

**NOTICE OF MEETING
CITY COUNCIL OF THE CITY OF GALVESTON
THURSDAY - APRIL 16, 2020 - 1:15 P.M.
COUNCIL CHAMBERS - CITY HALL
823 ROSENBERG, GALVESTON, TEXAS
TELEPHONE: (409) 797-3510**

Notice is hereby given in accordance with Order of the Governor issued March 16, 2020, the City Council of the City of Galveston will conduct its Special Meeting by telephone/video conference in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Corona Virus/COVID-19. There will be no public access to the location described above.

SPECIAL MEETING AGENDA

1. DECLARATION OF A QUORUM AND CALL MEETING TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

Members of the public may submit a public comment using the web link below. All comments submitted prior to the meeting will be provided to the City Council.

<https://forms.galvestontx.gov/Forms/PublicComment>

A. Agenda Items

B. Non-Agenda Items

4. DISCUSSION ITEMS

4.A. Update On Corona Virus/COVID-19 (B. Maxwell)

5. ACTION ITEMS

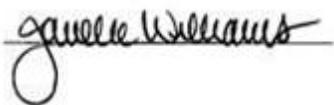
5.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas; Modifying Certain Emergency Orders Ratified By City Council In Ordinance 20-28; Making Various Findings And Provisions Related To The Subject, Providing For A Penalty And Providing For An Effective Date.

Documents:

[ORDINANCE FOR APRIL 16.DOCX](#)

6. ADJOURNMENT

I certify that the above Notice of Meeting was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on April 13, 2020 at 10:45 A.M.



Janelle Williams, City Secretary

IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHALL, WITHIN THREE (3) DAYS PRIOR TO ANY PROCEEDING, CONTACT THE CITY SECRETARY'S OFFICE, SUITE 201, 823 ROSENBERG, GALVESTON, TEXAS 77550

(409-797-3510).

ORDINANCE NO. 20- ____

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS; MODIFYING CERTAIN EMERGENCY ORDERS RATIFIED BY CITY COUNCIL IN ORDINANCE 20-28; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, PROVIDING FOR A PENALTY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council finds that the emergence of the Coronavirus/Covid 19 has been confirmed in Galveston County by the Galveston County Health District which has announced the presence of the disease caused by community spread; and

WHEREAS, City Council finds the Center for Disease Control has urged that preventive measures betaken to control the spreads of the disease through the implementation of control measures; and

WHEREAS, City Council finds the confirmed presence of the disease in this area requires extraordinary measures to preserve the public health, control the spread of the disease, and protect the welfare of the citizenry people and preserve the delivery of services; and

WHEREAS, the City of Galveston’s Emergency Management Plan has previously been activated by Declaration of Local Disaster By Proclamation of the Mayor of the City of Galveston, dated March 16, 2020; and

WHEREAS, the Governor of the State of Texas has declared a state of disaster for the entire State of Texas and on March 31, 2020 issued Executive Order GA 14 declaring state control measures and allowing the entry of local orders that are not consistent with the terms of his Order; and

WHEREAS, the City Council of the City of Galveston further finds that the Orders set forth in this Ordinance are consistent with the goals and purposes set forth by the Governor in his Executive Order GA 14 dated March 31, 2020; and

WHEREAS, Tex. Health & Safety Code §122.006 allows a home rule municipality to adopt rules to protect the health of persons in the municipality against communicable disease and the Mayor has issued the Emergency Orders set forth herein and the Council has ratified those Orders in furtherance and in accord with that statutory authority; and .

WHEREAS, the City Council has previously passed City Ordinance 20-028 ratifying the Mayor’s Declaration of Local Disaster and extending it to April 30, 2020 as well as the temporary orders he has executed as detailed in that Ordinance, and

WHEREAS, the City Council has previously ratified the following Emergency Orders which will remain in effect until April 30 unless amended by action of the City Council:

- a) Declaration of a Local State of Disaster and Emergency Related to the Emergence of the Corona Virus/Covid-19 signed March 16, 2020 and as amended March 31, 2020.
- b) Order Closing Entertainment Venues Operating on Galveston Island signed March 18, 2020; and
- c) Order Closing Bars and Restaurants in the City of Galveston signed March 18, 2020;
- d) Order prohibiting the consumption of food within 100 feet of a take-out food establishment signed March 19, 2020;
- e) Order closing guided tours operating on Galveston Island signed March 19, 2020;
- f) Order suspending Licenses to Use for the placement of tables benches and chairs in the public right of way;
- g) Order prohibiting the operation of electronic amusement machines in businesses in the City of Galveston;
- h) Order closing fishing piers and charter operations in the City of Galveston;
- i) Order requiring citizens to stay at home unless engaged in an essential activity of business,
- j) Order closing Public Beaches in the City of Galveston; and
- k) Order prohibiting vehicular traffic from certain beaches from Beach access point 35 west including those around San Luis Pass; and
- l) Order closing Public Beach Access Points west of the western terminus of the Galveston Seawall; and
- m) Amended Order Mandating Closure of Short Term Rental Facilities in the City of Galveston; and
- n) Order closing Bed and Breakfast Facilities and Hotels Operating in the City of Galveston;
- o) Order requiring a Minimum Period of Stay for Recreational Vehicles in RV Parks and prohibiting the parking of Recreational Vehicles in any Public Park or Commercial Parking Lot; and
- p) Order granting City Staff Authority to Suspend the Application of Building Code and Flood Plan regulations to allow Construction and Placement of a Temporary Screening Facility by PHI Aviation LLC.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS;

SECTION 1. 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. As set forth in City Ordinances 20-23 and 20-28 and in accordance with Tex. Health & Safety Code §122.006 as well as Tex. Gov't Code § 418.108, commonly referred to as the Texas Disaster Act of 1975, and Article II, Section 15 of The City Charter of

Ordinances, the City Council finds and declares a state of disaster and emergency in the City of Galveston as a result of the impact of the emergence of the Coronavirus/Covid 19 in Galveston County continues to exist in the City of Galveston and should be extended to a date set forth herein.

SECTION 3. The Emergency Orders previously ratified by City Council in Ordinance 20-28, which are incorporated herein by reference as if fully set forth, are modified as designated below:.

Modified	(Yes/No)
_____	Order Closing Entertainment Venues Operating on Galveston Island signed March 18, 2020; and
_____	Order Closing Bars and Restaurants in the City of Galveston signed March 18, 2020;
_____	Order prohibiting the consumption of food within 100 feet of a take-out food establishment signed March 19, 2020;
_____	Order closing guided tours operating on Galveston Island signed March 19, 2020;
_____	Order suspending Licenses to Use for the placement of tables benches and chairs in the public right of way;
_____	Order prohibiting the operation of electronic amusement machines in businesses in the City of Galveston;
_____	Order closing fishing piers and charter operations in the City of Galveston;
_____	Order requiring citizens to stay at home unless engaged in an essential activity of business,
_____	Order closing Public Beaches in the City of Galveston; and
_____	Order prohibiting vehicular traffic from certain beaches from Beach access point 35 west including those around San Luis Pass;
_____	Order closing Public Beach Access Points west of the western terminus of the Galveston Seawall;
_____	Amended Order Mandating Closure of Short Term Rental Facilities in the City of Galveston;
_____	Order closing Bed and Breakfast Facilities and Hotels Operating in the City of Galveston;
_____	Order requiring a Minimum Period of Stay for Recreational Vehicles in RV Parks and prohibiting the parking of Recreational Vehicles in any Public Park or Commercial Parking Lot;
_____	Order granting City Staff Authority to Suspend the Application of Building Code and Flood Plan regulations to allow Construction and Placement of a Temporary Screening Facility by PHI Aviation LLC.

SECTION 4. Of the Emergency Orders modified in the preceding section, the modified orders are attached hereto and are incorporated into the Ordinance.

SECTION 5. A violation of an order set forth above shall be a Class C misdemeanor punishable by fine as allowed by law and as set forth in the specific Order .

SECTION 6. The Mayor, as Director of Emergency Management, is further authorized issue any further Order to provide, or cause to be provided, all arrangements, provisions, and means necessary and proper to affect the coordination of relief and aid programs, and property restoration and rehabilitation programs, for the protection, preservation, and improvement of life and property within the City during the State of Disaster and Emergency.

SECTION 7. These terms of this Ordinance shall remain in effect until 5:00 p.m. on April 30, 2020.

SECTION 8. This declaration of local disaster and emergency activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the declaration. All aspects of the City of Galveston Emergency Management Plan not already activated are hereby activated as provided in the plan.

SECTION 9. 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 phase, 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 10. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 11. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 12 This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM:

DONALD S. GLYWASKY
CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on the 16th day of April, 2020, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this _____ day of April, 2020.

JANELLE WILLIAMS
Secretary for the City Council
of the City of Galveston