

AGENDA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
3:30 p.m. Wednesday, May 8, 2024
City Council Chambers, 2nd Floor of City Hall
823 Rosenberg, Galveston, Texas

**One or more members of the Zoning Board of Adjustment may attend the meeting by
videoconference.**

**A quorum of the members of the Zoning Board of Adjustment will be physically present
at the meeting location.**

1. Call Meeting To Order
2. Attendance
3. Conflict Of Interest
4. Approval Of Minutes

A. April 3, 2024

Documents:

[04-03-2024 ZBA MINUTES.PDF](#)

5. Public Comment

Request to Address Board on Agenda Items Without Public Hearings and Non-Agenda Items (three-minute maximum per speaker. If speaking through a translator, six-minute maximum per speaker)

6. New Business And Associated Public Hearings

- A. 24Z-005 (1916 26th Street) Request For A Variance From The Galveston Land Development Regulations, Article 3, Residential Single-Family (R-1) Addendum, Regarding Minimum Lot Area. Property Is Legally Described As M B Menard Survey, Lot 14, Northeast Block 91, Galveston Outlots, In The City And County Of Galveston, Texas. Applicant: Richard J. Spethman Jr. Property Owners: William P. Collins And Richard J. Spethman Jr.

Documents:

[24Z-005 - STF PKT.PDF](#)

7. Discussion Items

- A. In-Person Meeting Requirements Adopted By City Council (Staff)

Documents:

8. 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 May 2, 2024, at 12:12 P.M.

Prepared by: Karina Rosales, Planning Technician

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)

MEMBERS OF CITY COUNCIL MAY BE ATTENDING AND PARTICIPATING IN THIS MEETING



City of Galveston

MINUTES OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF GALVESTON REGULAR MEETING – April 3, 2024

CALL MEETING TO ORDER

The meeting was called to order at 3:31 p.m.

ATTENDANCE

Members Present: James Fagan (Alternate), Robert Girndt, Carol Hollaway, Barbara Railey, Becca Scoville (Alternate), Susan Syler, Ex-Officio David Finklea

Members Absent: Lidija Bikova,

Staff Present: Catherine Gorman, AICP, Assistant Director/HPO; Adriel Montalvan, Planning Manager; Daniel Lunsford, Senior Planner; Karina Rosales, Planning Technician; Donna Fairweather, Sr. Assistant City Attorney.

CONFLICT OF INTEREST

None

APPROVAL OF MINUTES

The March 6, 2024, minutes were approved as presented.

Board Member Susan Syler made a motion to approve the minutes. Board Member Hollaway seconded.

Chairperson Robert Girndt called for questions or comments from the Board, and the following votes were cast:

In favor:	Girndt, Hollaway, Railey, Scoville (Alternate), Syler
Opposed:	None
Absent:	Bikova
Non-voting participant:	Fagan (Alternate), Ex-Officio David Finklea

The motion passed.

PUBLIC COMMENT

None

OLD BUSINESS AND ASSOCIATED PUBLIC HEARINGS

24Z-002 (17427 Bristow) Request for a special exception from the Galveston Land Development Regulations, Article 3, District Yard, Lot and Setback Addendum, for the Residential, Single-Family (R-1) zoning district, to reduce the rear yard setback. Property is legally described as Abst 121 Hall & Jones Survey, West Half of Lot 33 (33-1) Gulf Palms, in the City and County of Galveston, Texas.
Applicant: Ryan Gannon, Gannon Investments, LLC.
Property Owner: Gannon Investments, LLC.

Staff presented the staff report and reported that of 40 notices sent, three returned in favor, and one in opposition.

Chairperson Robert Girndt opened the public hearing on the case. Ryan Gannon, the applicant, gave a presentation to the board. See the attached list of presentations made to the commission. The public hearing was closed, and the Chairperson called for a motion.

Board Member Syler made a motion to approve the request. Board Member Holloway seconded.

Chairperson Robert Girndt called for questions or comments from the Board, and the following votes were cast:

In favor:	Girndt, Holloway, Railey, Scoville (Alternate), Syler
Opposed:	None
Absent:	Bikova,
Non-voting participant:	Fagan (Alternate), Councilmember David Finklea

The motion passed.

NEW BUSINESS AND ASSOCIATED PUBLIC HEARINGS

24Z-004 (5210 Avenue S) Request for a variance from the Galveston Land Development Regulations, Article 3, Commercial (C) Addendum, regarding minimum lot width. Property is legally described as Lot 15 and 16, Block 165, Denver Resurvey, in the City and County of Galveston, Texas.

Applicant: Ramzey Zein-Eldein

Property Owner: Betty Everts, Estate of Betty Everts

Staff presented the staff report and reported that of 22 notices sent, none returned.

Chairperson Robert Girndt opened the public hearing on the case. Ramzey Zein-Eldein, the applicant, gave a presentation to the board. See the attached list of presentations made to the commission. The public hearing was closed, and the Chairperson called for a motion.

Board Member Syler made a motion to approve the request. Board Member Scoville seconded.

Chairperson Robert Girndt called for questions or comments from the Board, and the following votes were cast:

In favor:	Girndt, Holloway, Railey, Scoville (Alternate), Syler
Opposed:	None
Absent:	Bikova,
Non-voting participant:	Fagan (Alternate), Councilmember David Finklea

The motion passed.

