



CITY OF JAMAICA BEACH

16628 San Luis Pass Road
5264 Jamaica Beach
Jamaica Beach, Texas 77554
PH (409) 737-1142 FAX (409) 737-5211
www.jamaicabeachtx.gov



The City Council of the City of Jamaica Beach, Texas, will conduct a **Regular Meeting** scheduled at **6:00 pm on Thursday, January 11, 2024**, in the City Hall Council Chambers located at 16628 San Luis Pass Road.

To participate remotely:

- Dial **(469) 998-7466 (New Dial In Number)**
- Enter Pin **716 866 441#** and wait to be allowed into the meeting. **(PIN Number Updated Every Meeting)**
- To participate **remotely** in Public Comments, you must sign up by 2:00pm on the day of the meeting. See page 4 for instructions.

1) CALL TO ORDER AND ROLL CALL OF MEMBERS

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

3) INVOCATION, DONNA WLLIAMS, JBPD CHAPLAIN

4) SPECIAL PRESENTATION

1. None

5) PUBLIC COMMENT

Members of the public are invited to give comments. Anyone will be allowed to speak on any subject other than personnel matters or matters under litigation, for a length of time not to exceed three minutes. No Council / Board discussion or action can take place on non-agenda items until such items are placed on an agenda and posted in accordance with law. (GC, 551.042.)

6) ANNOUNCEMENTS

1. Boots and Bling JBPD Rescue Boat Fundraiser – January 20, 2024, League City Civic Center at 5:30 pm.

7) REPORTS FROM DIRECTORS, POLICE, AND FIRE

1. City Administrator Francis - Attached
2. Chief of Police Garivey – Attached
3. Director of Operations Quintero – Attached
4. Fire Chief Baden – None

8) CONSENT AGENDA AND APPROVAL OF MINUTES

The following items are considered routine by the City Council and will be enacted by one motion. There will only be a separate discussion on these items if a council member requests and then the item will be removed from the general order of business and considered in its typical sequence on the agenda.

1. Approval of minutes from the Special City Council meeting on 11-30-2023.
2. Approval of minutes from the Regular City Council meeting on 12-14-2023.
3. Designation of Galveston Daily News as Jamaica Beach's official newspaper.

9) **COMMENTS / REPORTS FROM MEMBERS OF COUNCIL**

10) **CITY ADMINISTRATOR'S REPORT**

11) **NEW BUSINESS**

1. **Discussion, consideration, and take action to approve Ordinance 2024-02:**

AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS, REPEALING ALL PREVIOUS MINOR CURFEW ORDINANCES THAT ARE IN CONFLICT WITH THE STATE OF TEXAS HOUSE BILL 1819 THAT BANS LOCAL GOVERNMENTS FROM ENFORCING CURFEWS FOR MINORS.

2. **Discussion, consideration, and take action to approve contract for construction of dune walkovers:**

The City received FEMA funding to replace the public beach access dune walkovers. In cooperation with the Texas Department of Emergency Management, and having completed a public procurement process, city staff is recommending authorization of a construction agreement to replace three walkovers.

3. **Discussion and consideration concerning increasing the city's General Sales Tax 1%:**

The sales tax for general revenue is a tax that may be levied by a city on all taxable items sold in the city. The revenue from the tax may be spent on almost any lawful purpose of the city. A city is authorized to hold an election to impose its general sales tax at any rate that is an increment of at least 1/8th of 1% and that would not result in a combined rate that exceeded the maximum local sales and use tax rate of 2%.

4. **Discussion and consideration concerning establishing the maximum allowable number of short-term rental units.**

Short term rentals are inconsistent with the residential character of the City's existing single-family residential neighborhoods and have many of the undesirable characteristics of a commercial hotel or motel, including increased traffic and noise. Therefore, in an effort to preserve the city's high quality residential neighborhood and protect the neighborhood from the negative effects of short-term rental activity, I am proposing a permanent limit to the number of short-term rentals in Jamaica Beach.

12) **MAYOR'S REPORT**


13) **EXECUTIVE SESSION**

The City Council may convene a public meeting and then recess into closed executive session, to discuss any of the items listed on this agenda, if necessary, and if authorized under chapter 551 of the Texas Government Code. Situations in which a closed executive session may be authorized by law include, without limitation; (1) consulting with the Council's attorney to seek or receive legal advice concerning pending or contemplated litigation, a settlement offer, or any other matter in which the ethical duty of the attorney to the Council clearly conflicts with the general requirement that all meetings be open, §551.071; (2) discussing the purchase, exchange, lease, or value of real property, §551.072; (3) discussing a prospective gift or donation, §551.073; (4) discussing certain personnel matters, §551.074; and (5) discussing security personnel or devices, §551.076.

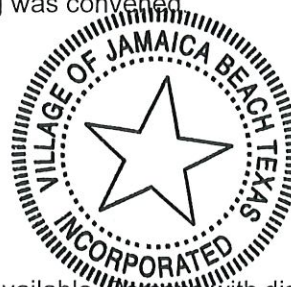
14) **ADJOURN**

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of a Meeting was posted on the bulletin board at City Hall, 16628 San Luis Pass Road, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: January 8, 2024, at 6:00 pm and remained so posted continuously for at least 72 hours before said meeting was convened.



