

**Bastrop Parks and  
Public Tree Advisory Board Meeting**  
Bastrop City Hall Council Chambers  
1311 Chestnut Street  
Bastrop, TX 78602  
(512) 332-8800



---

## **AGENDA (Amended) – October 3, 2019, at 6:00 P.M.**

---

*Bastrop Parks and Public Tree Advisory Board meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800, or write to 1311 Chestnut Street, Bastrop, TX 78602, or call Relay Texas through a T.D.D. (Telecommunication Device for the Deaf) at 1-800-735-2989 at least 48 hours in advance of the meeting.*

---

1. **CALL TO ORDER**
2. **STAFF AND BOARD BRIEFINGS**
  - 2A. Parks and Recreation Report
  - 2B. Bastrop State Park Report
  - 2C. Bastrop YMCA Report
  - 2D. Youth Member Report
  - 2E. Bird City Coalition Report
3. **CITIZEN COMMENTS**

*At this time, three (3) minute comments will be taken from the audience on any topic. To address the Board, please submit a fully completed request card to the Board chairperson prior to the beginning of the meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, city Boards cannot discuss issues raised or make any decision at this time. Instead, city Boards are limited to making a statement of specific information or a recitation of existing policy in response to the inquiry. Issues may be referred to city staff for research and possible future action.*

*It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Board to allow a member of the public to slur the performance, honesty, and/or integrity of the Board, as a body or any member or members of the Board, individually or collectively, nor any members of the city's staff. Accordingly, profane, insulting, or threatening language directed toward the Board and/or any person in the Board's presence will not be tolerated.*

**4. APPROVAL OF THE MINUTES**

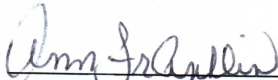
- 4A. Consider action to approve Parks and Public Tree Advisory Board minutes from the September 5, 2019 regular meeting.

**5. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 5A. Discussion and consider action related to recommended revisions to the City of Bastrop Code of Ordinances, Chapter 1 GENERAL PROVISIONS, Articles 1.10 PARKS pertaining to prohibited activities such as jumping, diving, wading into waterways and swimming or wading in the Colorado River.
- 5B. Discussion and update on the status of the Bastrop Wheeled Sports Complex.
- 5C. Discussion and update on the status of planned and proposed sidewalks and trails.
- 5D. Discussion and update on the status of the Old Iron Bridge renovations.
- 5E. Discussion and consider action related to the proposed combined use of the Fisherman's Park basketball court as a pickleball court.

**6. ADJOURNMENT**

I, the undersigned authority, do hereby certify that this Notice of Meeting is posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenience that is readily accessible to the general public, as well as to the City's website, [www.cityofbastrop.org](http://www.cityofbastrop.org). Said Notice was posted on the following date and time: Thursday, September 26, 2019, at 1:00 p.m. and will remain posted for at least two hours after said meeting is convened.



Ann Franklin, City Secretary



# STAFF REPORT

---

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 2A

**TITLE:**

Parks and Recreation Report

**STAFF REPRESENTATIVE:**

David Junek, Parks & Recreation Superintendent

**RECOMMENDATION:**

Review staff Parks and Recreation July operational report. Report will be presented and handed out at the October 3<sup>rd</sup> meeting.

**ATTACHMENTS:**

NA



# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 2B

**TITLE:**

Bastrop State Park Report

**STAFF REPRESENTATIVE:**

Jamie Creacy, Park Superintendent, Lost Pines State Park Complex

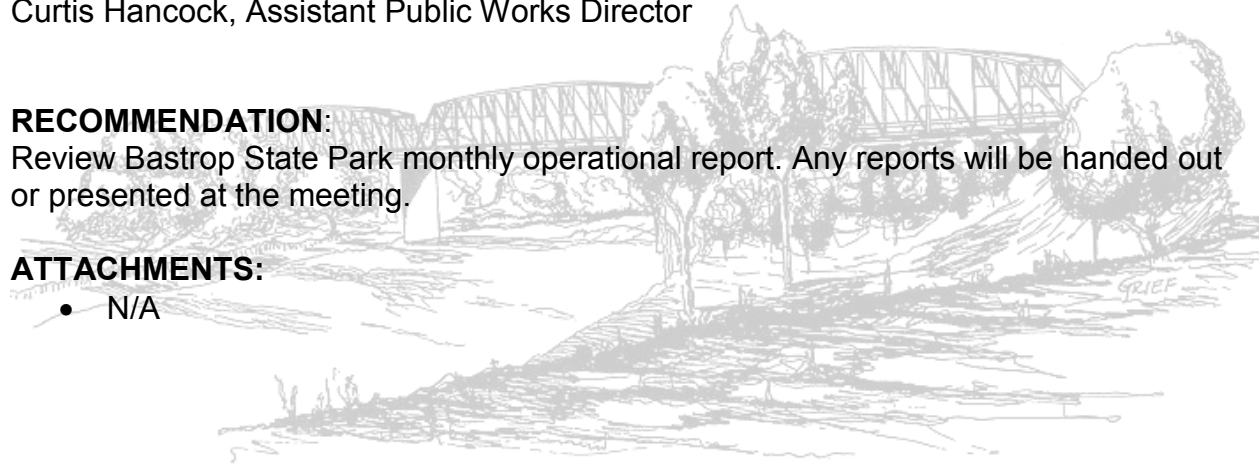
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

Review Bastrop State Park monthly operational report. Any reports will be handed out or presented at the meeting.

**ATTACHMENTS:**

- N/A





# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 2C

**TITLE:**

Bastrop YMCA Report

**STAFF REPRESENTATIVE:**

Terry Moore, Executive Director, YMCA of Austin Bastrop Branch

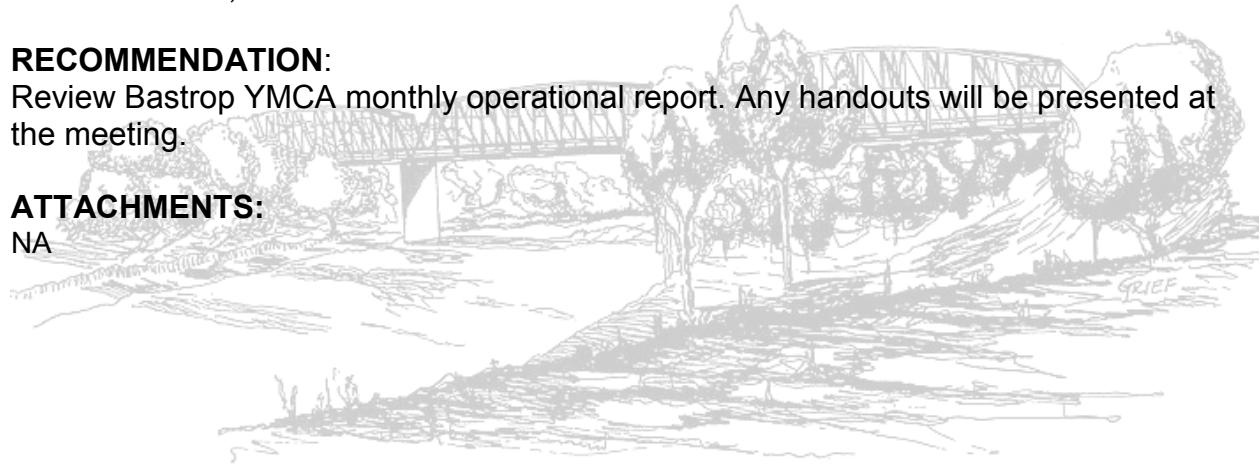
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

Review Bastrop YMCA monthly operational report. Any handouts will be presented at the meeting.

