**

*Police Chief Heiman reported the JBPD April 2017 stats.*

**ADJOURN**

*Mayor Spicer said if there was no further business to come before Council he would call for a motion to adjourn. Alderman Green motioned the meeting be adjourned. Second by MPT Montgomery. Motion unanimously approved. Meeting was adjourned at 7:01 p.m.*