Robert Quintero - Director of Operations / Interim City Secretary



The City Hall is wheelchair accessible and accessible parking spaces are available. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at 409-737-1142, by fax at 409-737-5211, or by email at cityadmin@jamaicabeachtx.gov. Requests should be made at least 48 hours prior to the meeting. This agenda is posted on the city's web site at www.jamaicabeachtx.gov.



City Administrator's Report

January 11, 2023

- Utility Bills
 - Due to staffing & meter issues, we were not able to finalize bills on time this week. As such, we will be extending the customers' late payment date by an equivalent amount of time to compensate for them being sent out late.
- Projects
 - The Bayside Lift Station is operational.
- City Policies – I am drafting several policies for your consideration.
 - Procurement
 - Ethics & Conduct
 - Personnel
 - Compensation Plan
- Permit Fees
 - We are reviewing our fee structure for building permits and inspection fees. Currently, we are losing money, most notably on inspections. We will be bringing forward recommended increases to help us better cover costs and align us with the market.
- Code Enforcement Officer
 - We are conducting interviews for this position.
- Polar Plunge
 - This was a tremendous success! Over \$18,000 was raised for the Special Olympics.
 - Thank you to everyone who participated as well as donated to this event.
- Boots & Bling
 - The Law Enforcement Alliance for Galveston County is hosting a fundraiser to purchase a rescue boat for the police department.
 - Saturday Jan. 20th 5:30pm - ?? and will be held at the League City Civic Center.



Jamaica Beach Police Department

Chief Raymond Garivey Jr.

16628 San Luis Pass Road (physical)
5264 Jamaica Beach (mailing)
Jamaica Beach, Texas 77554
Office (409) 737-1142 / Fax (409) 974-4307
RGarivey@jamaicabeachtx.gov



To: Mayor and Council

During the Month of December officers responded to 135 calls for service. Included are calls where we assisted the Galveston Police Department as back up units. Those calls include all crime related calls, calls for citizen assistance, Animal Control calls, citizen contacts and traffic stops. Officers issued 111 citations and nine arrests were made.

We also conducted routine business checks, residential checks (special watches), beach checks, and checks of the marina.

There were several citations issued over the New Year's Eve weekend for fireworks violations.

Significant Incidents:

On 12/06/23, at approximately 11:03pm, officer(s) initiated a traffic stop on a blue Ford pickup in the 16400 block of FM 3005. After making contact it was discovered that the driver was operating a motor vehicle with fictitious license plates. The driver was arrested for operating a motor vehicle with fictitious license plates and transported to the Galveston County Jail where he was booked and confined without incident.

On 12/07/23 at approximately 10:22pm, officer(s) initiated a traffic stop on a white Buick sedan in the 16700 FM 3005. The driver was arrested and charged with Unlawful Carrying of a Weapon (firearm) and transported to the Galveston County Jail where he was booked and confined without incident.

On 12/16/23 at approximately 10:20pm, officer(s) assisted Galveston PD on a disturbance call at Nate's. The disturbance was between a male and female. A wanted check revealed that the male subject had an outstanding warrant out of the Galveston County Sheriff's Department on the charge of Resisting Arrest. This subject was arrested and transported to the Galveston County Jail where he was booked and confined without incident. The female acquaintance was released without charge.

On 12/21/23, at approximately 10:45pm, officer(s) initiated a traffic stop on a white Ford pickup in the 16500 block of FM 3005. A wanted check revealed that the driver was operating a motor vehicle on a suspended license. The driver was arrested for driving with a suspended license and transported to the Galveston County Jail where he was booked and confined without incident.

On 12/28/23, at approximately 9:00am, officer(s) were flagged down about an individual who had been driving recklessly on the beach on a UTV and had flipped the UTV on its side. Officer(s) located the UTV and the driver and learned that the driver had possibly suffered a fractured arm, but he refused medical treatment and

stated he would have family members drive him to the hospital. The driver was issued a citation for Reckless Driving.

On 12/28/23 at approximately 10:20am, officer(s) responded to a Concern for Welfare call at a residence in the 16500 block of Lewis Scott Road. An elderly female at this residence had not been heard from in days. Officer(s) arrived and located a 66-year-old female deceased inside the residence. There were no signs of foul play, and it is believed the female passed away of natural causes.

On 12/29/23 at approximately 9:40pm, officer(s) initiated a traffic stop on a silver Ford pickup in the 16500 block of FM 3005. A wanted check revealed that the driver had outstanding traffic warrants from the Galveston Police Department. This subject was arrested and transported to the Galveston County Jail where he was booked and confined without incident.

On 12/29/23 at approximately 9:40pm, officer(s) initiated a traffic stop on a silver sedan 4-door Ford pickup in the 16500 block of FM 3005. A wanted check revealed that the driver had outstanding traffic warrants from the Galveston Police Department. This subject was arrested and transported to the Galveston County Jail where he was booked and confined without incident.

On 12/31/23 at approximately 11:55am, a report was taken over the telephone regarding Fraud. The victim reported someone hacking her cell phone account and obtaining her passwords to her credit cards and then making unauthorized purchases.

On 12/31/23 at approximately 11:40pm, officer(s) initiated a traffic stop on a black sedan 4-door in the 16400 block of FM 3005. A wanted check revealed that the driver had outstanding traffic warrants from the Galveston Police Department. This subject was arrested and transported to the Galveston County Jail where he was booked and confined without incident. Three other passengers were released without charge.