**ATTACHMENTS:**

NA







# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 2D

**TITLE:**

Youth Member Report

**STAFF REPRESENTATIVE:**

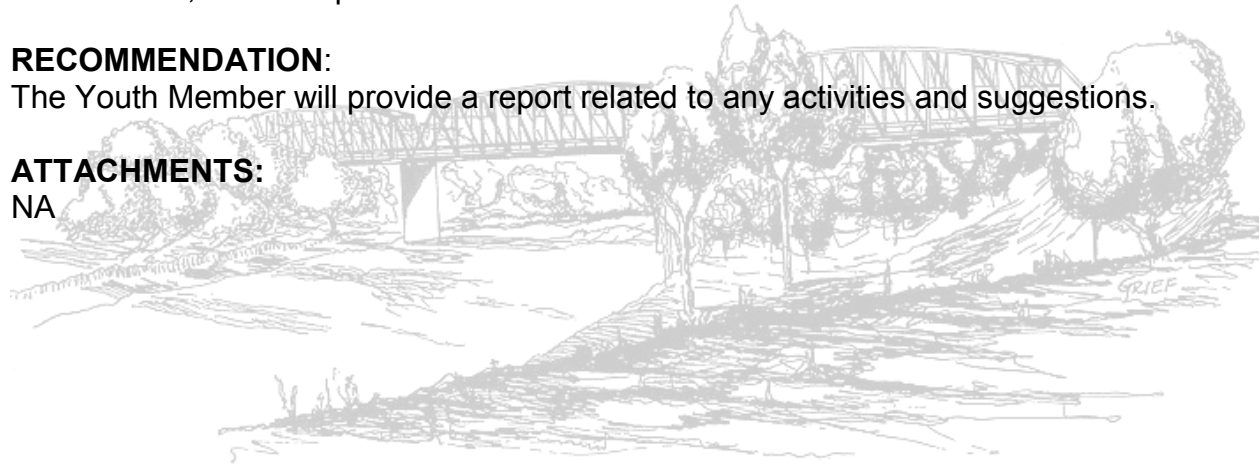
Saray Jimenez Colmenero, Youth Member  
David Junek, Parks Superintendent

**RECOMMENDATION:**

The Youth Member will provide a report related to any activities and suggestions.

**ATTACHMENTS:**

NA





# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 2E

**TITLE:**

Bird City Coalition Report

**STAFF REPRESENTATIVE:**

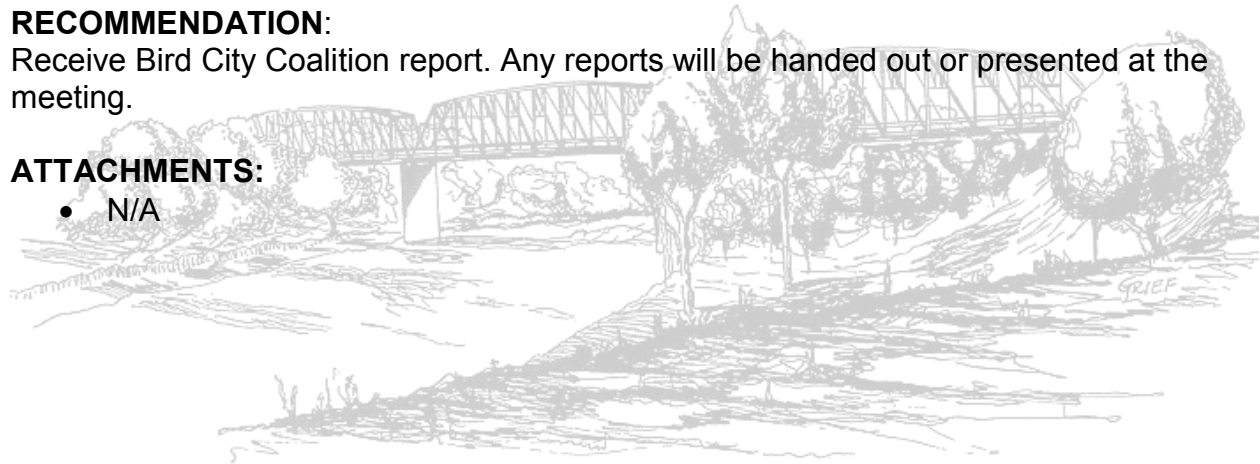
Dorothy Skarnulis, Parks and Public Tree Advisory Board Member  
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

Receive Bird City Coalition report. Any reports will be handed out or presented at the meeting.

**ATTACHMENTS:**

- N/A





# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 4A

**TITLE:**

Consider action to approve Parks and Public Tree Advisory Board minutes from the September 5, 2019 regular meeting.

**STAFF REPRESENTATIVE:**

Betty Rucker, Secretary, Parks and Public Tree Advisory Board  
Curtis Hancock, Assistant Public Works Director

**POLICY EXPLANATION:**

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
  - 1. State the subject of each deliberation; and
  - 2. Indicate the vote, order, decision, or other action taken.

**RECOMMENDATION:**

Approve, amend, or correct the minutes of the September 5, 2019 Parks and Public Tree Advisory Board.

**ATTACHMENTS:**

September 5<sup>th</sup> DRAFT Parks and Public Tree Advisory Board meeting minutes



## MINUTES OF CITY OF BASTROP PARKS AND PUBLIC TREE ADVISORY BOARD

September 5, 2019

The Bastrop Parks and Public Tree Advisory Board met in a Regular Meeting on Thursday, September 5, 2019, at 6:00 p.m. at the City of Bastrop Council Chambers, 1311 Chestnut Street, Bastrop, TX 78602. Members present were President Jimmy Couch, Vice-Chair Barbara Wolanski, Betty Rucker, Kelly Dawson, Dorothy Skarnulis, Jamie Creacy, and Youth Advisory Member Saray Colmerero. Staff present were David Junek, Curtis Hancock, Heather Ambrose, YMCA Director Terry Moore and Council Liaison Dock Jackson.

### 1. CALL TO ORDER

At 6:00 p.m. Chairperson Jimmy Crouch called the meeting to order with a quorum being present. Board Member Margaret Robinson was not in attendance.