THE MEETING ADJOURNED AT 4:29 PM





24Z-005

STAFF REPORT

ADDRESS:

1916 26th Street

LEGAL DESCRIPTION:

Property is legally described as M B Menard Survey, Lot 14, Northeast Block 91, Galveston Outlots, in the City and County of Galveston, Texas.

APPLICANT/REPRESENTATIVE:

Richard J. Spethman Jr.

PROPERTY OWNER(S):

William P. Collins and Richard J. Spethman Jr.

ZONING:

Residential, Single-Family (R-1)

VARIANCE REQUEST:

Request for a variance from the Galveston Land Development Regulations, Article 3, Residential Single-Family (R-1) Addendum, regarding minimum lot area.

APPLICABLE ZONING LAND

USE REGULATIONS:

Article 3, District Yard, Lot and Setback Requirements for the Residential, Single-Family (R-1) zoning district.

EXHIBITS:

- A – Aerial Map
- B – Applicant's Submittal
- C – Motion Guide

STAFF:

Adriel Montalvan, Planning Manager
 409-797-3645
 amontalvan@galvestontx.gov

Public Notice and Comment:

Sent	Returned	In Favor	Opposed	No Comment
39				

Per Section 13.808 of the Land Development Regulations and state law, written public notice of this request is required. Public notices are sent to all property owners within 200 feet of the subject site and are sent to the address on file with the Galveston Central Appraisal District.

City Department Notification Responses:

Airport: No Objection

Building Division: No Objection

Coastal Resources: No Objection

Fire Marshal: No Objection

Fire Chief: No Objection

Police Chief: No Objection

Public Works: *The replat should be revised to include a dedicated Utility Easement along the east property line of the proposed lots providing access for 1920 & 1924 to access sanitary sewer located in the alley to the north of 1916 26th.*

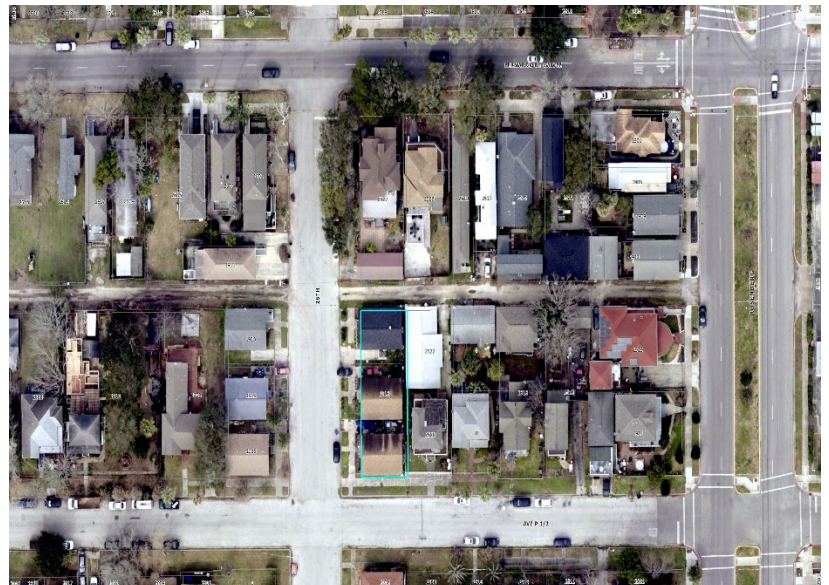
Private Utilities Notification Responses:

AT&T: No Objection

Comcast: No Objection

CenterPoint Energy: No Objection

Texas Gas Service: No Objection



Executive Summary

The applicant is requesting a variance from the Galveston Land Development Regulations, Article 3, Residential Single-Family (R-1) Addendum regarding minimum lot area in order to replat one lot into three. The required lot area in the R-1 zoning district for properties located west of 25th Street, east of 61st Street, south of Broadway, and north of Seawall Blvd., is 2,500 square feet. The applicant is proposing to reduce the aforementioned requirement to 1,720 square feet for all three lots. Please see attached site plan/survey for proposed lot reconfiguration.

Applicable Standards

Article 3, District Yard, Minimum Lot Standards, Addendum for Residential, Single-Family (R-1) zoning district, Note #10:

Requirement: Lot Area: 2,500 square feet minimum.

Lot Width: 0 feet minimum

Lot Depth: 0 feet minimum

Requested Variance

Variance Type	Current Requirement	Proposed Variance
Lot Area	2,500 Square Feet	1,720 Square Feet

Applicant's Justification

Approval Standards. The Board of Adjustment may grant a variance under this Section only if the variance is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment makes a determination in writing that all of the following are demonstrated.

1. The request for the variance is rooted in special conditions of the applicant's property that do not generally exist on other properties in the same zoning district.

The request is rooted in the fact that the placement of the existing structures does not allow for meeting the minimum lot size, which is a special condition of the property that does not exist across 26th Street and Avenue P 1/2.

2. Due to said special conditions, the literal enforcement of the strict terms of these Land Development Regulations would impose an unnecessary hardship on the applicant.