On 01/01/24 at approximately 3:40am, officer(s) initiated a traffic stop on a silver sedan 4-door near the intersection of FM 3005 and Park Road 66. A wanted check revealed that the driver had an outstanding warrant out of Lavaca County on the charge of Driving with License Suspended. This subject was arrested and transported to the Galveston County Jail where he was booked and confined without incident.

On 01/03/24 at approximately 11:45pm, officer(s) initiated a traffic stop on a blue Volkswagen Passat near the intersection of FM 3005 and Buccaneer. The driver was arrested and charged with Unlawful Carry of a Weapon (Firearm) and transported to the Galveston County Jail where he was booked and confined without incident.

Community Events:

Our Blue Santa toy drive was again a success this year. We would like to thank all the wonderful citizens who donated to make sure that kids in need had a gift to open on Christmas Day.

We participated in our annual Holiday in the Park event. We had an amazing turnout. There were events for kids including pictures with Santa and The Grinch, games and a petting zoo. We also held a golf cart parade and boat parade and gave out awards for Best Decorated and Runner-Up in each category. We appreciate the fellowship and community support!

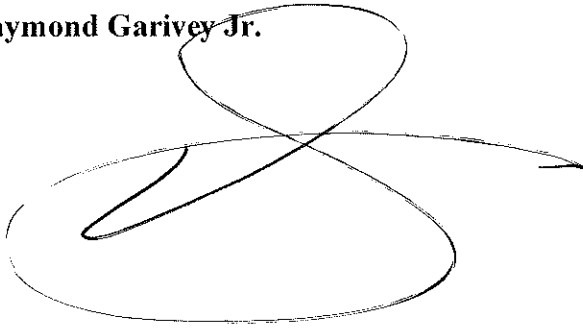
JBPD was also invited to support the annual Christmas event for the Ronald McDonald House. We handed out candy canes and Junior Police stickers to some wonderful children.

We supported the annual continue to be active in our community, meeting and greeting folks we meet out in the community or on the beach. We enjoy going above and beyond in protecting and serving our Jamaica Beach community.

Open Positions:

We still have Reserve Officer positions available.

Chief Raymond Garivey Jr.

A handwritten signature in black ink, appearing to be 'R. Garivey Jr.', written over the printed name. The signature is stylized with loops and a long horizontal stroke.



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Director of Development January 2024 Report

- The City submitted the Drought Contingency Plan to TCEQ in December. It was accepted and approved. There will be some follow-up requirements that we will submit before March 31, 2024, to be in compliance with TCEQ.
- We have finally utilized the TIPS Cooperative Portal to seek competitive bids for the Dune Crossover Project. We had several inquiries about the project, however, only one contractor submitted a bid. We are currently waiting for TDEM to allow the city to lower the number of crossovers to be built from five to three crossovers.
- I am currently working on the beach nourishment permits.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert Quintero".

Robert Quintero



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CITY COUNCIL SPECIAL MEETING MINUTES

November 30, 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
Alderman Lorraine Jones
Alderman Russell Rupertus*

The following Council Members were absent:

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*

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

SPECIAL PRESENTATION: None

Mayor Sharon Bower requested each of the candidates for City Administrator announce themselves. Neal Wendele, Kendal Francis, Manuel DeLaRosa

ANNOUNCEMENTS:

Mayor Bower announced that the City Christmas Party will be held at the park on December 2, 2023. Santa and Mrs. Claus will be in attendance. The golf cart parade will begin at 5:15 pm and the boat parade at 6:45 pm. There will be awards for first place and runner up. The Houston Galveston Area is conducting a broadband internet survey. The survey is online and on the city website.

PUBLIC COMMENTS:

REPORTS FROM DIRECTORS, POLICE, AND FIRE:

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

APPROVAL OF MINUTES: None

ALDERMAN REPORTS:

Mayor Pro Tem Madray: No report

Alderman Green: No report

Alderwoman Jones: Cindy and Jake with Way West Grill is doing their annual Blue Santa Toy Drive and Pie in the FACE for the winner. Like last year, there will be two teams: the Mayor and City Council and our Full Time Police Officers. The team with the most toys gets Cindy's SPECIAL pie. Way West Grill will do a FB Live in a few days. I have offered to video it and put it on YouTube. The Pie in the Face event will be sometime in January.

Alderman Rupertus: No report

NEW BUSINESS:

1. **Discussion, consideration, and possibly take action to approve Ordinance 2023-17 AN ORDINANCE CREATING THE POSITION OF CITY ADMINISTRATOR AND REPLACING ORDINANCE 99-7.**

Mayor Bower read the above caption. No discussion was made.

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

VOTE

4 AYES (Green, Rupertus, Jones, Madray)

1 ABSENT

0 NAYS

0 ABSTAIN

MOTION PASSED

MAYOR'S REPORT:

Mayor Sharon Bower thanked staff for meeting with the candidates. There have been additional panel issues with the Bayside Lift Station, and she is waiting on quotes. Reminder that the Polar Plunge is January 6th.

EXECUTIVE SESSION:

The meeting convened to executive session at 5:39 pm.

1. Personnel – Interview three candidates for the position of City Administrator.

RECONVENE:

The meeting reconvened at 8:39 pm.

1. Action from Executive Session
 - i. Approve Mayor to offer position to Kendal Francis and negotiate terms for City Administrator.