### 2. STAFF AND BOARD BRIEFINGS

- 2A. Parks and Recreation Report  
Presentation was made by Parks Superintendent David Junek. Handouts were given out of the month's operational report.
- 2B. Bastrop State Park Report  
Presentation was made by Board Member Jamie Creacy.
- 2C. Bastrop YMCA Report  
Presentation was made by YMCA Director Terry Moore.
- 2D. Youth Member Report  
Saray Colmerero was in attendance and introduced to the Board. No report was provided for her first meeting.
- 2E. Bird City Coalition Report  
Presentation was made by Dorothy Skarnulis

### 3. CITIZEN COMMENTS

Ken Kesselus was in attendance to discuss the possible use of the Fisherman's Park basketball court for Pickleball. Mr. Kesselus reported that the group uses their own net and currently plays on the tennis court. He inquired whether his group, or City staff, could stripe the basketball court for their game to have an additional location. They would play their games when no one is playing basketball at the time.

### 4. APPROVAL OF THE MINUTES

- 4A. Consider action to approve Parks and Public Tree Advisory Board minutes from the July 11, 2019 regular meeting.  
Motion was made by Board Member Barbara Wolanski and seconded by Board Member Kelly Dawson. Approved on a 6-0 vote.

### 5. ITEMS FOR INDIVIDUAL CONSIDERATION

- 5A. Discussion and update on the status of the Bastrop Wheeled Sports Complex.  
Presentation was made by Assistant Public Work Director Curtis Hancock. Handouts were given out as prepared by Burditt Consultants.

5B. Discussion and update related to the park's 2019 Christmas special events and lighting. Presentation was made by Parks Superintendent David Junek related to planned events and lighting for the 2019 holiday season.

**6. ADJOURNMENT**

Kelly Dawson made the motion to adjourn the meeting at 7:30 p.m. Seconded by Dorothy Skarnulis.

APPROVED:

ATTEST:

---

Chair, Jimmy Crouch

---

Secretary, Betty Rucker



# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 5A

**TITLE:**

Discussion and consider action related to recommended revisions to the City of Bastrop Code of Ordinances, Chapter 1 GENERAL PROVISIONS, Articles 1.10 PARKS pertaining to prohibited activities such as jumping, diving, wading into waterways and swimming or wading in the Colorado River.

**STAFF REPRESENTATIVE:**

Trey Job, Assistant City Manager of Development Services  
James Altgelt, Assistant City Manager of Public Safety & Community Support

**BACKGROUND/HISTORY:**

At the November 1, 2018 Parks and Public Tree Advisory Board meeting, the City Code of Ordinances article related to Parks was reviewed in a workshop session. Several recommendations for changes were discussed. A revision with those changes was prepared and with the Parks Board's acknowledgment and recommendation these changes were prepared for presentation to the City Council. The recommended revised ordinance has not yet been presented to the City Council for consideration due to a few areas needing further discussion.

Assistant City Managers Trey Job and James Altgelt will be in attendance at the October 3, 2019 meeting to further discuss the Board's recommendations specifically related to prohibited park activities such as jumping, diving, and wading into waterways, and swimming or wading in the Colorado River.

**POLICY EXPLANATION:**

The Parks and Public Tree Advisory Board serves in an advisory role to the City Council and may make recommendations for actions to be considered. Parks Board members have requested this update in their advisory capacity.

**RECOMMENDATION:**

Discussion and consider action related to recommended revisions to the City of Bastrop Code of Ordinances, Chapter 1 GENERAL PROVISIONS, Articles 1.10 PARKS pertaining to prohibited activities such as jumping, diving, wading into waterways and swimming or wading in the Colorado River.

**ATTACHMENTS:**

- Draft amended park ordinance

CITY OF BASTROP, TX

**ORDINANCE NO. 2019-20**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 1, TITLED "GENERAL PROVISIONS," ARTICLE 1.10, TITLED "PARKS," SECTION 1.10.002, TITLED "PARK RULES," AND SECTION 1.10.003, TITLED "COMMERCIAL USE OF PARKS," AND AMENDING THE CODE OF ORDINANCES, APPENDIX A, TITLED "FEE SCHEDULE," SECTION A1.10.002 TITLED "PARKS," TO REQUIRE A PERMIT FOR AFTER-HOURS USE OF PARKS, EXPAND PERMITTED USERS OF THE CONCESSION STANDS AT FISHERMAN PARK, AMEND THE RESERVATION CANCELLATION POLICY, ALLOW AQUATIC ACTIVITY IN THE COLORADO RIVER, AUTHORIZE CITY STAFF TO ACT ON BEHALF OF THE PARK BOARD, INCREASE THE AMOUNT OF INSURANCE REQUIRED FOR COMMERCIAL USE OF CITY PARK, AND MAKE CONFORMING CHANGES; PROVIDING FOR FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE AND MEETING.**

**WHEREAS**, the City of Bastrop (the "City") is authorized by Texas Local Government Code Section 51.001 to adopt or amend any Ordinance for the good government, peace, or order of the municipality or for the trade and commerce of the municipality; and

**WHEREAS**, the City owns, controls, and maintains a municipal park system, which is financed by the taxes assessed on the citizens of the City and by the fees assessed on the various users of the parks; and

**WHEREAS**, in order to provide for proper maintenance of the City park system, the City finds that it is necessary to adequately fund such maintenance and operational activities; and

**WHEREAS**, City staff members have evaluated the current uses, fees, and maintenance needs of the City park system and made recommendations to the City Council regarding anticipated future uses, fees, and maintenance needs of the City park system.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AS FOLLOWS:**

**SECTION 1. FINDINGS OF FACT:** The foregoing recitals are incorporated into this

Ordinance by reference as findings of fact as if expressly set forth herein.

**SECTION 2. ENACTMENT:** Chapter 1, Article 1.10, which is titled "Parks," Sections 1.10.002 and 1.10.003, and Appendix A, Section A1.10.002, of the Code of Ordinances of the City of Bastrop are amended to read as described and attached hereto as Exhibit "A".

**SECTION 3. REPEALER:** In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

**SECTION 4. SEVERABILITY:** If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

**SECTION 5. EFFECTIVE DATE:** This Ordinance shall be effective immediately upon passage and publication.

**SECTION 6. PROPER NOTICE AND MEETING:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

**READ & ACKNOWLEDGED** on First Reading on the \_\_\_\_ day of March 2019.

**READ & APPROVED** on the Second Reading on the \_\_\_\_ day of April 2019.

**APPROVED:**

by: \_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

---

Alan Bojorquez, City Attorney



City of Bastrop

**CODE OF ORDINANCES**

**CHAPTER 1: GENERAL PROVISIONS**

**ARTICLE 1.10: PARKS**

**Sec. 1.10.002 - Park Rules.**

a) **Overnight camping; hours when closed.** There shall be no person, vehicle, equipment or activity within any publicly owned park or playground within the city limits from 10:00 p.m. to 6:00 a.m. each day, unless ~~an exception to this rule is provided, in writing~~ a permit is obtained from the Parks & Recreation Department three (3) business days before the after-hours use occurs.

