

**NOTICE OF MEETING
CITY COUNCIL OF THE CITY OF GALVESTON
THURSDAY - APRIL 23, 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)

4.B. Discussion Of The Draft Reopening Plan (B. Maxwell)

Documents:

[RETURN PLANNING DETAIL.PDF](#)

4.C. Discussion Of Issues Related To Municipal Elections; Dates, Early Voting And Any Related Matters (Legal)

5. ACTION ITEMS

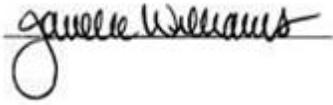
5.A. Consider For Approval An Ordinance Of The City Of Galveston, Texas; Modifying Certain Emergency Orders Ratified By City Council In Ordinance 20-28; Making Various Findings And Provisions Related To The Subject, Providing For A Penalty And Providing For An Effective Date.

Documents:

[ORDINANCE FOR APRIL 23.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 20, 2020 at 10:00 A.M.

A handwritten signature in black ink that reads "Janelle Williams". The signature is written in a cursive style with a large, looped initial "J".

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).

The City of Galveston desires to begin the methodical climb out of the COVID-19 orders implemented by the State, County and the City to allow our local businesses and employers the ability to begin to operate and bring back employees.

All decisions related to re-opening will be based on advice and data provided by local health authorities and UTMB. The city has also consulted with private sector interest groups and individual business owners to get advice, suggestions and needs. All recommendations have also been vetted by the Galveston County Health District (Dr. Keiser) and UTMB (Dr. Raimer) to ensure that in all we do, we are putting the health and safety of our citizens, our businesses and our employees first. All orders will be re-evaluated every two weeks from the effective date or as circumstances change.

Initial Recovery and Re-Opening can be segmented into several categories:

- (1) Restaurants
 - a. These include most dine in eateries
 - b. This includes businesses that service alcohol but still derive over 50% of their business from food sales.
- (2) Bars
 - a. This includes establishments that derive over 50% of their income from liquor sales.
- (3) Hotels, Short-Term Rentals & Bed and Breakfast
- (4) RV Parks
- (5) Large Attractions
- (6) Fishing Piers
- (7) Golf Courses
- (8) Personal Services
- (9) Non-Essential Retail Establishments
- (10) Nursing Homes
- (11) Gyms and Fitness Centers
- (12) Beaches

Global Requirements for All Citizens:

The City of Galveston in its effort to put public health of its citizens and visitors first is requesting all members of the general public to practice all areas of personal protection and hygiene necessary to protect themselves and others from the spread of COVID-19. This includes frequent and thorough hand washing, self-monitoring for disease, wearing of facial protection while in public or within 6 feet of others, avoid touching of the face and of course self-quarantining and seek testing should you feel any symptoms or suspect exposure of COVID-19. The City will strictly enforce social distancing during this time and asks that you remain at least 6 feet away from others not in your immediate isolation unit, and that groups of 5 or more be prohibited.

While the city encourages people to begin resuming normal activities while observing the above guidelines, it is strongly recommended that our citizens avoid travel to areas of high contagion and that if it is necessary to do so that you make every effort to protect yourself and those with you and to closely self-monitor once you return to Galveston. Self-monitoring includes daily temperature monitoring and if necessary, testing should you feel any chance of exposure.

Any citizen testing positive for COVID-19 should self-quarantine and not remove themselves until cleared by the Galveston County Health District or other certified health care provider.

All people 10 years or older must wear a cloth face covering over their nose and mouth when in a public place where it is difficult to keep 6' feet away from other people such as visiting a grocery store/pharmacy or working in areas that involve close proximity with other co-workers. Coverings may include homemade masks, scarfs, bandanas or a handkerchief. Residents must continue to maintain social distancing of a minimum of 6' when outside of their residence.

Within three days of the issuance of this order, employers that are Exempted Businesses must provide face coverings and training for appropriate use to employees who are working.

It is strongly recommended that you not obtain or wear medical masks or N-95 respirators as they are a needed resource for health care providers and first responders.

Face coverings do not need to be worn in the following circumstances:

- (1) When exercising or engaging in physical activity outside either alone or with members of your household. This does not include exercise within a gym, private training facility or other athletic center where masks MUST BE WORN.
- (2) When driving alone or with passengers who are part of the same household as the driver.
- (3) When doing so poses a greater mental or physical health, safety or security risk
- (4) When consuming food or drink

Individual Actions:

Restaurants:

Restaurants as defined in this policy are allowed to reopen dining facilities with the following requirements.

- (1) All dining space must allow a minimum of 6' of distance between dining parties. This includes circulation areas for patrons to access other restaurant amenities such as restrooms and pick up windows. It is imperative that customers in these establishment feel safe and comfortable.
- (2) All personnel in the restaurant shall wear masks to stop the spread of COVID-19. Such masks may be cloth or paper but must be worn at all times when customers and other employees are present or food handling and preparation is occurring.
- (3) At the entrance to all facilities, each restaurant should provide patrons with either sanitizing wipes or hand sanitizer to ensure they have the ability to wash their hands prior to eating.
- (4) Buffets and Self Serving Lines are prohibited during the period of this order.