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

VOTE

4 AYES (Green, Rupertus, Jones, Madray)

1 ABSENT (Welch)

0 NAYS

0 ABSTAIN

MOTION PASSED

ADJOURNMENT:

Motion made by Alderman Rupertus to **adjourn**, seconded by Alderwoman Jones. Meeting adjourned at 8:42 p.m.



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CITY COUNCIL REGULAR MEETING MINUTES

December 14, 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*

The following Council Members were absent:

Alderman David Welch

The following staff were present:

*Director of Operations – Robert Quintero
Finance Clerk - Ester Abrego
Water Clerk – Tina Sifuentes*

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

INVOCATION: Chaplain Donna Williams

SPECIAL PRESENTATION: None

ANNOUNCEMENTS:

Mayor Bower announced that the Polar Plunge will be held on January 6, 2023 and encouraged everyone to come out and support the cause.

PUBLIC COMMENTS:

Zachary Strickland spoke on the short-term rental ordinance. He supports the occupancy options proposed.

Robin Harris spoke on the short-term rental ordinance. He supports the maximum occupancy of two persons per bedroom plus four additional persons. He believes the ordinance in place now should be used for the problem houses now.

Jerry Montgomery spoke on the short-term rental ordinance. He supports the maximum occupancy of two persons per bedroom plus four additional persons. He feels STR owners will sell and the families will go with them.

Brandon McDermott spoke on the short-term rental ordinance. He supports the maximum occupancy of two persons per bedroom plus two additional persons. He is against making any changes to the current ordinance.

Betty Montgomery spoke on the short-term rental ordinance. She supports the maximum occupancy of two persons per bedroom plus four additional persons. She feels the ordinances in place should be enforced to keep party house rentals in compliance.

David Dillman spoke on the short-term rental ordinance. He supports the maximum occupancy of two persons per bedroom plus two additional persons. He thanked the city council for doing the hard thing. He is against making any changes to the current occupancy ordinance.

Andrea Spiering spoke on the short-term rental ordinance. She supports the maximum occupancy of two persons per bedroom plus two additional persons. She would like to suggest that there be an age limit for the occupants.

Diana Charron spoke on the short-term rental ordinance. She supports leaving the ordinance as is and not changing anything. She knows they mean well, but not everyone tells the truth. For every heartwarming story, there is a bad story.

Aaron Renik spoke on the short-term rental ordinance. He supports the maximum occupancy of two persons per bedroom plus two additional persons. He thanked the council for doing the work they do. He would like to keep the ordinance the way it is. Suggested to stop allowing the call in callers.

REPORTS FROM DIRECTORS, POLICE, AND FIRE:

- Chief of Police, Garivey – Attached – No Questions
- Director of Operations, Quintero – Attached – No Questions
- Fire Chief, Baden – None

APPROVAL OF MINUTES:

Mayor Sharon Bower presented the minutes for November 16, 2023

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

VOTE

4 AYES (Green, Rupertus, Jones, Madray)

1 ABSENT (Welch)

0 NAYS

0 ABSTAIN

MOTION PASSED

ALDERMAN REPORTS:

Mayor Pro Tem Madray: No report

Alderman Green: No report

Alderwoman Jones: Thank you, Mayor. I have a very short report tonight. My partner, Jay passed away last Sunday. I want to thank our Mayor, Gil, and Chief, and many others for being so kind during a difficult time.

Alderman Rupertus: No report

NEW BUSINESS:

- 1. Discussion, consideration, and take action to approve Ordinance 2023-15. The three options include:**

A. Take No Action (Do not amend Ordinance 2023-11). The owner shall grant permission to the City with ten (10) days written notice to perform an on-site inspection of the short-term rental to determine accuracy of the Short-Term Rental Application information or if there has been a written complaint to the City from occupants about the safety of the Short Term Rental.

- B. Approve amendment as follows:
Change ten (10) days written notice to 30 days written notice.
- C. Approve amendment as follows:
Eliminate paragraph 14 on Page 4 to eliminate the on-site inspection.

Mayor Bower read the above caption. Alderwoman Jones stated she agrees with option B, to provide a written 30 day notice.

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

VOTE
4 AYES (Green, Rupertus, Jones, Madray)
1 ABSENT (Welch)
0 NAYS
0 ABSTAIN
MOTION PASSED

2. Discussion, consideration, and take action to approve Ordinance 2023-16. The three options include:

- A. Take No Action (Do not amend Ordinance 2023-11). The maximum occupancy shall remain two (2) persons per qualified bedrooms, plus two (2) additional persons.
- B. Approve occupancy as follows:
The Maximum Occupancy shall be whichever is less: Either A) Two (2) persons per qualified bedroom, plus four (4) additional persons OR B) Galveston County Appraisal District Living Area square footage divided by 150 square feet, rounded up.
- C. Approve occupancy as follows:
The Maximum Occupancy shall be two (2) persons per qualified bedroom, plus four (4) additional persons.

Mayor Bower read the above caption and elaborated that the hybrid option gives more leeway. Alderman Green motioned to leave the ordinance and the motion died. Alderman Rupertus stated that the city has restrictions in place that are not being enforced. Mayor Bower stated that there is a study on the breakdown of the allowed downstairs living space, and she is making everything uniform. Building permits are also being closely monitored, and the first step on the path forward is to not allow advertising for higher occupancy. Mayor Pro Tem stated he agreed with the occupancy changes. Mayor Bower stated that there were technical issues with the phone system, so residents were not allowed to be heard. She believes everyone should be heard and will continue to let them be heard. She encouraged all residents to make the call and make a complaint so that the city can document and keep record for legal.