**b) Reserved areas.**

1) Unless controlled by a separate lease agreement, the following areas of the city's public parks may be reserved and a permit obtained either for commercial or noncommercial purposes a minimum of three (3) business days in advance (excluding holidays) of the use on application to the parks department.

(A) Multipurpose fields in Fisherman's Park and Bob Bryant Park;

(B) Pavilions in Fisherman's Park and Bob Bryant Park (with associated BBQ's);

(C) Pavilion in Kerr Park;

(D) Pavilion in Hunter's Crossing Park;

(E) Mayfest Park;

(F) Mayfest Park rodeo arena;

(G) Fireman's Park softball field;

(H) Hunter's Crossing Park multipurpose field;

(I) Concession stand at splash pad; and

(J) Rusty Reynolds Little League Fields.

In the event of a conflict between the city ordinance and a lease agreement, the

terms of the lease agreement shall control.

- 2) **Multipurpose fields (noncommercial use).** The noncommercial reservation policies of the multipurpose fields in Fisherman's Park, Hunter's Crossing Park and Bob Bryant Park are as stated below. For purposes of this section and determining whether a fee and reservation is required, a patron shall include all individuals attending the event including, as applicable to the event, players, participants, guests, children, spectators, coaches, relatives, family, friends, and parents. An area may not be reserved more than three (3) times in one month for a noncommercial use. See section 1.10.003 below for information related to commercial uses of the multipurpose fields and section A1.10.002 of the fee schedule in appendix A for additional information related to fees.

Patrons	Fee	Deposit	Reservation
0—14	None	None	None
15—45	None	Required	Required
46+	Required	Required	Required

- 3) **Pavilions (noncommercial use and commercial use).** For reservation of city pavilions a fee and a deposit is required. See section A1.10.002 of the fee schedule in appendix A for additional information related to the applicable commercial and noncommercial uses and fees.
- 4) **Concessions stands.** The concession stands ~~at the splash pad located in Fisherman Park shall be available for use by individuals, nonprofit groups, and other entities under the age of 17 and for a period of no longer than fourteen (14) consecutive days.~~ Parent or guardian adult supervision is required for use of the concession stand by children under the age of 17 years. For reservation of the city concession stand a deposit is required. All other concession stands will be handled through a ~~spate~~ separate permit. ~~All~~ Any individuals, nonprofit group, or other entity who reserves the concession stands shall comply with chapter 4 of this Code and shall be responsible for payment of all applicable vendor and permitting fees. Use of the concession stand will be on a first come, first served basis. See section A1.10.002 of the fee schedule in appendix A for additional information related to commercial and noncommercial uses and fees.
- 5) **Youth sports leagues.**  
(A) Commercially sponsored and/or organized youth league sports play (ages 17 and under) that require a registration fee for participation shall contact the parks department for reservations, times, and field designations. All organized

youth sports leagues shall submit their schedules to the parks department as soon as possible, but in no event later than thirty (30) days before the first scheduled practice to ensure that a field is available for use at the desired times and locations. Unless otherwise controlled by the terms of a lease agreement, no area of a park is specifically designated or reserved for one organization or youth team and areas will be provided on a first come, first served basis.

(B) No fee is required for a youth league that does not collect registration "fees" or "dues" to reserve an area. However, after the conclusion of an event, the area that was reserved shall be clean and free of trash and debris. In the event an area is not properly cleaned, the entity reserving the area may be prohibited from future use of city parks.

- 6) **Tennis courts and basketball courts.** Tennis courts and basketball courts located in city parks shall be used for their intended purposes, only. Activities other than the intended use of the courts will require approval by the parks department, or its designee.
- 7) **Permit.** On receipt of an application to reserve an area in a city park, the parks department, or its designee, will review the application to determine the applicable fee, deposit, and necessary insurance, if any. On approval and payment of same, the city will provide the applicant with a permit stating that the applicant has successfully reserved the area on the requested date.
- 8) **Refunds of deposits and fees.** Reservations must be made a minimum of three (3) business days in advance (excluding holidays) of the use. A reservation is not valid, and a permit will not be issued, until all fees, deposits, and proof of insurance, if necessary, are paid in full to the parks department. Deposits and fees paid in accord with this section may be refunded under the following conditions:
  - (A) Full refund of the reservation deposit and fee if the parks department is notified, in writing, of the cancellation not less than seven (7) days prior to the date of use of the reserved area.
  - (B) Refund of one-half ( $\frac{1}{2}$ ) of the reservation deposit and fee if notice of cancellation is received by the parks department, in writing, between seven (7) days and three (3) days before ~~twenty-four (24) hours prior to~~ the date of use of the reserved area.

(C) The reservation deposit and fee will not be refunded if the event is cancelled less fewer than three (3) days ~~twenty-four (24) hours~~ before the day of the event.

(D) The reservation deposit will be returned to the individual or group reserving the area after the event so long as the area being reserved is clean and free of trash and debris at the conclusion of the event. Any damage, cleaning or maintenance required, in the sole discretion of the city and/or the parks department, will be charged against the deposit.

(E) In the event a field is closed by the parks department (or other applicable city personnel) due to inclement weather or necessary construction or maintenance which causes an event to be cancelled, the reservation deposit and fee will be returned or applied to the "rain date," if an alternative date is sought.

(F) Exceptions to the deposits and refunds are allowed only on written approval of the city manager.

9) **Tables.** Tables in city-owned parks may not be reserved and are available on a first come, first served basis.

10) **Reserved signs.** The parks department will be responsible for posting reserved signs at the reserved areas by 8:00 a.m. the day of the event. Reserved signs must include the name of the party and the time and date of the reservation.

**c) Control of park and recreation areas.**

1) The city shall have and shall exercise the power to control all activities, hours of visitation, and days and times in city parks in order to properly protect the citizens of this community. City parks and recreation areas shall be under the direct operation and control of the city manager or his/her designee. In accord herewith, the city manager, or his/her designee, shall be permitted to close the park or field in the event of inclement weather, field conditions, or necessary maintenance or construction which, in his/her sole discretion, renders the field's no playable or is a risk to person or property.

2) City park and recreation areas shall be open to the public during the hours from 6:00 a.m. to 10:00 p.m. each day, with the exception of the splash pad which shall be open between 10:00 a.m. and 8:00 p.m. Monday-Sunday beginning the second week of April and ending on Labor Day. Any area of a city park, including the splash pad may be closed by orders of the City Manager, or his/her

designee, or the park's department, for the purposes of rehabilitation, cleaning, maintenance or general supervision, or upon reservation or general danger to the public. The City Manager shall have the authority to vary the splash pad hours and days of operation on request by the parks department.