The enforcement of the strict terms of minimum lot size does not allow the properties to be subdivided.

3. The variance is not contrary to the public interest, in that:

The property will remain the same size but divided into three lots. There will be no physical changes to the land or improvements that will affect the public.

a. It does not allow applicants to impair the application of these regulations for:

i. Self-imposed hardships;

ii. Hardships based solely on financial considerations, convenience or inconvenience; or

iii. Conditions that are alleged to be "special," but that are actually common to many properties within the same zoning district.

The property was built as it is now, so there is no self-imposed hardship. The hardship is based on the current minimum size allowed. The condition is special when compared to other properties directly across the streets on 26th Street and Avenue P 1/2.

b. The variance will not have a detrimental impact upon:

- i. The current or future use of adjacent properties for purposes for which they are zoned;
- ii. Public infrastructure or services; and
- iii. Public health, safety, morals and general welfare of the community.

No changes will be made to the land or improvements so granting variance will not have an impact on adjacent property. No public infrastructure will have to be built, altered, or moved so it will not be impacted negatively. The property will remain residential with three single-family homes so there will be no detrimental impact on the public health, safety, morals and general welfare of the community.

4. **The degree of variance allowed from these Land Development Regulations is the least that is necessary to grant relief from the identified unnecessary hardship.**

Subdividing the property equally is the least that is necessary to grant relief from the hardship.

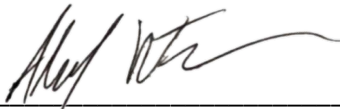
5. **The variance shall not be used to circumvent other procedures and standards of these Land Development Regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are available that would avoid or mitigate hardship without using a variance, then they must be used).**

The placement of existing structures does not allow alternative development plans and there is no additional land to purchase to expand the lot size.

6. **By granting the variance, the spirit of these Land Development Regulations is observed and substantial justice is done.**

Yes, the Land Development Regulations provide guidance standards for orderly development and redevelopment of land including the ability to request a variance in some cases.

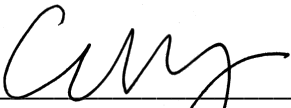
Respectfully Submitted,



Adriel Montalvan, Planning Manager

04/26/2024

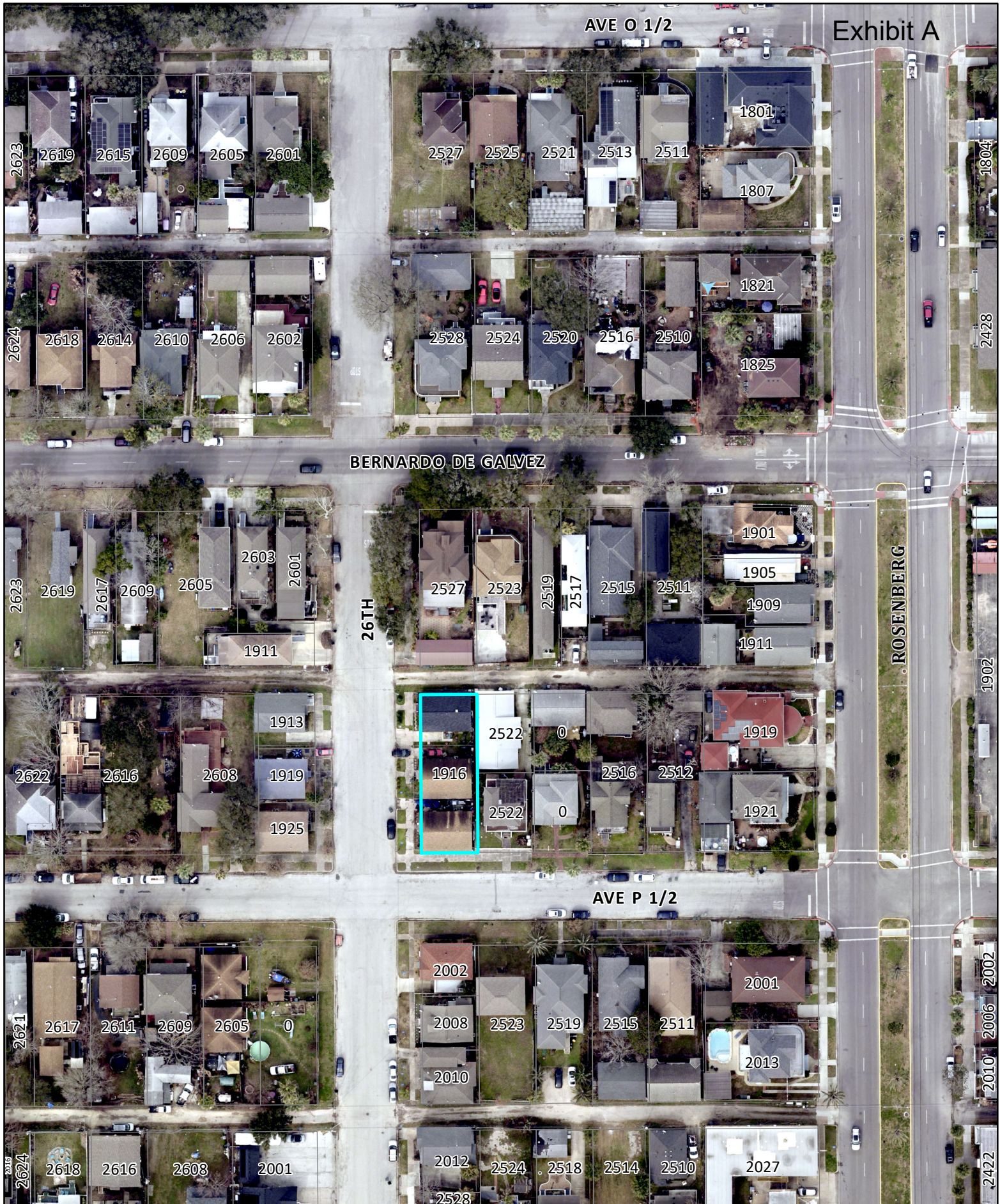
Date



Catherine Gorman, AICP
Assistant Director/HPO

04/30/2024

Date



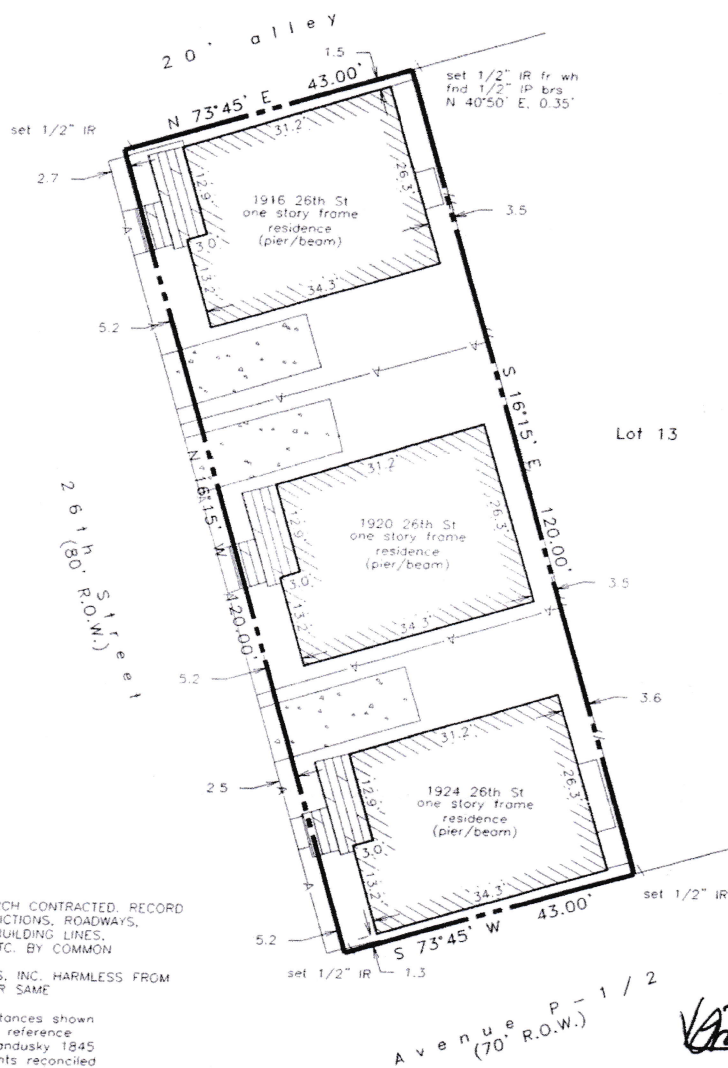
This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The data presented on these pages is not legally binding on the City of Galveston or any of its departments. These maps and the associated data are representations ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding.

Legend

Parcels



NATIONAL FLOOD INSURANCE PROGRAM
FIRM Zone AE
Panel 0026-E
Community #485469
December 6, 2002



NOTES:
NO RECORDS SEARCH CONTRACTED. RECORD
EASEMENTS, RESTRICTIONS, ROADWAYS,
RIGHTS-OF-WAY, BUILDING LINES,
ENCUMBRANCES, ETC. BY COMMON
KNOWLEDGE ONLY.
CLIENT HOLDS TLTS, INC. HARMLESS FROM
RESPONSIBILITY FOR SAME

- True ground distances shown
- Plot & bearings reference
- Plan of COG, Sandusky 1845
- Survey monuments reconciled
w/ numerous previous surveys

Scale: 1" = 20'



LAND TITLE SURVEY OF A TRACT OF LAND
being Lot 14, in the Northeast Block of
Outlot 91, of the City and County of
Galveston, Texas.

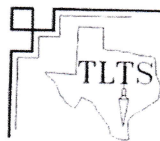
Subject property: 1916, 1920 & 1924 26th Street
Galveston County, Texas
To William Patrick Collins, Richard James Spethman, Jr.
and South-Land Title Co., GF #GV1534171;
I hereby certify that this survey was made on the
ground under my direct supervision and that this plot
correctly represents the facts found at the time of the
survey.

William Patrick Collins
Richard J. Spethman Jr.

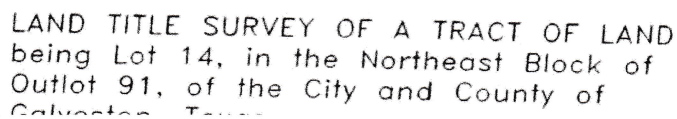


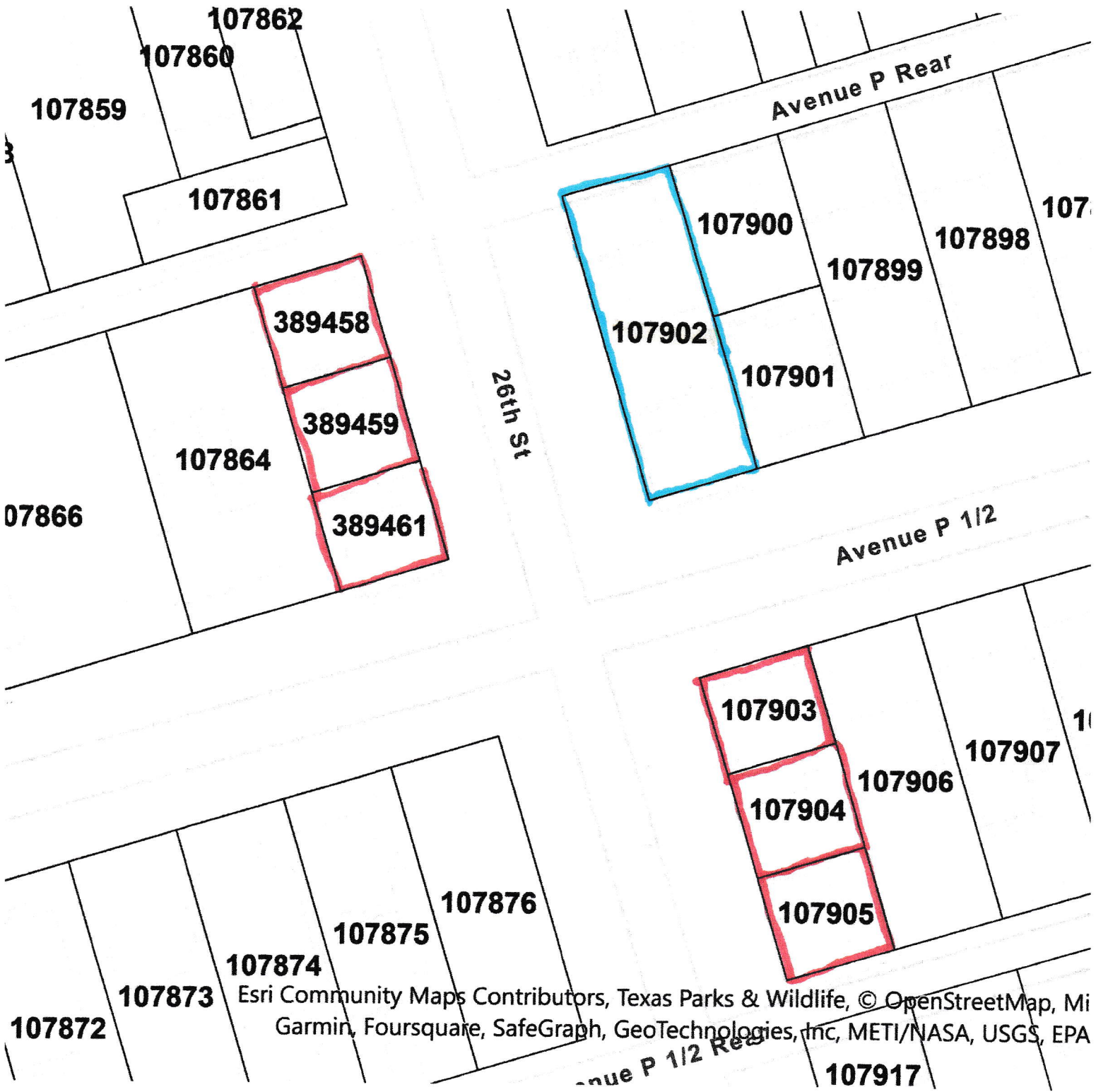
Laurence C. Wall

Laurence C. Wall
RPLS #4814
April 29, 2015



TLTS, Inc.
TEXAS LAND TITLE SURVEYORS
1801 Moody Avenue
Galveston, Texas 77550
(409) 765-8883





Esri Community Maps Contributors, Texas Parks & Wildlife, © OpenStreetMap, Mi
Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA

1916 26th Street Variance Application:

1916 26th Currently: CAD ID 107902

3 Houses 845 Sq.Ft. ea. Total 2,535 Sq.Ft. Lot 5,160 Sq.Ft.

Properties Across the Street:

1913 26th Street CAD ID 389458	House 845 Sq. Ft.	Lot 1,723 Sq. Ft.
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1919 26th Street CAD ID 389459	House 845 Sq. Ft.	Lot 1,756 Sq. Ft.
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1925 26th Street CAD 389461	House 871 Sq. Ft.	Lot 1,671 Sq. Ft.
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2002 26th Street CAD ID 107903	House 825 Sq. Ft.	Lot 1,647 Sq. Ft.
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2008 26th Street CAD ID 107904	House 740 Sq. Ft.	Lot 1,776 Sq. Ft.
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2010 26th Street CAD ID 107905	House 782 Sq. Ft.	Lot 1,749 Sq. Ft.
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If Variance is Approved:

1916 26th Street	House 845 Sq. Ft.	Lot 1,720 Sq. Ft.
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1920 26th Street	House 845 Sq. Ft.	Lot 1,720 Sq. Ft.
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1924 26th Street	House 845 Sq. Ft.	Lot 1,720 Sq. Ft.
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ZBA Motion Guide – Variances

I make a motion for **Approval** due to the following *(state all of the following, including the special condition)*:

- The special condition/s that exist on the property that does not generally exist of other properties in the same zoning district. That special condition is:

- Due to that special condition, the enforcement of the strict terms of these regulations would impose an unnecessary hardship on the applicant.
- The variance is not contrary to the public interest in that:
 - The hardship is not self-imposed,
 - The hardship is not based solely on financial considerations, convenience, or inconvenience,
 - There are not conditions that are alleged to be special but are actually common to many properties within the same zoning district,
- The requested variance does not have a detrimental impact upon:
 - The current or future use of the adjacent properties for purposes for which they are zoned,
 - Public infrastructure or services, and
 - Public health, safety, morals, and general welfare of the community,
- The degree of variance allowed from these regulations is the least that is necessary to grant relief from the identified unnecessary hardship,
- The variance will not be used to circumvent other procedures and standards of these regulations that could be used for the same or comparable effect, and
- By granting the variance, the spirit of these regulations is observed and substantial justice is done.

I make a motion for **Denial** due to the following *(state one of more of the following)*:

- There is not a special condition on the property,
- The hardship is self-imposed,
- The hardship is based solely on financial considerations, convenience, or inconvenience,
- The requested variance would have a detrimental impact upon:
 - The current or future use of the adjacent properties for purposes for which they are zoned,
 - Public infrastructure or services, and/or
 - Public health, safety, morals, and general welfare of the community,
- The degree of variance requested is greater than is necessary to grant relief from the hardship, and/or
- The variance is being used to circumvent other procedures and standards of the regulations that could be used for the same or comparable effect.

I make a motion for **Deferral** to the *Meeting Date* in order for *Reason for Deferral*.

Examples: I make a motion for deferral to the October 9, 2019 meeting in order for more board members to be in attendance.

I make a motion for deferral to the October 9, 2019 meeting in order for the applicant to provide additional information.



MEMORANDUM

TO: Robert Girndt, Zoning Board of Adjustment Chairperson and Zoning Board of Adjustment Board Members

FROM: Catherine Gorman, AICP
Assistant Director/HPO
Development Services Department

DATE: April 5, 2024

RE: In-Person Meeting Requirements

The City Council recently adopted an ordinance related to the resumption of in-person meetings for all City boards, commissions, and committees. A copy of Ordinance No. 24-017 is attached for your information.

The ordinance mostly affects those boards listed on the first page of the attachment, but there is a change that will affect the Zoning Board of Adjustment. The City Council has adopted a requirement that Board Members attend 75% of the meetings a year in person. Previously, the requirement was attendance of 75% of the meetings a year, but there was not a distinction between in-person attendance and virtual attendance.

The Zoning Board of Adjustment typically meets 12 times a year. So, a Zoning Board of Adjustment Board Member would have to attend 9 meetings a year in person in order to be in compliance with the ordinance.

As always, please let myself or Karina Rosales know if you need to attend a meeting virtually and we will set it up.

ORDINANCE NO. 24-017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS, PROVIDING FOR THE RESUMPTION OF IN-PERSON MEETINGS OF ALL CITY BOARDS, COMMISSIONS, AND COMMITTEES; PROVIDING FOR FINDINGS OF FACT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, during the 2020 Corona Virus and Covid Pandemic, an Order of the State allowed Boards, Commissions and Committees to meet virtually. However, positive impacts and strides have occurred in the public health situation not requiring such necessity; and,

WHEREAS, upon request and review, on March 24, 2022, the City Council adopted Ordinance Nos. 22-015, 22-016, and 22-017, allowing various city boards, commissions and those committees which serve strictly advisory functions to the City Council, to meet virtually and in accordance with the requirements of the Texas Open Meetings Act (TOMA); and,

WHEREAS, pursuant to Ordinance Nos. 22-015, 22-016, and 22-017, the following active city boards, commissions and committees were allowed to meet virtually:

Ad hoc Committees	Airport Advisory Committee
Animal Services Advisory Committee	Galveston Cultural Arts Commission
Families, Children and Youth Advisory Board	Tree Committee
Parks & Recreation Advisory Board	Sister Cities Program Committee
Arts & Historic Preservation Advisory Board;	
Finance, Fiscal Affairs and Investment Advisory Committee	

Upon further review, the conduct of business has been impacted due to the lack of in-person communications; therefore, it is recommended to resume in-person public meetings. In-person public meetings will be conducted in accordance with the Texas Open Meetings Act and/or any other Federal or State attendance and participation requirements; and,

WHEREAS, resumption of in-person public meetings will begin on or before April 1, 2024; and,

WHEREAS, the City Council of the City of Galveston deems it in the public interests of the City of Galveston to resume in-person meetings of all city boards, commissions and committees (public meetings).

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 are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council of the City of Galveston, Texas, for the reasons stated herein, deems it in the interests of the City of Galveston to resume in-person public meetings of all city boards, commissions, and committees in accordance with the Texas Open Meetings Act and/or any other Federal or State attendance and participation requirements.

SECTION 3. Resumption of in-person public meetings will begin on or before April 1, 2024.

SECTION 4. In furtherance of the findings set out above, the following sections of the Code of the City of Galveston shall be amended to read and provide as follows:

CHAPTER 2, ADMINISTRATION. ARTICLE IV. BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 1. GENERALLY

Sec. 2-164. – Failure to attend meetings.

As used in this section "meeting" shall mean regularly scheduled meetings and specially called meetings in which one (1) or more action items is to be considered. As used in this section "committee" shall mean committees, boards, and commissions.

Appointees must attend **in-person**, seventy-five (75) percent of the meetings in twelve (12) months of appointment schedule. Failure to comply will result in the removal from the board, commission or committee. If an appointee does not comply, the chair of the committee shall provide written notice to the city secretary of the dates and reasons, if known, of the member's absences. The city secretary shall place the item on the city council's next regularly scheduled meeting.

Sec. 2-167. - AD HOC COMMITTEES.

- (a) The city council may create and establish ad hoc committees by resolution for the purpose of making recommendations to the city council on specific matters or to perform a specific task. The city council shall establish the specific purpose and duties of the ad hoc committee, number of members, and their qualifications if necessary.
- (b) Members of ad hoc committees shall serve at the will and pleasure of the city council and may be removed with or without cause.
- (c) Each ad hoc committee shall meet as often as required in order to conduct the business of the committee. A majority of members shall constitute a quorum. Minutes of each meeting shall be filed with the city secretary.

- (d) Ad hoc committees shall meet at City Hall unless otherwise authorized by city council and shall prepare and post agendas pursuant to the Texas Open Meetings Act.

- (1) The Committee may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.
- (2) A member of the Committee who participates in a meeting remotely shall be counted as present at the meeting for all purposes.
- (3) A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.

DIVISION 3. - GALVESTON CULTURAL ARTS COMMISSION

Sec. 2-184. - Meetings.

The chairperson of the commission, or any two (2) members of the commission may call a special meeting as necessary to conduct business. All meetings shall be subject to the Texas Open Meetings Act. The meeting shall be held at city hall and in accordance with the Texas Open Meetings Act. Provided, however, the committee may convene into executive session on matters which are allowed to be closed to the public under the Texas Open Meetings Act. The secretary of the commission shall record the minutes of the committee's meetings and deliver the minutes to the city secretary. The city secretary shall post notice of meetings of the commission in accordance with the law.

- (1) The Commission may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.
- (2) A member of the Commission who participates in a meeting remotely shall be counted as present at the meeting for all purposes.
- (3) A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.

DIVISION 4. – SISTER CITIES PROGRAM COMMITTEE

Sec. 2-194. - Meetings.

- (a) The committee shall meet no less than two (2) times during each calendar year to discuss matters within the concern of the committee and to provide a report to the city council. The chairperson of the committee or any two (2) members of the committee may call a special meeting as necessary to conduct business. The meetings shall be held at City Hall, 823 Rosenberg, Galveston, Texas and in accordance with the Texas Open Meetings Act.

- (b) ~~The committee may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.~~
- (c) ~~A member of the committee who participates in a meeting remotely shall be counted as present at the meeting for all purposes.~~
- (d) ~~A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.~~
- (e)(b) The city manager, city secretary, and city attorney, or their designee may attend meetings and provide information to the committee.
- (f)(c) The city secretary or designee shall record minutes of the committee's meetings and post notice of meetings in accordance with city ordinances and state law. All meeting agendas shall state that members of the city council may be attending and participating in the discussion.

DIVISION 5. - FINANCE, FISCAL AFFAIRS AND INVESTMENT ADVISORY COMMITTEE

Sec. 2-205. - Meetings.

- (c) The meeting shall be held at city hall and in accordance with the Texas Open Meetings Act. Provided, however, the committee may convene into executive session on matters which are allowed to be closed to the public under the Texas Open Meetings Act. The city secretary or designee shall record minutes of the committee's meetings and post notice of the meeting in accordance with the law.
 - (1) ~~The Committee may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.~~
 - (2) ~~A member of the Committee who participates in a meeting remotely shall be counted as present at the meeting for all purposes.~~
 - (3) ~~A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.~~

DIVISION 6. - AIRPORT ADVISORY COMMITTEE

Sec. 2-214. - Committee meetings.

The committee shall meet in regular session at the airport at such time as determined by a majority of the regular members, unless otherwise ordered by the committee for reasons to be spread upon the minutes of the committee. Special meetings of the committee shall

be called by the chair upon written request of the chair or of any two (2) regular members of the committee. Except as may be otherwise authorized under applicable provision of the Texas Open Meetings Act as it now exists or is hereafter amended, all meetings of the committee shall be open to the public.