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

VOTE
3 AYES (Rupertus, Jones, Madray)
1 ABSENT (Welch)
0 NAYS
1 ABSTAIN (Green)
MOTION PASSED

3. Discussion, consideration, and take action to approve the City Administrator Employment Agreement with Kendal Francis.

Mayor Bower read the above caption and there was no discussion.

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

VOTE
4 AYES (Green, Rupertus, Jones, Madray)
1 ABSENT (Welch)
0 NAYS
0 ABSTAIN
MOTION PASSED

MAYOR'S REPORT:

Wishing everyone a very merry Christmas and a happy new year. Reminder that the next Council meeting will be on January 12th. Special thanks to Sandy Denby and her crew for the fabulous Christmas party. Another special recognition to Seaside Church for sponsoring the hot chocolate, cookies and popcorn. They are such an important presence in our community. The golf cart parade was well attended with amazing decorations. Same for the boat parade.

The recognized winners were all deserving, and I don't know how the judges could make a choice. We also recognized the best decorated houses. It's amazing how our city sparkles during the holidays. As usual, our community has been exceptionally generous in supporting various toy drives in our area. Thank you to all.

1. And A special thank you to JBIC for the beautiful lights in the Buccaneer esplanade.

Infrastructure update:

2. Bayside lift station had some electrical issues that are scheduled to be fixed this Thursday and the pumps will be started up following the installation of the new pump seal failure protection modules. The temporary (and loud and smelly) portable pump will be removed.
3. The wastewater treatment plant has 2 sides, "trains". One has been down for many years; I have heard it's been down since Hurricane Ike. As Branch has extra time, they have been cleaning out the nonoperational side. The prognosis for repair is better than originally expected. We are now getting quotes to replace the rusted-out components. We'll keep you updated. Russell is also working on putting the timeline and cost estimates together to get all the lift stations fully operational.

I apologize for the error in the water bill this month. Hopefully most of you have seen the update on the city website. The bills were digitally corrected the next day. So, if you pay via bank auto draft, the correct amount was drafted. If you pay online, the amount reflected online is correct and your payment will be correct. If you come to city hall to pay your bill, the amount provided by staff will be correct. If you mailed in the amount on your bill, the overbilled amount would show as a credit on your next bill.

And finally, a great big welcome to Kendal Francis. He is going to be a much-needed asset for our city.

EXECUTIVE SESSION: None

ADJOURNMENT:

Motion made by Alderwoman Jones to **adjourn**, seconded by Alderman Rupertus. Meeting adjourned at 7:01 p.m.



CITY OF JAMAICA BEACH CITY COUNCIL AGENDA ITEM

MEETING DATE	January 11, 2024	
RESOLUTION or ORDINANCE NUMBER	Ordinance 2024-05	
AGENDA TITLE	Designation of Galveston Daily News as the official newspaper of Jamaica Beach, Texas	
REQUESTING DEPARTMENT	City Administrator	
PRESENTER	Kendal Francis	
FISCAL INFORMATION	Cost as recommended:	\$0
	Budget Line Item:	
	Balance Available:	\$0
	New Appropriation Required:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
PURPOSE	Designation of Galveston Daily News as the official newspaper of Jamaica Beach, Texas	
BACKGROUND	<p>Section 52.004, Local Government Code requires that the City of Jamaica Beach, Texas to designate an official newspaper.</p> <p>Ordinance 2024-05 repeals and replaces Ordinance 2022-05.</p>	
SPECIAL NOTES		
PUBLIC INFORMATION PROCESS		
TEAM RECOMMENDATION		
REFERENCE DOCUMENTS ATTACHED	Ordinance 2024-05	



CITY OF JAMAICA BEACH CITY COUNCIL AGENDA ITEM

MEETING DATE	January 11, 2024	
RESOLUTION or ORDINANCE NUMBER	Ordinance 2024-02	
AGENDA TITLE	Repeal All Minor Curfew Ordinances	
REQUESTING DEPARTMENT	City Administrator	
PRESENTER	Kendal Francis	
FISCAL INFORMATION	Cost as recommended:	None
	Budget Line Item:	N/A
	Balance Available:	N/A
	New Appropriation Required:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
PURPOSE	Repeal All Minor Curfew Ordinances	
BACKGROUND	<p>Repeal all previous minor curfew ordinances that are in conflict with Texas House Bill 1819 that went into effect September 1, 2023 that bans local governments from enforcing curfews for minors. Ordinances to be repealed: Ordinance 1995-1, Ordinance 1997-11, Ordinance 2006-4, Ordinance 2009-5, Ordinance 2012-2, Ordinance 2015-3, Ordinance 2018-6, Ordinance 2023-1, Ordinance 2023-5</p>	
SPECIAL NOTES		
PUBLIC INFORMATION PROCESS		
TEAM RECOMMENDATION		
REFERENCE DOCUMENTS ATTACHED	Ordinance 2024-02	