- 3) Permission to use city parks from 10:00 p.m. to 6:00 a.m. may be granted by the City Council or the City Manager, as directed by city ordinance, at the discretion of the City Manager, or his/her designee, and in consideration of the requested use of the park. To request that a park be opened after hours (i.e. 10:00 p.m. to 6:00 a.m.), the parks department must be contacted with sufficient time in advance of the event to determine if a special event application is required or if City Council approval is necessary.
- 4) The city's police department is charged with the responsibility of supervising and maintaining law and order in city parks. In order to carry out this provision, officers of the police department shall have the authority to make any arrests for violation of any state law or city ordinance. In addition thereto, it is declared that a person commits an offense if he/she enters or remains in a city park, recreation area, or other designated park area, during hours other than those set out hereinabove, without written approval of the City Manager or the City Council, and the person: (A) Had notice that the entry was forbidden; or (B) Received notice to depart but failed to do so.
- 5) For purposes of this subsection, "entry" means the intrusion of the entire body and "notice" means an oral, written, or demonstrative communication by: (A) the City Manager or his/her authorized designee(s) or a city police officer; (B) fencing, gate or other enclosure obviously designed to exclude intruders during the closed hours; (C) signs posted to be reasonably likely to come to the attention of intruders. The director of public works and the park's superintendent are specifically authorized to control and regulate the use of the parks as the City Manager's designee.
- 6) For purposes of this article, streets and parking in city parks shall be treated the same as any other city streets, and shall be supervised and regulated by the police department in the same manner as all city streets. An individual sitting inside his/her vehicle shall be treated the same as any other individual in the park regardless of whether the vehicle is parked or is being driven.
- 7) Special items in city parks.
  - (A) Due to the special risks associated with the use of the items listed below an application requesting a special permit to allow the use, and proof of

insurance in the amount of \$1,000,000 which names the city, and its officers, employees, volunteers, and officials as additionally insured, must be submitted to the parks department a minimum of three (3) business days (excluding holidays) prior to an event: (i) Moonwalks, bouncy castles, or other inflatable play areas; (ii) Climbing walls; and (iii) Any other item which, at the discretion of the parks department and/or the City Manager, poses a unique safety concern.

(B) To avoid the potential removal of an item from the park during an event, it is advisable to notify the parks department of any specialty item a patron wishes to have at an event to confirm if insurance will be necessary.

8) Sale of food and drink in city parks. The sale of food and drink concessions in the city, including at the concession stand, is strictly prohibited without compliance with article 4.04 of this Code, including obtaining a vendor permit and certificate of health inspection, as well as any other applicable state and local permits and licensing.

9) The refusal of any person to carry out the orders and provisions of this subsection shall be deemed a misdemeanor, punishable by a fine as provided for in section 1.01.009 of this Code.

**d) Prohibited activities.**

1) Horses and farm animals are strictly prohibited in city parks, unless permitted pursuant to a special events permit or approved by the parks department and the city council, as applicable, in advance of the use.

2) ~~Jumping, diving, wading into waterways.~~ It is an offense and a violation of this subsection for any person to enter a river, stream or waterway by jumping, diving or doing any other dangerous act on or off any bank, bridge, street, highway, or appurtenance of publicly owned land, city park or public right-of-way. It shall likewise be illegal for any person to jump, dive or do any other dangerous act from trees, platforms, high banks, dams or other walkways to enter streams, rivers, or waterways along, over or a part of public property or public right-of-way, including in a city park.

3) Inflatable, plastic or other types of portable pools.

4) Slip-n-slides (exceptions may be made for individual "family" size slides, on approval by the city's parks department).



- 5) Sprinklers (hoses may be used for cleaning purposes only).
- 6) No feeding wildlife including waterfowl such as ducks or geese and all other indigenous species native to the city.

**e) ~~Swimming or wading in Colorado River.~~**

- ~~1) It is an offense and a violation of this subsection for any person, child or adult to enter, wade, swim, or engage in any aquatic activity in any portion of the Colorado River in the city parks.~~
- ~~2) Exception: The public shall be allowed to enter the water while in the process of embarking or disembarking any boat, canoe or any other flotation device upon waters of the Colorado River.~~

**f) Littering.** It shall be unlawful for any person to throw, deposit, place or drop loose paper, cans, bottles, sacks, boxes, cloth, waste materials, or any kind of rubbish on or alongside any roadway, body of water, playground or recreation area of all park land within the city limits.

**gf) Operation of vehicles.**

- 1) Prohibited areas. It shall be unlawful for any person to drive any motor-driven vehicle into, along or across any grassy area of a city park which is owned, operated or maintained by the city except upon public roadways maintained by the city for the operation of such vehicles. No such vehicles shall be driven upon any hike-bike trail, footpath, or foot bridge spanning a creek or stream located therein. This subsection shall not apply to vehicles being used strictly for the purpose of loading and unloading freight therein or in the construction, maintenance or repair of said public parks, public playgrounds or public recreation areas which are owned or maintained by the city.
- 2) Speed limit. It shall be unlawful for any person to operate any vehicle on any street, drive, roadway, or surface within any city park property at a speed greater than twenty (20) miles per hour.
- 3) Parking. No person shall park a vehicle upon any public roadway, city-owned or maintained park lands, public playground or public recreation area which is owned, operated or maintained by the city for the principal purpose of:
  - (A) Displaying such vehicle for sale;

(B) Washing, greasing, or repairing such vehicle, except repairs necessitated by an emergency.

- 4) Barricades authorized. The parks board department is hereby authorized and directed to install barricades at the designated locations to prohibit vehicle traffic on designated streets.

**hg) Alcoholic beverages.** Possession, use or consumption of any alcoholic beverage, as defined in the Texas Alcoholic Beverage Code, now or as amended, within the area of the city parks shall conform with the laws of the city and the state. For specific regulations related to the sale, possession and consumption of alcoholic beverages in Bastrop's public parks please refer to City Code, article 8.02, section 8.02.002, which provides additional information on this topic in addition to this general requirement to conform to all laws and codes.

**ih) Destruction of trees and plants.** It shall be unlawful for any person to willfully pick, pull, pull up, tear up, dig up or out, mutilate, break, bruise, injure, burn, remove, carry away, or destroy any tree, shrub, plant, vine, flower, moss, foliage, berries, fruit, grass, turf, humus, cones, or dead or downed wood, except by written approval issued by the parks board department for scientific or educational purposes.

**ji) Glass containers.** It shall be considered a misdemeanor offense for anyone to exhibit, use, carry, or dispose of glass beverage containers in all city parks which have adjacent areas by rivers, lakes, and streams within the city limits.

**kj) Weapons, firewood or dangerous items.** The use or display of any weapons, firearms, knives, firewood or any other dangerous item is prohibited without prior written consent of the parks board department, unless otherwise permitted by applicable state law(s).