- (1) The Committee may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.
- (2) A member of the Committee who participates in a meeting remotely shall be counted as present at the meeting for all purposes.
- (3) A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.

DIVISION 8. - GALVESTON TREE COMMITTEE

Sec. 2-234. - Meetings.

- (a) The committee shall meet as often as necessary to discuss matters within the concern of the committee and take necessary action thereon; however, the committee shall meet no less than once each month.
- (b) The chairperson of the committee, or any two (2) members of the committee, may call a special meeting as necessary to conduct business.
- (c) All meetings shall be subject to the Texas Open Meetings Act. The meetings shall be held in city hall or in another place readily accessible to the public,
- (d) The Committee may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.
- (e) A member of the Committee who participates in a meeting remotely shall be counted as present at the meeting for all purposes.
- (f) A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.

CHAPTER 7, ANIMALS AND FOWL

ARTICLE VI. ANIMAL SERVICES ADVISORY COMMITTEE

Sec. 7-42 . Animal services advisory committee.

- (e) The committee shall meet at least three (3) times a year.
- (f) The Committee may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.

(g) A member of the Committee who participates in a meeting remotely shall be counted as present at the meeting for all purposes.

(h) A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.

CHAPTER 26, PARKS AND RECREATION

ARTICLE II. PARK AND RECREATION BOARD

Sec. 26-30. - Meetings.

Meetings shall be in accordance with the Texas Open Meetings Act, the City of Galveston City Charter, the City Code of the City of Galveston, and any other applicable state or federal regulation.

(a) The Board may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.

(b) A member of the Board who participates in a meeting remotely shall be counted as present at the meeting for all purposes.

(c) A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.

ARTICLE V. - FAMILIES, CHILDREN AND YOUTH ADVISORY BOARD

Sec. 26-74. - Board meetings.

- (a) The board shall meet in regular session at city hall or other public facility located in the city at such time as determined by a majority of the members, unless otherwise ordered by the board for reasons to be specified in the minutes of the board.
- (b) Special meetings of the board shall be called by the chair upon written request of the chair or of any three (3) members of the board. Except as may be otherwise authorized under applicable provision of the Texas Open Meetings Act as it now exists or is hereafter amended, all meetings of the board shall be open to the public.
- (c) A quorum for the transaction of business shall consist of a majority of the number of board members (excluding ex-officio members). Fifty-one (51) percent of the active board membership plus one (1) shall constitute a quorum.
- (d) If a board member is absent from more than three (3) consecutive regularly scheduled meetings, the city council may remove the board member from the board in accordance with The City Code.

- ~~(e)~~ — The committee may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.
- ~~(f)~~ — A member of the committee who participates in a meeting remotely shall be counted as present at the meeting for all purposes.
- ~~(g)~~ — A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.
- ~~(h)~~~~(e)~~ The city manager, city secretary, and city attorney, or their designee may attend meetings and provide information to the committee.
- ~~(i)~~~~(f)~~ The city secretary or designee shall record minutes of the board's meetings and post notice of meetings in accordance with city ordinances and state law. All meeting agendas shall state that members of the city council may be attending and participating in the discussion.

CHAPTER 33, TAXATION

ARTICLE II. HOTEL OCCUPANCY TAX

Sec. 33-95. Arts and historical preservation advisory board.

- (a) There is hereby created a board known as the arts and historical preservation advisory board which shall consist of seven (7) persons selected and appointed by the city council for overlapping terms of three (3) years, commencing November 1, of each year, as follows:

- ~~(b)~~ — The Board may choose to meet virtually. All other provisions, as applicable, of the Texas Open Meetings Act will remain in effect.
- ~~(c)~~ — A member of the Board who participates in a meeting remotely shall be counted as present at the meeting for all purposes.
- ~~(d)~~ — A meeting held by videoconference call (virtually) is subject to the notice and agenda requirements applicable to other meetings. The notice of a meeting to be held by videoconference call must specify a physical location of the meeting, if applicable, and must include instructions for the public to attend remotely.
- ~~(e)~~~~(b)~~ The purpose of the arts and historical preservation advisory board of the City of Galveston (advisory board) is to allocate hotel motel occupancy tax (HOT) funds to arts and historic preservation groups pursuant to [section 33-92](#) "Distribution of tax proceeds", of The Code of the City of Galveston, 1982, as amended.

SECTION 5. 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 6. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 7. All Ordinances of general and permanent nature, and amendments to such Ordinances, hereinafter adopted by the City Council, shall be drafted, so far as possible, as specific amendments of, or additions to, this Code. Amendments to this Code are intended for publication to the Galveston City Code. The Codifier is authorized pursuant to the Galveston City Code to make non-substantive changes to the Ordinance prior to publishing.

SECTION 8. 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 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 9. This Ordinance shall be and become effective on, from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

APPROVED AS TO FORM

DocuSigned by:

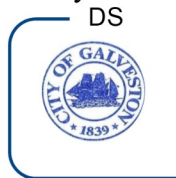
Xochitl Vandiver-Gaskin for

DONNA FAIRWEATHER

SR. ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City of 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 March 21, 2024, 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 22nd day of March, 2024.



DocuSigned by:

Janelle Williams

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Secretary for the City Council
of the City of Galveston