CITY OF JAMAICA BEACH CITY COUNCIL AGENDA ITEM

MEETING DATE	January 12, 2024	
RESOLUTION or ORDINANCE NUMBER		
AGENDA TITLE	Approval of Dune Crossover Contract with Branch Const.	
REQUESTING DEPARTMENT	Development	
PRESENTER	Robert Quintero, Director of Development/City Secretary	
FISCAL INFORMATION	Cost as recommended:	\$108,475.00
	Budget Line Item:	\$104,241.00
	Balance Available:	-\$4,234.00 over budget
	New Appropriation Required:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
PURPOSE	Discussion and possible enter into a contract with Branch Construction to build three dune crossovers.	
BACKGROUND	<p>On September 13, 2008, Hurricane Ike hit the Texas Gulf Coast. Damages to Jamaica Beach was in the millions of dollars. In 2009, Jamaica Beach was awarded \$104,241.00 in disaster relief to build five crossovers.</p> <p>Time and several administrations passed and there was no progress.</p> <p>In April 2023, Creig Romero from the Texas Department of Emergency Management (TDEM) met with Director of Operations Robert Quintero. A mandate was given to make progress or lose the funds.</p> <p>The problem was the locations of the new walkovers must be the exact coordinates where the destroyed walkovers once stood.</p> <p>After much research and with the assistance from TDEM the five original coordinates were physically found.</p> <p>Because the cost of building materials has quadrupled since 2009 (when the grant was funded), I asked TDEM for permission to reduce the number of crossovers from five to</p>	

	<p>three. I received an email asking the city to choose which coordinates we were going to select. Through thorough searches and visits to the archives at the Galveston County Clerk's Office, and TDEM we narrowed them down to three.</p> <p>I sent a letter to TDEM, and I still await their answer to scale back from five to three crossovers. However, they said I should continue the process and select a contractor.</p> <p>The city placed the Dune Crossover Project on TIPS Cooperative Purchasing Portal. The notice to bid reached 95 contactors. Several responses and/or inquiries were received. We received only one bid from Branch Construction Group</p>
SPECIAL NOTES	
PUBLIC INFORMATION PROCESS	N/A
TEAM RECOMMENDATION	Staff recommend that once TDEM has given the city permission to reduce the number of walkovers from five to three, enter into an agreement with Branch Construction Group to build three dune crossovers. *** The \$4,234.00 over budget can be paid from HOT Tax.
REFERENCE DOCUMENTS ATTACHED	See attached



CITY OF JAMAICA BEACH

5264 Jamaica Beach
Jamaica Beach, Texas 77554
PH (409) 737-1142 FAX (409) 737-5211
www.ci.jamaicabeach.tx.us



October 20, 2023

Texas Department of Emergency Management
Attn: Mr. Creig Romero
Recovery Grant Coordinator
Texas Division of Emergency Management

RE: FEMA 1791 DR TX

Dear Mr. Romero:

Thank you for taking my call on Wednesday, October 18, 2023. To reiterate our conversation, we have located the actual locations of the dune crossovers that were severely damaged or washed away in the wrath of Hurricane Ike. The City of Jamaica Beach wishes to use the same locations that were destroyed in the hurricane.

In addition, due to the increase in building materials, we are asking for permission to change the scope of service from five dune walkovers to two dune walkovers. As I await your answer, we will be working on an RFP for the work to be done.

Respectfully submitted,

Robert M. Quintero MPA JD
Director of Operations

CC: Mayor Sharon Bower



CITY OF JAMAICA BEACH

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December 20, 2023

Texas Department of Emergency Management
Attn: Mr. Creig Romero
Recovery Grant Coordinator
Texas Division of Emergency Management

RE: FEMA 1791 DR TX

Dear Mr. Romero:

Thank you for your assistance you gave us locating the actual locations of the dune crossovers that were severely damaged or washed away in the wrath of Hurricane Ike. The City of Jamaica Beach wishes to use the same locations that were destroyed in the hurricane. In addition, due to the increase in building materials, we are asking for permission to change the scope of service from five dune walkovers to three dune walkovers.

After considerable thought and several walkthroughs, we have selected the follow sites for the crossovers if approved:

29.18051 N 94.97369 29.18073 N 94.97374 W 29.18108 N 94.9731 W

These are the two locations that we will not use:

29.18139 N 94.97265 W and 29.18087 N 94.97351 W

Please let me know if this is allowable and as always thank you for your assistance.