### **Sec. 1.10.003 – Commercial use of parks.**

#### **a) Definitions:**

- 1) **Commercial use.** A use which is undertaken for a business purpose and for which a fee is collected. This definition specifically includes organized adult and youth sports leagues, teams, or groups where "fees" or "dues" are collected in order to participate in an activity and nonmembers are prohibited from joining the activity.
- 2) **Non-commercial use.** A use which is undertaken for a recreational purpose with

no intention to gain commercial advantage and/or monetary compensation. The participation of patrons are not required to pay "dues" or "fees" while participating in a organized program, such as sports leagues, teams, or groups.

- 3) **General course/class.** A class that meets regularly for a certain specific period of time which is organized for the purpose of teaching individuals and/or their pets a hobby, skill, or for other enjoyment or exercise and for which the owner or operator is paid a fee or for which "dues" are collected, including dog (or other pet) training classes.

**b) Permit required.** Persons or entities shall not conduct the commercial sale or offer to sell any item nor render or offer to render any commercial service for hire, including coaching or organizing a commercial sports event, at any park or other location in the city without obtaining a reservation and a commercial use permit properly issued by the city's parks department. Examples of activities or services in city parks which may qualify as commercial uses include boot camps, yoga, dog training, organized adult sports leagues, fitness professionals, meditation groups, and running clubs.

**c) Fees and deposits.**

- 1) The parks department reserves the right to increase any fees, deposits or insurance, or to require additional assurances in the event an activity poses a unique safety concern or would be detrimental to the park or the citizens of the city. See section A1.10.002 of the fee schedule in Appendix A of this Code for information regarding city fees and deposits for commercial uses.
- 2) All fees and reservations for commercial uses shall be made through the parks department. Fees and security deposits shall be made only by cash or check. Once the applicable fee and deposit is paid, a permit to conduct the requested activity, class or course will be issued. A failure to comply with any of the terms set forth herein will subject the applicant to loss of the deposit.
- 3) Additional information regarding refunds of fees and deposits for commercial uses shall be as stated in section 1.10.002(b)(8).

**d) Waitlist for commercial use and other restrictions.**

- 1) The parks department shall maintain a "waitlist" of individuals or entities who wish to use the city parks for a commercial use. The maximum amount of time an applicant may continuously reserve space in a city park for a commercial use, as shown on the permit received by the parks department, is ten (10) weeks per six

(6) months. Once the ten (10) weeks has been utilized, and six (6) months have passed, the applicant may notify the parks department that he/she would like to be placed back on the waitlist to apply for an additional ten-week period. At the discretion of the parks department, if there is no other individuals on the wait list, an applicant may immediately renew their ten (10) weeks of commercial use.

2) The maximum number of patrons who may utilize Fisherman's Park at one time for a commercial use is five hundred (500). The maximum number of individuals who may utilize Bob Bryant Park for a commercial use at any one time is five hundred (500). The maximum number of individuals who may utilize Hunter's Crossing Park for a commercial use at any time is two hundred fifty (250). For purposes of calculating the restrictions set forth herein, a patron shall include all individuals attending the event including, as applicable, players, participants, guests, children, spectators, coaches, relatives, family, friends, and parents.

3) The City Council shall have the right to vary the above restrictions in its discretion when in the best interest of the city and its citizens.

**e) Location and time of certain activities restricted.**

1) Dog trainers who use the park for commercial use purposes are prohibited from using any area other than the Bark Park located on Grady Tuck Avenue to conduct training classes.

2) Unless otherwise stated herein, commercial use of a city park is restricted to the hours from 6:00 a.m. to 10:00 p.m. ~~specific written permission must be secured from the parks board, for additional hours~~ each day, unless a permit is obtained from the park department three (3) business days before the after-hours use occurs.

**(f) Insurance.** The individual or entity involved in a commercial use of the park shall provide proof of insurance to the city in the amount of ~~\$250,000~~ \$1,000,000, which names the city, and its officers, employees, volunteers and officials as additionally insured. Proof of insurance must be received by the parks department prior to the issuance of a commercial use permit.

## **Appendix A – FEE SCHEDULE**

### **Sec. A1.10.002 – Parks.**

**a) Noncommercial fees and deposits.**

1) Pavilions (including BBQ pits when available) and concession stands. Schedule

for noncommercial fees and deposits for the pavilions located in Fisherman's Park, Bob Bryant Park, Kerr Park, and Hunter's Crossing Park.

Number of Patrons	Fee	Deposit
Less than 100	\$50.00	\$50.00
101—200	\$100.00	\$150.00
201—300	\$150.00	\$250.00
Concessions stands*	\$50.00	\$50.00

~~\*The concession stand at the splash pad may only be reserved by youth (17 and under). Parent or guardian adult supervision is required. Other fees, including vendor and/or permit fees may apply (see chapter 4 of this code).~~

- 2) Multipurpose fields. Schedule for noncommercial fees and deposits for multipurpose fields in Fisherman's Park, Bob Bryant Park and Hunter's Crossing Park.

Number of Patrons	Fee	Deposit
0—100	\$50.00	\$100.00
101—300	\$75.00	\$150.00
301—500	\$100.00	\$200.00

- 3) Additional park amenities fees non-commercial use.

Facility/Amenity	Fee	Additional Fee Rates & Information	Additional Fee Rates & Information	Deposit
Softball fields (daily/practice use)	\$20.00 per hour	Additional lighting fee	\$10.00 per hour (from 6pm—10pm)	\$50 flat fee
Softball fields (tournament use)	\$150.00 per day	Additional lighting fee	\$10.00 per hour (from 6pm—10pm)	\$100 flat fee
Sand volleyball court	\$40.00 per 4 hour block	No lighting available		
Pier/scenic outlook	\$40.00 per 4 hour block	Seating at additional cost	\$2.00 per chair	
Tennis & Basketball courts	\$40.00 per 4 hour block	Limited lighting available	\$10.00 per hour (from 6pm—10pm)	

City Staff	\$25.00 per hour	Required with 100+ patrons	If additional equipment is required standard FEMA rates apply.	
Barricades	Type I \$3.00 ea.	Type II \$10.00 ea.	Type III \$20.00 ea.	
Cones	24—36" \$1.00 ea.	48" \$2.00 ea.		

**b) Commercial fees and deposits.**

- 1) Pavilions (including BBQ pits when available). Schedule for commercial use fees and deposits for the pavilions located in Fisherman's Park, Bob Bryant Park, Kerr Park, and Hunter's Crossing Park.

	Number of Patrons	Fee	Deposit
	Less than 100	\$100.00	\$200.00
	101—200	\$200.00	\$300.00
	201-300	\$300.00	\$400.00
Special event permit required	Greater than 300		

- 2) Multipurpose fields. Schedule for commercial use fees and deposits for the multipurpose fields in Fisherman's Park, Bob Bryant Park and Hunter's Crossing Park.

Number of Patrons	Fee	Deposit
0—100	\$100.00	\$200.00
101—300	\$250.00	\$400.00
301—500	\$400.00	\$600.00

- 3) Additional park amenities fees commercial use.