Bars/Clubs:

Bars and clubs as defined in this policy are allowed to reopen their indoor and outdoor facilities with the following requirements:

- (1) All bar space be it interior or exterior must provide adequate space for all patrons or their contained groups to remain 6' apart at all times and this also includes areas for circulation for patrons to access restrooms and pick up areas.
- (2) There should be no dancing or other activities that promote defiance of social distancing as outlined in this document.
- (3) All personnel employed on premise must wear masks to stop the spread of COVID-19. Such masks may be cloth or paper but must completely cover the mouth and nose and must be worn at all times when customers or other employees are present or food and beverage handling and preparation is occurring.
- (4) At the entrance to all facilities, each establishment should provide patrons with either sanitizing wipes or hand sanitizer to ensure they have the ability to wash their hands prior to entering the establishments.
- (5) Self Serving Lines, Beverage Service Lines and any self serve areas will be prohibited.
- (6) Bars and Clubs cannot operate past 10pm.

Hotels, Short Term Rentals & Bed and Breakfast:

Hotels, Short Term Rentals and Bed & Breakfasts under this policy are allowed to operate as normal with the following exceptions.

- (1) All associated personnel should wear protective masks of cloth or other materials whenever coming in contact with guests, guest rooms, food service or with other employees.
- (2) All rooms should include adequate soap and or hand sanitization products for guests.
- (3) All hotel guests must observe social distancing guidelines and remain 6' apart in any public spaces inside or outside of their quarters while on property.
- (4) It is required that hand sanitizing wipes or hand sanitizer be available at all entrances to hotel properties for guests.
- (5) It is encouraged that hotels, short term rentals and Bed and Breakfasts locations provide temporary masks for guests who may visit and may be unfamiliar with local rules related to the spread of COVID-19.
- (6) No large gatherings or meetings of 5 or more will be allowed on property.
- (7) Pools can be opened but strict social distancing must be maintained at all times by those not swimming with members of their own household.

RV Parks:

RV Parks will be allowed to operate as normal with the following exceptions:

- (1) All community spaces, including public restrooms, washaterias, gaming areas and social areas must strictly adhere to a minimum of 6' social distancing guidelines.
- (2) All community spaces as defined above must require masks to be worn before entering and while inside the area, even if alone.
- (3) Hand sanitizer or sanitizing wipes must be available at the entrance to community spaces at all times.
- (4) Pools can be opened but strict social distancing must be maintained at all times by those not swimming with members of their own household.

Large Attractions:

- (1) Large Attractions are things such as Pleasure Pier, Moody Gardens, Large Fishing Charters (10 or more persons), Schlitterbahn, Movie Theaters and and other like attractions that draw visitors primarily from outside of Galveston.
- (2) At this time it is advised that such attractions remained closed until June 1 or until further evaluation merits a change in this status, whichever comes first.

Commercial Fishing Piers:

- (1) Commercial fishing piers under this order are fishing piers that charge for use. Examples include the 61st Street Pier, the 91st Street Pier and Seawolf Park.
- (2) Commerical fishing piers will be allowed to re-open under this order.
- (3) All entering the fishing piers must wear protective masks as outlined above.
- (4) Social distancing must be maintained at all times with a minimum of 6' between parties not of the same household.
- (5) Entering and exiting the pier must be done in such a way that at no time are unrelated parties within 6' of each other.

Golf Courses:

- (1) Golf Courses under this order will be allowed to reopen.
- (2) Unless playing alone, all golfers must wear protective masks at all times.
- (3) All golfers must maintain social distancing and stay a minimum of 6' apart at all times.
- (4) No golfer may share a cart unless both golfers are of the same household.
- (5) Spacing between tee times should allow no bunching of golfers on the course at any time so as to allow ample social distancing.
- (6) All carts must be sanitized between users.
- (7) No touch practices must be observed at all times. No pulling of pins, no ball washing, no sharing of clubs, etc...
- (8) Restaurants and Bars associated with the operation of a golf course must operate under the same guidelines as bars and restaurants mentioned elsewhere in this order.

Personal Services:

- (1) At this time the City has no guidance from the State or County as it relates to personal services.
- (2) The City of Galveston defines personal services as Barbers, Hair Dressers, Tanning Salons, Massage Parlors and any other services that require personal contact and touching.
- (3) The city will incorporate rules for these once the CDC or state is forthcoming with them.

Non-Essential Retail Establishments:

- (1) Current State orders allow all retail to operate with curbside or delivery options only.
- (2) All employees of such establishments must wear protective masks at all times.
- (3) All employees should exercise social distancing of at list 6' from all other employees at all times.
- (4) Should further retail guidelines be issued by the state these will be modified.

Nursing Homes:

- (1) The city of Galveston is seeking input from the Galveston County Health District on orders governing operations of nursing homes.

Gyms and Fitness Centers:

- (1) The city of Galveston is seeking input from the Galveston County Health District on orders governing operations of Gyms and Fitness Centers.

Beaches:

Beaches in Galveston will remain closed with the following exceptions.

- (1) Beaches will be open for exercise from 6am to 9am, Monday thru Friday.
- (2) Beaches will be open for exercise from 6pm to 8pm, Monday thru Friday
- (3) Beaches will remain completely closed Saturday and Sunday.
- (4) No sitting, laying or other stationary act will be allowed on beaches during this time.
- (5) Mask guidelines should be followed during this time.
- (6) Fishing from rock piers will be allowed during the same days and hours mentioned above.
- (7) Surfing will be allowed during the same days and hours mentioned above.

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 23rd 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