Respectfully submitted,

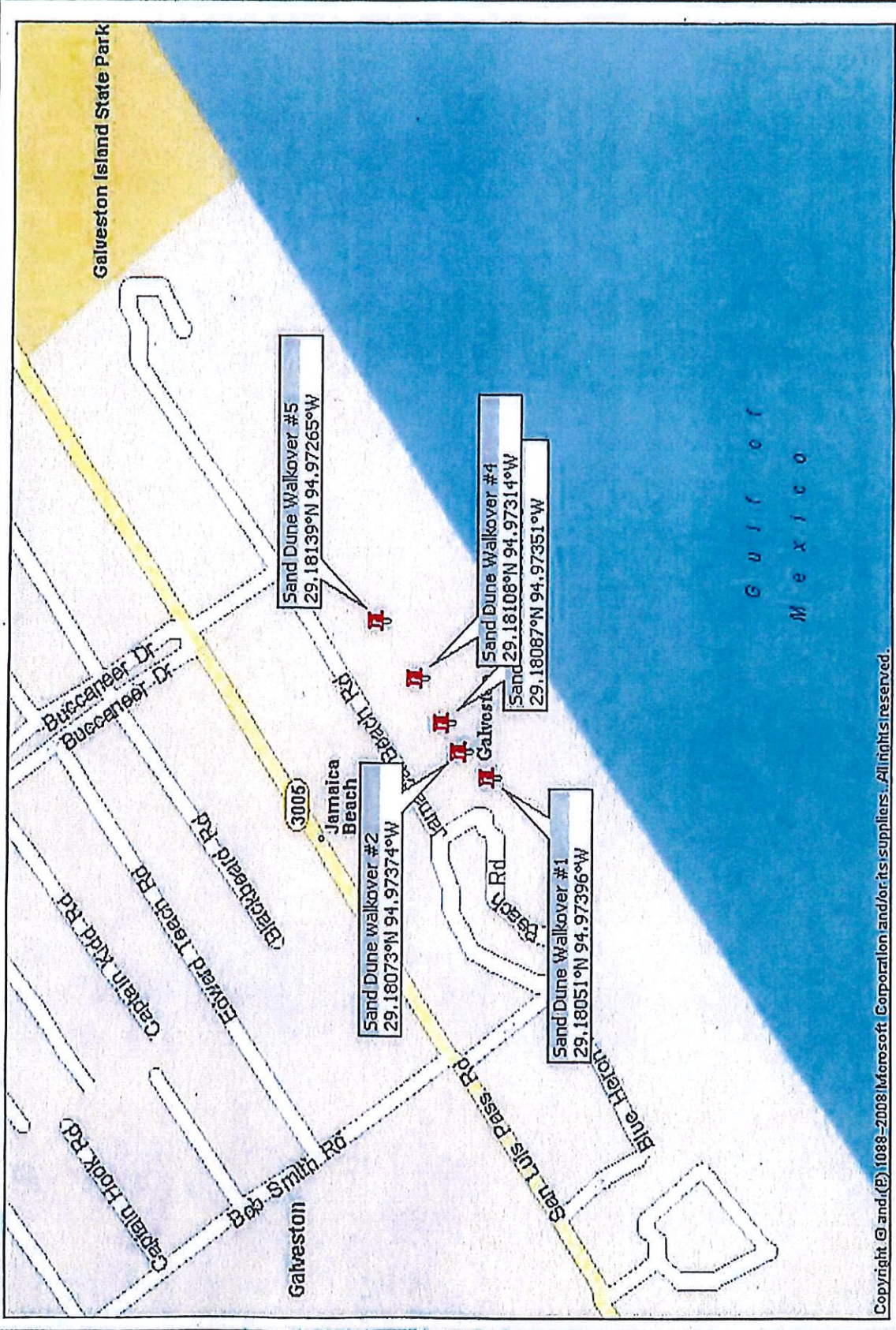
A handwritten signature in blue ink, appearing to read "Robert M. Quintero".

Robert M. Quintero MPA JD
Director of Operations

CC: Mayor Sharon Bower

LOCATION MAP

APPLICANT:	Jamaica Beach	DATE:	03/24/09
FIPS NO.	167-37252-00	PW REF NO.	JB022G



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1791-IX V8 Revised Dec-08



CITY OF JAMAICA BEACH

5264 Jamaica Beach
Jamaica Beach, Texas 77554
www.jamaicabeachtx.gov



July 27, 2023

Texas Department of Emergency Management
Mr. Aaron Herrera
Mr. Creig Romero

RE: Grant Number DR-1791 - Request Change of Service for Dune Crossovers

Greetings Gentlemen:

First and foremost, thank you for coming to Jamaica Beach to meet with me this morning (07/27/2023). The meeting was very resourceful.

The purpose for this correspondence is to request a change in service for the dune crossover. The original contract stated that we were to build five dune crossovers. Due to the Covid-related inflation, the price of building material has tripled. We are asking to reduce the number of dune crossovers from five to three.

An illustration of the inflation prices on building materials

	2x4x16 treated	2x8x16 treated	4x4x16 treated
2010	\$4.95	\$8.99	\$7.95
2023	\$13.48	\$24.78	\$27.58

As the table illustrates, the prices of building materials have risen exorbitantly.

In addition, we have not pinpointed to exact locations from the following coordinates below to narrow our selection for sites of the three crossover we will build. I am having a difficult time finding the beach easements that have been purchased from the property-owners. However, city staff is diligently seeking them.

- (1) Latitude 29.18051 Longitude -94.973962
- (2) Latitude 29.18073 Longitude -94.973743
- (3) Latitude 29.18087 Longitude -94.973514
- (4) Latitude 29.18108 Longitude -94.973145
- (5) Latitude 29.18139 Longitude -94.97265

Once again, thank you for your assistance on this matter and I will patiently await your answer.

Respectfully submitted,

Robert M. Quintero
Director of Operations
Interim City Secretary



CITY OF JAMAICA BEACH CITY COUNCIL AGENDA ITEM

MEETING DATE	January 11, 2023	
RESOLUTION or ORDINANCE #		
AGENDA TITLE	Sales Tax Discussion	
REQUESTING DEPARTMENT	Administration	
PRESENTER	Kendal Francis, City Administrator	
FISCAL INFORMATION	Cost as recommended:	N/A
	Budget Line Item:	
	Balance Available:	
	New Appropriation Required:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
PURPOSE	Discussion of raising the city's General Revenue Sales & Use Tax	
BACKGROUND	<p>Mayor Bower requested that I research & bring forth a recommendation to raise the city's sales & use tax rate. Initially the idea was to recommend adding a 1% Dedicated Use tax for street maintenance as allowed by state law. However, in researching the issue, I learned that we could raise the General Revenue rate, which would provide the city with more flexibility in use of the funds.</p> <p>The sales tax for general revenue is a tax that may be levied by a city on all taxable items sold in the city. The revenue from the tax may be spent on almost any lawful purpose of the city.</p> <p>When the legislature authorized cities to adopt a general revenue sales tax in 1967, it provided that the rate of the general revenue sales tax must be set at 1%—no higher and no lower. After the initial adoption of a general revenue sales tax, cities had no authority to call an election to raise or lower the 1% general revenue sales tax.</p> <p>This general structure remained in place until 2015. After the passage of H.B. 157 in 2015, a city is now authorized to hold an election to impose its general sales tax at any rate that is an increment of at least 1/8th of 1% and that would not result</p>	

	<p>in a combined rate that exceeded the maximum local sales and use tax rate of 2%. TEX. TAX CODE § 321.103(a). In other words, a city with an existing 1% general revenue sales tax, which Jamaica Beach is, may now order an election to increase or decrease the tax, assuming that there is room under the 2% local sales tax cap.</p> <p>The current 1% tax generates approximately \$140,000 annually.</p> <p>The proposed ballot question shall read: A sales and use tax is adopted within the city of Jamaica Beach at the rate of 2% percent; This would result in an increase of the local sales tax rate by 1%.</p> <p>If approved, the tax would take effect on the first day of the month following the expiration of the calendar quarter occurring after the date on which the comptroller receives the ordinance or resolution from the city.</p>
TEAM RECOMMENDATION	Add a question to the May ballot to raise the general sales tax 1%
REFERENCE DOCUMENTS ATTACHED	N/A



CITY OF JAMAICA BEACH CITY COUNCIL AGENDA ITEM

MEETING DATE	January 11, 2023	
RESOLUTION or ORDINANCE #		
AGENDA TITLE	Limiting Short Term Rental Units	
REQUESTING DEPARTMENT	Administration	
PRESENTER	Sharon Bower, Mayor	
FISCAL INFORMATION	Cost as recommended:	N/A
	Budget Line Item:	
	Balance Available:	
	New Appropriation Required:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
PURPOSE	Discussion of setting a limit on the maximum number of short term rental units to 10% of the single-family residences.	
BACKGROUND	Short term rentals are inconsistent with the residential character of the City's existing single-family residential neighborhoods and have many of the undesirable characteristics of a commercial hotel or motel, including increased traffic and noise. Therefore, in an effort to preserve the city's high quality residential neighborhood and protect the neighborhood from the negative effects of short term rental activity, I am proposing a permanent limit to the number of short term rentals in Jamaica Beach.	
TEAM RECOMMENDATION		
REFERENCE DOCUMENTS ATTACHED	Draft Ordinance	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING THE SHORT TERM RENTAL ORDINANCE TO LIMIT THE NUMBER OF SHORT TERM RENTAL REGISTRATION NUMBERS; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY OF UP TO \$2000 FOR EACH OFFENSE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the City Council of the City of Jamaica Beach, Texas, finds that it is in the best interest of the health, safety and welfare of the citizens and visitors of the City to limit the number of short term rental registration numbers allowed in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH, TEXAS:

SECTION 1. That the findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. That any valid, pre-existing short term rental registration numbers currently held by a residential dwelling owner shall remain effective to the extent it complies with the Short Term Rental Ordinance regulations and all required fees are paid.

SECTION 3. That the Short Term Rental Ordinance of the Code of Ordinances of the City of Jamaica Beach, Texas is hereby amended to include the following provision after the **Short Term Rental Registration Required** section and before the **Short Term Rental Registration and Application** section:

SHORT TERM RENTAL ORDINANCE

Short Term Rental Registration Number Limitation.

The maximum number of short term rental registration numbers that may be issued at any one time is ten percent (10%) of single-family residences. Short term rental registration numbers will be issued in the order in which the short term rental registration applications are received. Once the maximum number of short term rental registration numbers have been issued, the City will maintain a waitlist of applications based on the order in which the applications were received. When a short term rental registration number becomes available through whatsoever means, the owner on the first application will be contacted. If that owner no longer desires to proceed with a short term rental registration number, the next applicant will be contacted, and so on.

The current number of short term rental registration numbers exceeds ten percent (10%) of single-family residences. Therefore, no new short term rental registration numbers will be permitted until the number of short term rental registration numbers reduces to less than ten percent (10%) of single-family residences. At such time, the process as explained above shall begin.

SECTION 4. That this ordinance shall become effective fifteen (15) days after publication in accordance with the requirements of state law.

SECTION 5. That a violation of this Ordinance shall be punishable by a fine of up to \$2000.00 for each offense.

SECTION 6. That this Ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

SECTION 7. That in the event any clause, phrase, provision, sentence, or part of this Ordinance, or its application to any person or circumstance, shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof, other than the part declared to be invalid or unconstitutional. The City Council declares that it would have passed each and every part of this Ordinance notwithstanding the omission of any part that might be declared to be invalid or unconstitutional.

PASSED, APPROVED and ADOPTED this, the ____ day of January, 2024.

Sharon Bower, Mayor

ATTEST:

Robert Quintero, City Secretary