Facility/Amenity	Fee	Additional Fee Rates & Information	Additional Fee Rates & Information	Deposit
Softball fields (daily/practice use)	\$30.00 per hour	Additional lighting fee	\$10.00 per hour (from 6pm—10pm)	\$100 flat fee



Softball fields (tournament use)	\$250.00 per day	Additional lighting fee	\$10.00 per hour (from 6pm—10pm)	\$200 flat fee
Sand volleyball court	\$ 80.00 per 4 hour block	No lighting available		
Pier/Scenic outlook	\$ 80.00 per 4 hour block	Additional seating	\$3.00 per chair	
Tennis & Basketball courts	\$80.00 per 4 hour block	Limited lighting available	\$10.00 per hour (from 6pm—10pm)	
City Staff	\$25.00 per hour	Required with 100+ patrons	If additional equipment is required standard FEMA rates apply	
Barricades	Type I \$5.00 ea.	Type II \$20.00 ea.	Type III \$25.00 ea.	
Cones	24-36" \$2.00 ea.	48" \$ 4.00 ea.		

- 4) The fees and deposits provided for in this section are for one ten (10) week period of the commercial use. Each ten (10) week period shall require a new fee and deposit.

**c) Rodeo Arena Rental Fees.**

Rental Fee	Security Deposit
\$200 per day - includes lighting	\$400 for entire event
\$50 per 4 hour block before dark	\$100 per 4 hour block
\$100 per 4 hour block after dark	\$200 per 4 hour block

Services requested during event	Fee Schedule
Arena dirt work by city crew	\$50.00 per hour (tractor, drag)
City staff (litter, assistance, etc.)	\$20.00 per hour per person
Electricity for arena lights	\$10.00 per hour
Water for arena dirt work	\$5.00 per 1,000 gallons
RV and/or campsites with hook-ups	\$35.00 per day (includes electricity and water)
Concession stand/kitchen	See concession stand agreement

**d) Youth sports league.** All organized youth sports leagues shall submit their schedules to the parks department as soon as possible, but in no event later than thirty (30) days before the first scheduled practice to ensure that a field is available for use at the desired times and locations. Unless otherwise controlled by a lease agreement, no area of a park is specifically designated or reserved for one organization or youth team and areas will be provided on a first come, first served basis.

**e) Dog training.**

Dog Training Classes in Bark Park Only	Fee	Deposit
Per/class	\$25.00	\$50.00

**f) Refunds of deposits and fees.** In accord with section 1.10.002(b) (8), deposits and fees may be refunded as follows:

- 1) **Reservations must be made a minimum three (3) business days in advance (excluding holidays) of the use.** A reservation is not valid, and a permit will not be issued, until all fees, deposits, and proof of insurance, if necessary, are paid in full to the parks department.
- 2) **Deposits and fees paid in accord with this section may be refunded under the following conditions:**
  - (A) Full refund of the reservation deposit and fee if the parks department is notified, in writing, of the cancellation not less than seven (7) days prior to the date of use of the reserved area.
  - (B) Refund of one-half of the reservation deposit and fee if notice of cancellation is received by the parks department, in writing, between seven (7) days and ~~24 hours prior to~~ three (3) days before the date of use of the reserved area.
  - (C) The reservation deposit and fee will not be refunded if the event is cancelled less than 24 hours before the day of the event.
  - (D) The reservation deposit will be returned to the individual or group reserving the area after the event so long as the area being reserved is clean and free of trash and debris at the conclusion of the event. Any damage or maintenance required, in the sole discretion of the city and/or the parks department, will be charged against the deposit.

- (E) In the event a field is closed by the parks department (or other applicable city personnel) due to inclement weather, construction and/or maintenance which cause an event to be cancelled, the reservation deposit and fee will be returned or applied to the "rain date."
- (F) Exceptions to the above are allowed only on written approval of the city manager.
- (G) Application to parks department (commercial and noncommercial use). An application for a reservation and permit may be obtained from the parks department. All fees and deposits shall be paid in person by ~~separate~~ checks or cash from 7:00 a.m. until 3:30 p.m. (except city holidays). There will be a \$25.00 service charge for all returned checks. The person or organization reserving an area of a city park, including a pavilion, is responsible for the enforcement of city policies during the event and for the activities and behavior of the individuals at the event.
- (H) General rules (commercial and noncommercial use). Fees and deposits must be paid at the time the reservation is made or a permit will not be issued by the parks department for the use. This includes the use of a BBQ pit. There is no additional fee for use of the BBQ pit, ~~but the renter will be required to pick up and return the required key from the parks department. Failure to return the key within seven (7) days after the event will cause the deposit to be forfeited.~~ In the event of improper use of a city park or facility, or if the user fails to clean and restore city parks and facilities to the same condition in which they found them, the park's department, in its sole discretion, reserves the right to prohibit future use by that person or entity.
- (I) Special events. A request to use a park, or a portion of a park, or an application for a significant use that is likely to result in a substantial impact on the park, facilities, or public safety services must seek a special event permit in accord with article 4.06.
- (J) Exceptions. The fees and deposit described herein do not apply to the following local governmental entities which provide reciprocal privileges to the city: Bastrop Independent School District, the Bastrop county, and the Lower Colorado River Authority. However, if such entities wish to close a city park, or if such use will result in a substantial impact on the park, facilities, or public safety, or the entity will charge admission fees to an event, such entities will be required to obtain a special event permit. In addition, the entities will be required to clean and restore city parks and facilities to the same condition in

which they found them. Failure to do so will result in a claim by the city against the entity for the actual costs, including administrative costs, of restoring or repairing city property. In accord with general city policy, nonprofit organizations that can demonstrate proof of nonprofit status will receive a 15% discount.



# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 5B

**TITLE:**

Discussion and update on the status of the Bastrop Wheeled Sports Complex.

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**BACKGROUND/HISTORY:**

In January 2014, the Bastrop Parks Board made a recommendation to the City Council for the location of a wheeled sports plaza to be in Fisherman's Park. In 2017, by Resolution 2017-90, the City Council approved a proposal for design services for the improvements and in September 2018, Burditt gave a presentation to the City Council related to Phase I of the project. Trey Job, Managing Director of Public Works & Leisure Services, gave a brief update to the Parks Board at the May 2, 2019 meeting and Assistant Public Works Director Curtis Hancock provided an update at the September 5, 2019 meeting.

**POLICY EXPLANATION:**

The Parks and Public Tree Advisory Board serves in an advisory role to the City Council and may make recommendations for actions to be considered. Parks Board members have requested this update in their advisory capacity.

**RECOMMENDATION:**

Discussion and update on the status of the Bastrop Wheeled Sports Complex.



# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 5C

**TITLE:**

Discussion and update on the status of planned and proposed sidewalks and trails.

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**BACKGROUND/HISTORY:**

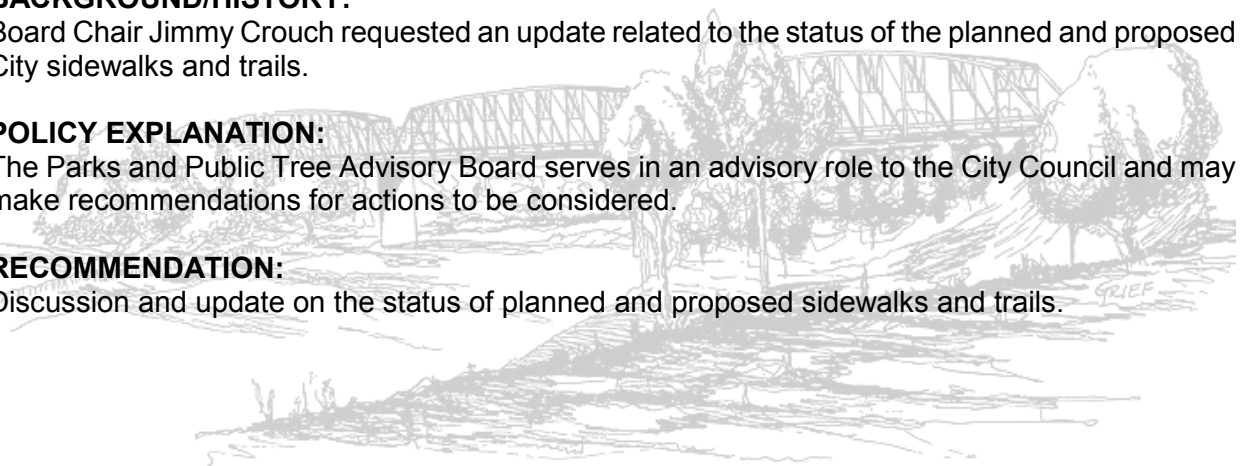
Board Chair Jimmy Crouch requested an update related to the status of the planned and proposed City sidewalks and trails.

**POLICY EXPLANATION:**

The Parks and Public Tree Advisory Board serves in an advisory role to the City Council and may make recommendations for actions to be considered.

**RECOMMENDATION:**

Discussion and update on the status of planned and proposed sidewalks and trails.







# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 5D

**TITLE:**

Discussion and update on the status of the Old Iron Bridge renovations.

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**BACKGROUND/HISTORY:**

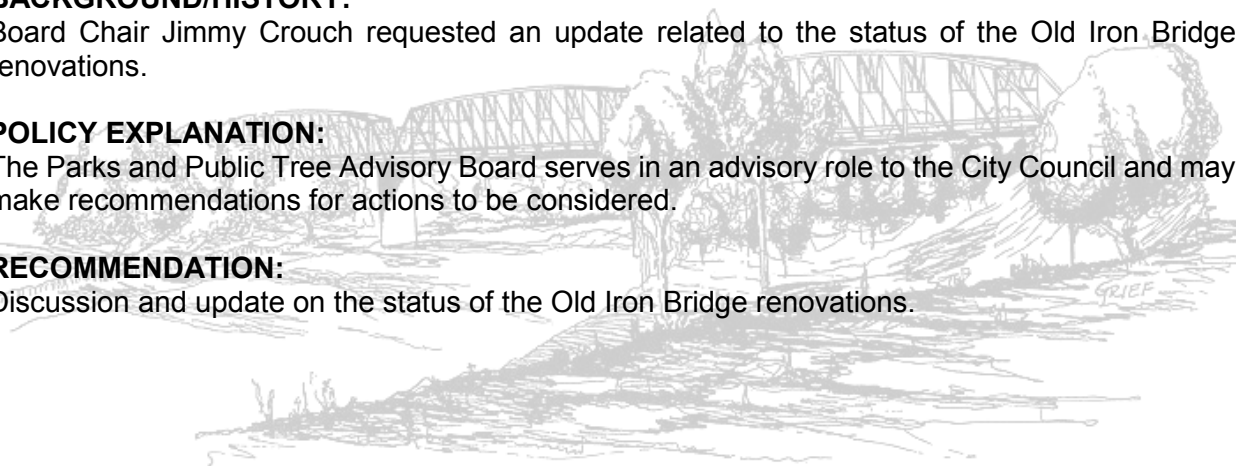
Board Chair Jimmy Crouch requested an update related to the status of the Old Iron Bridge renovations.

**POLICY EXPLANATION:**

The Parks and Public Tree Advisory Board serves in an advisory role to the City Council and may make recommendations for actions to be considered.

**RECOMMENDATION:**

Discussion and update on the status of the Old Iron Bridge renovations.





# STAFF REPORT

**MEETING DATE:** October 3, 2019

**AGENDA ITEM:** 5E

**TITLE:**

Discussion and consider action related to the proposed combined use of the Fisherman’s Park basketball court as a pickleball court.

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**BACKGROUND/HISTORY:**

At the September 5, 2019 Parks Board meeting, Ken Kesselus spoke under Citizen’s Comments related to a request for the Fisherman’s Park basketball court to be striped for use as a pickleball court. Currently, pickleball players utilize the Fisherman’s Park tennis court for their game. By striping the basketball court, the pickleball players would have an additional area to play using their portable net.

**POLICY EXPLANATION:**

The Parks and Public Tree Advisory Board serves in an advisory role to the City Council and may make recommendations for actions to be considered.

The City Code of Ordinances Sec. 1.10.002 - Park rules (b)(6) states “*Tennis courts and basketball courts.* Tennis courts and basketball courts located in city parks shall be used for their intended purposes, only. Activities other than the intended use of the courts will require approval by the parks department, or its designee.”

**RECOMMENDATION:**

Discussion and consider action related to the proposed combined use of the Fisherman’s Park basketball court as a pickleball court.

**ATTACHMENTS:**

City Code of Ordinances Sec. 1.10.002 – Parks Rules

**Sec. 1.10.002 - Park rules.**

- (a) *Overnight camping; hours when closed.* There shall be no person, vehicle, equipment or activity within any publicly owned park or playground within the city limits from 10:00 p.m. to 6:00 a.m. each day, unless an exception to this rule is provided, in writing.
- (b) *Reserved areas.*
  - (1) Unless controlled by a separate lease agreement, the following areas of the city's public parks may be reserved and a permit obtained either for commercial or noncommercial purposes a minimum of three (3) business days in advance (excluding holidays) of the use on application to the parks department.
    - (A) Multipurpose fields in Fisherman's Park and Bob Bryant Park;
    - (B) Pavilions in Fisherman's Park and Bob Bryant Park (with associated BBQ's);
    - (C) Pavilion in Kerr Park;
    - (D) Pavilion in Hunter's Crossing Park;
    - (E) Mayfest Park;
    - (F) Mayfest Park rodeo arena;
    - (G) Fireman's Park softball field;
    - (H) