



# 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 **5:30 pm on Thursday, November 9<sup>th</sup>, 2023**, in the City Hall Council Chambers located at 16628 San Luis Pass Road.

## To participate remotely:

- Dial (888) 612-2252.
- Enter Pin 0000# and state your name.
- To participate in Public Comments:  
Press \*6 to unmute and announce your name and address before speaking.

## 1) CALL TO ORDER AND ROLL CALL OF MEMBERS

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

## 3) EXECUTIVE SESSION

1. Personnel
2. IT Security

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.

## 4) RECONVENE

1. Action from Executive Session
  - a) Approve IT Security Plan

## 5) SPECIAL PRESENTATION

1. Korean Veteran Appreciation – Bobby Crow and Mel Corolla
2. Proclamation November 9, 2023 as “Korean War Veterans Appreciation Day”

## 6) 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.)

## 7) ANNOUNCEMENTS

1. Annual City Christmas Party, First Weekend in December, Time To Be Announced

## 8) REPORTS FROM DIRECTORS, POLICE, AND FIRE

1. Chief of Police Garivey – Attached

2. Director of Operations Quintero – Attached
3. Fire Chief Baden – None

**9) 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 Regular City Council meeting on 10-26-2023.

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

**11) NEW BUSINESS**

1. Discussion, consideration, and take action to approve Ordinance No. 2023-12, AN ORDINANCE ADOPTING DROUGHT CONTINGENCY PLAN; REQUIRING A COMPLIANCE WITH SAME AND SETTING UP POSSIBLE PENALTY FOR NONCOMPLIANCE.
2. Discussion, consideration, and take action to approve Ordinance 2023-13 AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING ORDINANCE 2023-11; TO CHANGE THE WORDING ON PAGE 5 SECTION SHORT TERM RENTAL OPERATIONAL REQUIREMENTS PARAGRAPH A. FROM "ON THE BACK OF THE FRONT DOOR" TO "IN A LOCATION VISIBLE TO ALL GUESTS"
3. Discussion, consideration, and take action to approve Ordinance 2023-14 AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING ORDINANCE 2023-11; TO ELIMINATE PARAGRAPH D AT THE TOP OF PAGE 6 THAT READS: THE OWNER SHALL POST THE FOLLOWING OUTSIDE THE HOUSE: STREET NUMBER ON THE HOUSE AND A SIGN THAT CONTAINS THE (1) SHORT TERM RENTAL REGISTRATION NUMBER AND (2) THE LOCAL 24 HOUR CONTACT TELEPHONE NUMBER. THE POSTING REQUIRES A MINIMUM OF TWO (2) INCH LETTERING VISIBLE FROM THE PUBLIC STREET FOR EMERGENCY AND POLICE RESPONDERS.
4. Discussion, consideration, and take action to approve Ordinance 2023-15 AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING ORDINANCE 2023-11; TO ELIMINATE ITEM 14 AT THE TOP OF PAGE 4 THAT READS: 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.
5. Discussion, consideration, and take action to approve Ordinance 2023-16 AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING ORDINANCE 2023-11; PAGE 2, ITEM M TO: MAXIMUM OCCUPANCY – THE MAXIMUM OCCUPANCY SHALL BE TWO (2) PERSONS PER QUALIFIED BEDROOMS, PLUS FOUR (4) ADDITIONAL PERSONS AND PAGE 3, NUMBER 9 TO: MAXIMUM OCCUPANCY FOR THE SHORT TERM RENTAL BASED ON TWO (2) PERSONS PER QUALIFIED BEDROOM(S) PLUS FOUR (4) ADDITIONAL PERSONS. EXAMPLE: GALESTON COUNTY APPRAISAL DISTRICT LIVING AREA SQUARE FOOTAGE AREA CONTAINS THREE (3) BEDROOMS. THE MAXIMUM OCCUPANCY WOULD BE 3 BEDROOMS TIMES 2 PERSONS ALLOWED EQUALS SIX (6) PERSONS PLUS FOUR

(4) ADDITIONAL PERSONS FOR A TOTAL OF TEN (10) PERSONS FOR MAXIMUM OCCUPANCY.

6. Discussion only on Ordinance 2023-17 AN ORDINANCE CREATING THE POSITION OF CITY ADMINISTRATOR AND REPLACING ORDINANCE 99-7.
7. Council to discuss and approve an additional council meeting to be held on November 30, 2023 at 6:00pm.

12) **MAYOR'S REPORT**

13) **ADJOURN**

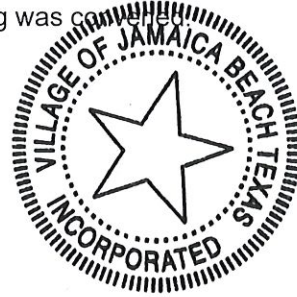
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**CERTIFICATION**

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: November 6, 2023, at 5:30 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](mailto: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](http://www.jamaicabeachtx.gov).

## **City of Jamaica Beach, Texas Proclamation**

**WHEREAS**, the City of Jamaica Beach, Texas takes great pride in honoring and recognizing the bravery and sacrifice of our veterans; and

**WHEREAS**, the Korean War, often referred to as the "Forgotten War," was a conflict in which countless Americans demonstrated unwavering commitment to defending the values of freedom and democracy; and

**WHEREAS**, our nation's veterans of the Korean War have exhibited exceptional valor and devotion in the face of adversity, enduring harsh conditions, and displaying unwavering dedication to the cause of peace; and

**WHEREAS**, the City of Jamaica Beach, Texas is deeply grateful for the service of all Korean War veterans, who selflessly answered the call of duty to protect the principles upon which our great nation was founded and to express its profound appreciation for the contributions made by the veterans of the Korean War, recognizing their sacrifices, heroism, and service to our community and country;

**NOW, THEREFORE**, I, Sharon Bower, Mayor of the City of Jamaica Beach, Texas, do hereby proclaim:

**November 9, 2023 as "Korean War Veterans Appreciation Day"** in our city, to honor and express our heartfelt gratitude to all Korean War veterans for their service and valor. We extend our deepest appreciation and respect for their sacrifices made in the defense of freedom and democracy.

**We urge all residents of our city to join us** in recognizing and thanking our Korean War veterans for their courage and dedication during this pivotal chapter in our nation's history. Let us never forget their sacrifices and contributions to our community and our country.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Jamaica Beach to be affixed this 9<sup>th</sup> day of November 2023.

**Sharon Bower**

**Mayor, City of Jamaica Beach, Texas**





# 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



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## To: Mayor and Council

During the Month of October officers responded to 64 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 167 citations and six arrests were made.

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

During the last week of October, our police department in a county-wide sex offender operation. This operation consisted of multiple agencies making home checks of registered sex offenders to make sure they were following their state registration requirements. A total of 503 compliance checks were conducted, resulting in 14 follow-up investigations where charges may be filed on any non-compliant offenders.

## Significant Incidents:

On 10/04/23 at approximately 6:00pm, officer(s) took a report of Theft that took place over Facebook social media. The victim agreed to purchase an item that had been posted for sale and sent the money to the seller via a payment app. After receiving payment, the seller deleted her Facebook account and is nowhere to be located.

On 10/04/23, at approximately 10:05pm, officer(s) were flagged down in the Circle K parking lot regarding an intoxicated subject sitting behind the wheel of blue Toyota Corolla. After making contact and an investigation conducted, it was determined that the driver was intoxicated and was arrested for Driving While Intoxicated. The driver was transported to the Galveston County Jail where he was booked and confined without incident.

On 10/06/23 at approximately 1:00pm, officer(s) were dispatched to 16527 Edward Teach on a Theft call. The victim reported two new televisions still in the box, stolen from underneath her bay house. No witness or suspects at the time the report was taken.

On 10/07/23, at approximately 1:00am, officer(s) initiated a traffic stop on a black Audi Q7 in the 17200 block of FM 3005. After making contact and an investigation conducted, it was determined that the driver was intoxicated and was arrested for Driving While Intoxicated. The driver was transported to the Galveston County Jail where he was booked and confined without incident. A passenger was released without charge.

On 10/08/23 at approximately 9:50pm, officer(s) initiated a traffic stop in the parking lot of the Circle K located at 16710 FM 3005 on a white Cadillac 4-door sedan. There were three people in the vehicle, and one was arrested for Possession of Drug Paraphernalia. The other two occupants were released without charge.

We 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.**



# CITY OF JAMAICA BEACH

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## Director of Operations/Interim City Secretary Report

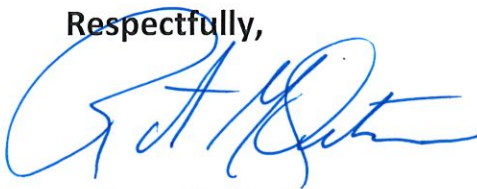
November 2023

- I met with Creig Romero, Mark Morgan and Mike Jones from the Texas Department of Emergency Services. We planned on two sand dune walkovers. This is based on the allocations and the cost of (today's) building materials.
- I was appointed to the Galveston's Park Board Tourism Music Committee
- We had the Water Project Water Phase V pre-bid meeting.
- Hired Ron Gentry to move the dirt on the corner of Bob Smith and Pelican Road.
- We fixed the hole/drop off, on the entrance on Buccaneer and Beach.
- The Jamaica Beach Draught Contingency Plan is completed and needs to be passed with an ordinance.
- The Planning & Zoning Commission met, and in a 5-0 vote passed the Dillmann re-plat request.
- Attended the monthly meeting Moore Engineering hosts in League City. This month's meeting was on Critical Infrastructure. Next training will be on Municipal Mapping.
- What could have been a disastrous leak was caught on time on Blackbeard and it was immediately repaired.
- The small hill on the corner of Pelican and Bob Smith was leveled.
- I have written to TDEM to request a change in the scope of services on the dune crossovers. Originally, we were supposed to rebuild five crossovers. Due to escalation in building products, the amount awarded to the city will only allow us to build two crossovers.
- I had a meeting with Trino Pedraza with the City of Galveston. We came to the consensus that they will do the street repair on Buccaneer at 3005 where the new water meter was installed in the winter.
- I submitted quarterly reports to TDEM.



- Prepared all statutory requirements for the Zoning Board of Adjustments Meeting to be held on Thursday, November 16, 2023 (variance).
- Met with pool manager Mike Witman, we made an off-season pool maintenance schedule GAANT Chart to be followed weekly/monthly.
- I met with JBIC Beautification Committee Chairman Joe Gonzalez to discuss a couple of nuisance areas. We agreed to the city will take care of them.
- I met with Yho-Meka Conway with FEMA

Respectfully,



**Robert M. Quintero**  
**Director of Operations**  
**Interim City Secretary**





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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  
Alderman 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 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.



**ORDINANCE NO. 2023-12  
REPLACING ORDINANCE NO. 87-8  
CITY OF JAMAICA BEACH, TEXAS**

**AN ORDINANCE AMENDING THE DROUGHT CONTINGENCY PLAN; PROVIDING A PENALTY FOR VIOLATIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS** having a dependable water supply is an important issue in economic and land development in Texas. A growing population and economic expansion increase the demands on water supply. In order to meet this challenge, the City of Jamaica Beach must learn to use water more efficiently; and,

**WHEREAS** the Texas Administrative Code requires the City of Jamaica Beach to periodically update its Drought Contingency Plan pertaining to municipal responsibilities dealing with water shortages, drought, or other water supply emergencies; and,

**WHEREAS** from time-to-time water conservation is needed throughout the State of Texas, and

**WHEREAS** the City of Jamaica Beach desires to update its Drought Contingency Plan, and

**WHEREAS** it is in the best interest of the residents of Jamaica Beach that the Drought Contingency Plan is followed, therefore, it is ORDERED that the attached Drought Contingency Plan is hereby adopted for the City of Jamaica Beach, and that any person violating said plan shall be guilty of a misdemeanor and punishable with a fine of up to \$500.00 per violation.

**WHEREAS** the City Council of the City of Jamaica Beach hereby deems it in the public interest to adopt the 2023 Drought Contingency Plan for the City of Jamaica Beach, Texas.

**NOW, THEREFORE LET BE IT ORDAINED BY THE CITY COUNCIL OF JAMAICA BEACH, TEXAS PASSED AND APPROVED THIS 9<sup>th</sup> DAY OF NOVEMBER 2023.**

**CITY OF JAMAICA BEACH, TEXAS**

\_\_\_\_\_  
**Sharon Bower, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Robert Quintero, City Secretary**

# CITY OF JAMAICA BEACH GALVESTON COUNTY, TEXAS



## Drought Contingency Plan

Name: City of Jamaica Beach, Texas

Address: 16628 San Luis Pass – Jamaica Beach, Texas 77554

Telephone Number: 409 ) 737.1142 Fax: ( )

[www.jamaicabeachtx.gov](http://www.jamaicabeachtx.gov)

Regional Water Planning Group: Gulf Cost Water Authority

Form Completed by: Robert M. Quintero

Title: Director of Operations

Person responsible for implementation: Mayor Sharon Bower Phone: (409) 737.1142

Signature: \_\_\_\_\_ Date: / /

### Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Jamaica Beach hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

## **Section II: Public Involvement**

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Jamaica Beach by means of the official city website and social media. We will accept input via these methods of communication with the public.

## **Section III: Public Education**

The City of Jamaica Beach will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of the official city website, social media, Black Board Communications (this method sends text messages to all residents), all public events and water bill statements.

## **Section IV: Coordination with Regional Water Planning Groups**

The service area of the Jamaica Beach is located within the Gulf Coast Water Authority and the City of Galveston, Texas has provided a copy of this Plan to the Gulf Coast Water Authority.

## **Section V: Authorization**

The City Administrator of Jamaica Beach, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Administrator or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

## **Section VI: Application**

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Jamaica Beach. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

## **Section VII: Definitions**

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water is used for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, laundromats, restaurants, and hair salons.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by Jamaica Beach.



Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even numbered address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

## **Section VIII: Criteria for Initiation and Termination of Drought Response Stages**

The City Administrator or his/her designee shall monitor water supply and/or demand conditions monthly and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on:

The City of Galveston, Texas supplies water to Jamaica beach. Jamaica Beach will always follow the lead of Galveston’s trigger points on implementing water rationing/conservation.

## **Utilization of alternative water sources and/or alternative delivery mechanisms:**

Alternative water source(s) for Jamaica Beach is/are: Gulf Coast Water Authority.

### **Stage 1 Triggers -- MILD Water Shortage Conditions**

#### Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when the City of Galveston, Texas announces their stage of water conservation. Jamaica Beach shall follow the below stages as examples.

#### Requirements for termination

Stage 1 of The Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 10 consecutive days. A mild condition shall consist of a demand of approximately 75 % of the maximum allowable flow. This rate of demand will alert the City Administrator of a potential for greater demand, and a “watch” situation is triggered.

### **Stage 2 Triggers – MODERATE Water Shortage Conditions**

A moderate condition exists when the demand on the distribution line exceeds the mild condition (75%) and is approaching 85% of the maximum allowable flow. The maximum pumpage capacity still exceeds the demand but a definite “warning” situation now occurs. Staff should review measures necessary in the event of worsening conditions.

#### Requirements for termination

Stage 2 of The Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of 10 consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

### **Stage 3 Triggers – SEVERE Water Shortage Conditions**

#### Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan.

A severe condition exists when the demand on the distribution line exceeds the moderate condition total water demand exceeds 90% of deliverable capacity or Water reservoirs fall below 65% of capacity. The maximum pumpage capacity still exceeds the demand but a definite “warning” situation now occurs. Staff shall review measures necessary in the event of worsening conditions.

#### Requirements for termination

Stage 3 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of 20 consecutive days. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

#### **Stage 4 Triggers – CRITICAL Water Shortage Conditions**

##### Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when A critical condition exists when the demand reaches or exceeds the maximum allowable flow. This condition creates a minimum water pressure in the distribution system, thus reducing the availability of water for fire protection. Additionally, failure of a major component within the system during this period would severely impact normal functions in Jamaica Beach. Action to mitigate or control the demand is imperative. Since Jamaica Beach is dependent on the City of Galveston for its water supply, it is the policy of the City of Jamaica Beach to coordinate our drought contingency measures with the recommendations of the supplier.

##### Requirements for termination

May be rescinded when the need for conservation is no longer necessary for a period of 14 consecutive days, or as otherwise determined by the City Administrator.

#### **Stage 5 Triggers – EMERGENCY Water Shortage Conditions**

##### Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the City Administrator (or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

##### Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased.

#### **Stage 6 Triggers – WATER ALLOCATION**

##### Requirements for initiation

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan. Water allocations of this Plan when a mild condition shall be triggered when a of total water demand exceeds 90% of deliverable capacity or Water reservoirs fall below 65% of capacity.

Requirements for termination - Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist.

**Section IX: Drought Response Stages**

The City Administrator, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

**Notification**

Notification of the Public:

The City Administrator or his/ her designee shall notify the public by means of:

- Galveston County Daily News
- The Jamaica Beach city website
- Social media
- Black Board Communication

Additional Notification:

The City Administrator or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

- Mayor & Members of the City Council
- Fire Chief
- Police Chief
- City and/or County Emergency Management Coordinator(s)
- County Judge & Commissioner(s)
- State Disaster District / Department of Public Safety
- TCEQ
- Critical water users

**Stage 1 Response – MILD Water Shortage Conditions**

Target: Achieve a voluntary 15% reduction in total water use, daily water demand.

Best Management Practices for Supply Management:

- (a) Inform the public through social and news media that a trigger condition has been reached and the water users should pursue methods to reduce water consumption.
- (b) The City Administrator will serve as the public contact person and will discuss the situation with the news media and advise the public of the trigger condition daily.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address



ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 6:00 a.m. on designated watering days.

- (b) All operations of the City of Jamaica Beach shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

## **Stage 2 Response – MODERATE Water Shortage Conditions**

**Target:** Achieve a 30% reduction in *total water use, daily water demand*.

### Best Management Practices for Supply Management:

- (a) Same as for a mild condition
- (b) Begin a mandatory lawn watering schedule. Lawn watering will alternate using even or odd street numbers. Continue to inform the public of the trigger condition situation daily.

### Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 6:00 a.m. on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 6:00 a.m. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 6:00 a.m.

- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Jamaica Beach.
- (f) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (g) The following uses of water are defined as non-essential and are prohibited:
  1. wash down of any sidewalks, walkways, driveways, parking lots, or other hard-surfaced areas;
  2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  3. use of water for dust control;
  4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
  5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

### **Stage 3 Response – SEVERE Water Shortage Conditions**

Target: Achieve 50% in *total water use, daily water demand*.

Best Management Practices for Supply Management:

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

### **Stage 4 Response – CRITICAL Water Shortage Conditions**

Target: Achieve a 60% percent reduction in *total water use, daily water demand*.

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours 12 midnight and 6:00 a.m. and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. washing at commercial car washes and commercial service stations shall occur only.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

**Stage 5 Response – EMERGENCY Water Shortage Conditions**

Target: Achieve a 70% reduction in *total water use, daily water demand.*

Water Use Restrictions for Reducing Demand:

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is absolutely prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

**Stage 6 Response – WATER ALLOCATION**

In the event that water shortage conditions threaten public health, safety, and welfare, the City Administrator is hereby authorized to allocate water according to the following water allocation plan:

### **Single-Family Residential Customers**

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

<b>Persons per Household</b>	<b>Gallons per Month</b>
1 or 2	2,000
3 or 4	3,500
5 or 6	5,000
7 or 8	7,000

“Household” means the residential premises served by the customer’s meter. “Persons per household” includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the City of Jamaica Beach of a reduction in the number of people in a household shall be fined not less than \$200.00.

Residential water customers shall pay the following surcharges:

- \$200 per thousand gallons for the first 1,000 gallons over allocation.
- \$250 per thousand gallons for the second 1,000 gallons over allocation.
- \$300 per thousand gallons for the third 1,000 gallons over allocation.
- \$350 per thousand gallons for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

### **Master-Metered Multi-Family Residential Customers**

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (apartment) shall be allocated 6,000 gallons per month for each dwelling unit. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of Jamaica Beach of a reduction in the number of people in a household shall be fined not less than \$200. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

- \$200 per thousand gallons for the first 1,000 gallons over allocation.
- \$250 per thousand gallons for the second 1,000 gallons over allocation.
- \$300 per thousand gallons for the third 1,000 gallons over allocation.
- \$350 per thousand gallons for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

### **Commercial Customers**

A monthly water allocation shall be established by the city council, for each nonresidential commercial customer. The non-residential customer's allocation shall be approximately 75% of the customer's usage for the corresponding month's billing period for the previous 12 months. Upon request of the customer or at the initiative of the City Administrator, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, or (2) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the City Administrator. Nonresidential commercial customers shall pay the following surcharges:

Commercial Customers will be fined the following per month.

- \$200 per thousand gallons for the first 1,000 gallons over allocation.
- \$250 per thousand gallons for the second 1,000 gallons over allocation.
- \$300 per thousand gallons for the third 1,000 gallons over allocation.
- \$350 per thousand gallons for each additional 1,000 gallons over allocation.

#### **Section X: Enforcement**

- (a) No person shall knowingly or intentionally allow the use of water from the City of Jamaica Beach for residential, commercial, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the City Administrator, or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than Two-Hundred Dollars (\$200) and not more than Five Hundred Dollars (\$500). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Municipal Judge shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$500, and any other costs incurred by the City of Jamaica Beach in discontinuing service. In addition, suitable assurance must be given to the Jamaica Beach that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the City of Jamaica Beach, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent

committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

- (d) Any employee of the City of Jamaica Beach, police officer, or other city employees designated by the City Administrator, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in municipal court before all other cases.

## **Section XI: Variances**

The City Administrator, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Jamaica Beach within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the designated official, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.



- (g) Alternative water uses restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

**CITY OF JAMAICA BEACH  
ORDINANCE NO. 2023-13**

**AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING ORDINANCE 2023-11; TO CHANGE THE WORDING ON PAGE 5 SECTION SHORT TERM RENTAL OPERATIONAL REQUIREMENTS PARAGRAPH A. FROM “ON THE BACK OF THE FRONT DOOR” TO “IN A LOCATION VISIBLE TO ALL GUESTS”**

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**WHEREAS.** the City Council of the City of Jamaica Beach passed, approved and adopted Ordinance 2023-11 on October 26, 2023, which provided for regulations and permitting requirements for operation of a short term rental within the city, and

**WHEREAS.** the City Council of the City of Jamaica Beach has found that the above wording allows owners to place the Short Term Rental Registration Certificate near the front door instead of on the back of the front door.

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

SECTION 1. Amend: Ordinance 2023-11. adopted by the City of Jamaica Beach City Council on October 26, 2023. is hereby amended on Page 5 Section Short Term Rental Operational Requirements Paragraph A. to read: **THE OWNER SHALL POST THE JAMAICA BEACH SHORT TERM RENTAL REGISTRATION CERTIFICATE WITHIN THE SHORT TERM RENTAL IN A LOCATION VISIBLE TO ALL GUESTS AND PROVIDE EACH GUEST THE FOLLOWING INFORMATION IN WRITTEN FORMAT.**

SECTION 2. This Ordinance shall be and become effective from and after its adoption.

**PASSED, APPROVED AND ADOPTED** this 9th day of November 2023.

**CITY OF JAMAICA BEACH, TEXAS**

\_\_\_\_\_  
Sharon Bower, Mayor

**ATTEST:**

\_\_\_\_\_  
Robert Quintero, City Secretary

**CITY OF JAMAICA BEACH  
ORDINANCE NO. 2023-14**

**AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING ORDINANCE 2023-11; TO ELIMINATE PARAGRAPH D AT THE TOP OF PAGE 6 THAT READS: THE OWNER SHALL POST THE FOLLOWING OUTSIDE THE HOUSE: STREET NUMBER ON THE HOUSE AND A SIGN THAT CONTAINS THE (1) SHORT TERM RENTAL REGISTRATION NUMBER AND (2) THE LOCAL 24 HOUR CONTACT TELEPHONE NUMBER. THE POSTING REQUIRES A MINIMUM OF TWO (2) INCH LETTERING VISIBLE FROM THE PUBLIC STREET FOR EMERGENCY AND POLICE RESPONDERS.**

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**WHEREAS**, the City Council of the City of Jamaica Beach passed, approved and adopted Ordinance 2023-11 on October 26, 2023, which provided for regulations and permitting requirements for operation of a short term rental within the city, and

**WHEREAS**, the City Council of the City of Jamaica Beach has found that the sign outside the short term rental property is not required.

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

SECTION 1. Amend: Ordinance 2023-11. adopted by the City of Jamaica Beach City Council on October 26, 2023. is hereby amended to eliminate paragraph D at the top of page 6: **THE OWNER SHALL POST THE FOLLOWING OUTSIDE THE HOUSE: STREET NUMBER ON THE HOUSE AND A SIGN THAT CONTAINS THE (1) SHORT TERM RENTAL REGISTRATION NUMBER AND (2) THE LOCAL 24 HOUR CONTACT TELEPHONE NUMBER. THE POSTING REQUIRES A MINIMUM OF TWO (2) INCH LETTERING VISIBLE FROM THE PUBLIC STREET FOR EMERGENCY AND POLICE RESPONDERS.**

SECTION 2. This Ordinance shall be and become effective from and after its adoption.

**PASSED, APPROVED AND ADOPTED** this 9th day of November 2023.

**CITY OF JAMAICA BEACH, TEXAS**

\_\_\_\_\_  
Sharon Bower, Mayor

**ATTEST:**

**CITY OF JAMAICA BEACH  
ORDINANCE NO. 2023-15**

**AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING ORDINANCE 2023-11; TO ELIMINATE ITEM 14 AT THE TOP OF PAGE 4 THAT READS: 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.**

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**WHEREAS**, the City Council of the City of Jamaica Beach passed, approved and adopted Ordinance 2023-11 on October 26, 2023, which provided for regulations and permitting requirements for operation of a short term rental within the city, and

**WHEREAS**, the City Council of the City of Jamaica Beach has found that the inspection to determine the 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 is not required.

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

SECTION 1. Amend: Ordinance 2023-11. adopted by the City of Jamaica Beach City Council on October 26, 2023. is hereby amended to eliminate **ITEM 14 AT THE TOP OF PAGE 4 THAT READS: 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.**

SECTION 2. This Ordinance shall be and become effective from and after its adoption.

**PASSED, APPROVED AND ADOPTED** this 9th day of November 2023.

**CITY OF JAMAICA BEACH, TEXAS**

\_\_\_\_\_  
Sharon Bower, Mayor

**ATTEST:**

Robert Quintero, City Secretary

**CITY OF JAMAICA BEACH  
ORDINANCE NO. 2023-16**

**AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS AMENDING ORDINANCE 2023-11; PAGE 2, ITEM M TO: MAXIMUM OCCUPANCY – THE MAXIMUM OCCUPANCY SHALL BE TWO (2) PERSONS PER QUALIFIED BEDROOMS, PLUS FOUR (4) ADDITIONAL PERSONS AND PAGE 3, NUMBER 9 TO: MAXIMUM OCCUPANCY FOR THE SHORT TERM RENTAL BASED ON TWO (2) PERSONS PER QUALIFIED BEDROOM(S) PLUS FOUR (4) ADDITIONAL PERSONS. EXAMPLE: GALESTON COUNTY APPRAISAL DISTRICT LIVING AREA SQUARE FOOTAGE AREA CONTAINS THREE (3) BEDROOMS. THE MAXIMUM OCCUPANCY WOULD BE 3 BEDROOMS TIMES 2 PERSONS ALLOWED EQUALS SIX (6) PERSONS PLUS FOUR (4) ADDITIONAL PERSONS FOR A TOTAL OF TEN (10) PERSONS FOR MAXIMUM OCCUPANCY.**

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**WHEREAS**, the City Council of the City of Jamaica Beach passed, approved and adopted Ordinance 2023-11 on October 26, 2023, which provided for regulations and permitting requirements for operation of a short term rental within the city, and

**WHEREAS**, the City Council of the City of Jamaica Beach has found that the maximum occupancy of a short term rental should be two (2) persons per qualified bedroom, plus four (4) additional persons.

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

**SECTION 1.** Amend: Ordinance 2023-11. adopted by the City of Jamaica Beach City Council on October 26, 2023. is hereby amended to: **PAGE 2, ITEM M TO: MAXIMUM OCCUPANCY – THE MAXIMUM OCCUPANCY SHALL BE TWO (2) PERSONS PER QUALIFIED BEDROOMS, PLUS FOUR (4) ADDITIONAL PERSONS AND PAGE 3, NUMBER 9 TO: MAXIMUM OCCUPANCY FOR THE SHORT TERM RENTAL BASED ON TWO (2) PERSONS PER QUALIFIED BEDROOM(S) PLUS FOUR (4) ADDITIONAL PERSONS. EXAMPLE: GALESTON COUNTY APPRAISAL DISTRICT LIVING AREA SQUARE FOOTAGE AREA CONTAINS THREE (3) BEDROOMS. THE MAXIMUM OCCUPANCY WOULD BE 3 BEDROOMS TIMES 2 PERSONS ALLOWED EQUALS SIX (6) PERSONS PLUS FOUR (4) ADDITIONAL PERSONS FOR A TOTAL OF TEN (10) PERSONS FOR MAXIMUM OCCUPANCY.**

**SECTION 2.** This Ordinance shall be and become effective from and after its adoption.

**PASSED, APPROVED AND ADOPTED** this 9th day of November 2023.

**CITY OF JAMAICA BEACH, TEXAS**

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Sharon Bower, Mayor

**ATTEST:**

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Robert Quintero, City Secretary



Ordinance 2023-17  
REPLACING ORDINANCE 99 -7  
CITY OF JAMAICA BEACH

AN ORDINANCE OF THE CITY OF JAMAICA BEACH, TEXAS CREATING THE  
POSITION OF CITY ADMINISTRATOR AND REPLACING ORDINANCE 99-7

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

That In order to provide the City with a more efficient, effective and responsible government under a system of a volunteer Mayor and City Council at a time when city government is becoming increasingly complex, there is created the office of City Administrator.

The City Administrator shall be the chief administrative officer for the City responsible only to the Mayor and City Council for the proper administration of the business and personnel affairs of the City.

The City Administrator oversees and is responsible for managing the efficient operations of the City including the City's Public Works function. This position reports to the City Council.

**Section 1. General duties**

The City Administrator:

- Shall have and exercise all powers and duties assigned to him and have such authority as may be granted by the City Council. He shall be responsible for the enforcement of all laws and ordinances within the municipality insofar as their enforcement is within the powers of the City.
- Shall attend all meetings of the City Council, and meetings as directed by the Mayor and/or City Council and shall keep the City Council informed as to the affairs of the City and shall recommend to the City Council such actions as may be necessary or expedient for the welfare of the City.
- Serves as the liaison for the City with all outside governmental agencies including; City and County of Galveston, Galveston Parks Board, Texas General Land Office, US Army Corp of Engineers, FEMA, TDEM and any other agency needed while supporting city functions
- Must coordinate and administer all City Council Meetings and ensure that each meeting is conducted with adherence to local laws and procedures
- Responsible for maintaining a long range plan that ensures the City is in good financial standing and goals and objectives adhere to the City's Vision
- Identifies grant opportunities and coordinates efforts to obtain and manage grants
- Shall become a resident of Galveston County within one year following the date of appointment unless this requirement is specifically waived by the City Council.

- Shall prepare an organization chart which defines authority and responsibility for the various positions of the City and submit it to the Mayor and City Council for adoption.
- Act as public information officer for the City with the responsibility of assuring that the news media are kept informed about the operations of the City and that all open meeting rules and regulations are followed.
- When requested by the Chief of Police, will work jointly with the Police Department in providing public information regarding police matters.
- Establish and maintain procedures to facilitate communications between citizens and City government to assure that complaints, grievances, recommendations, and other matters receive prompt attention by the responsible official, and to assure that all such matters are expeditiously resolved.

## **Section 2. Employees**

The City administrator

- Shall, with the concurrence of the department head hire all employees (other than department heads and appointed City officers) as authorized by the City council at such compensation as may be set or authorized by the City council.
- Shall discharge all employees (other than department heads and appointed City officers) authorized by the City council with the concurrence of the department head and the prior consent of the mayor.
- Shall ensure all employees perform their duties subject to their direction or that of the superior to whom such administrator may assign such employee.
- Serve as personnel officer for the City with responsibilities to see that complete and current personnel records, including specific job descriptions for all employees are kept; evaluate in conjunction with department heads the performance of all employees on a regular basis.
- Recommend salary and wage scales for City employees; develop and enforce high standards of performance by City employees; assure that City employees have proper working conditions; work closely with department heads to promptly resolve personnel problems or grievances.
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## **Section 3. Budget**

The City Administrator

- Shall under the direction of the Mayor and with assistance from the financial clerk be responsible for the preparation of the annual budget and tax levy ordinances.
- Shall be responsible for monitoring the budget in such a way that all expenditures stay within the budget and shall notify the mayor and City council when any deviations from that budget are required.

- Shall be responsible for preparation, posting and publishing, including all official notices required of the annual City budget and City budget proceedings, in accordance with guidelines as may be provided by the City Council, in coordination with department heads, and pursuant to applicable law, for review and approval by the Mayor and the City Council.

#### **Section 4. Contracts**

The City administrator

- Shall examine all proposed contracts to which the City may be a party and may sign on behalf of the City any contract authorized by the City council.
- Shall have the duty to see to it that all terms of any contract to which the City is a party are fully performed by all parties thereto.

#### **Section 5. Purchases**

The City administrator

- Shall serve as the general purchasing agent for the City, supervising all purchasing and contracting for supplies and services, subject to the purchasing procedures established by the City council and any limitation contained in state law.
- Shall administer the budgets as adopted by the City council.
- Shall be the primary liaison for all vendors engaged by the City to ensure all financial relationships are maintained and adhered to the law and local ordinances.

#### **Section 6. Appropriations, Accounts and Levies**

The City Administrator

- Cause to be prepared each year the annual appropriation ordinance in time for consideration and enactment by the council in compliance with state law; and to prepare the tax levy ordinance for passage.
- Shall keep current accounts of the amounts appropriated and the amounts spent out of each appropriation, showing the unexpended appropriations at all times.
- Shall keep current accounts showing at all times the fiscal condition of the City, including the current and anticipated expenses, appropriations, cash on hand and anticipated revenue of all municipal funds and accounts, and he shall see to the collection of all money due the municipality.
- Must ensure that the City is properly collecting all taxes and revenues.

#### **Section 7 Inventories - Property**

The City Administrator:

- Shall keep a current inventory showing all real and personal property of the City and its location and shall be responsible for the care and custody of all such property including equipment, buildings, parks, and other City property, which is not by law assigned to some other officer or body for care and control.

## **Section 8. Reports - Publications - Communications**

The City administrator:

- Shall be responsible for the publication of all notices, ordinances or other documents required by law to be published, and to prepare or cause to be prepared, all reports which the City or any of the officials thereof are required by law to prepare.
- Must ensure that the City Website, Facebook page, and all other information mediums are operating as expected by the Mayor and Council

## **Section 9. Records - Certificates**

The City administrator:

- Shall prepare and have custody of all municipal records required by law to be kept by the City and not by a specific officer.
- Where the law makes it the duty of a specific officer to keep or maintain records, the City administrator shall make available to such officer all assistance necessary for the preparation of such records and shall make available a place for the custody of such records.
- Where the law requires or provides for certification of any records or documents by any officer of the City, the City administrator shall cause such records or documents to be properly prepared and presented to such officer for his signature.

## **Section 10. Maps – Plats – Infrastructure - Maintenance**

The City administrator:

- Shall cause to be kept a complete set of maps, including zoning, and plats showing the location of all City utilities, and other municipal properties, all streets and other public places and all lots or parcels of land subdivided according to law.
- Shall oversee that all City facilities and property are maintained and insured from any loss
- Must assist in the coordination of all loss claims with the Finance Clerk and the Director of Public Safety to ensure maximum recovery of value.
- Shall directly oversee all public works functions through efficient management of contractor resources and/or through direct hire of maintenance employees.
- Responsible for the maintenance and repair of all City facilities and property including the preparing of capital replacement plans
- Manager over all major projects and serves as the coordinator for the City during the project process
- Shall ensure that all City infrastructure systems are in working order including: water and sewer, roads and beaches, utilities and maintenance, street and beach signage, beach dunes and access, drainage systems and emergency back-up systems are in good working order

## **Section 11. Absence from City**

In the event that the City administrator shall be absent from the City or incapacitated from performing the duties of his position, the City secretary, or other person as appointed by City council shall act as administrator during such absence or incapacity.

**SECTION 12.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

**SECTION 13.** All Ordinances or parts thereof in conflict herewith are repealed.

**SECTION 14.** This Ordinance shall be effective on the date as approved by the City Council.

**APPROVED AND ADOPTED** this XX day of XX 2023.

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Sharon Bower, Mayor

ATTEST:

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Robert Quintero, City Secretary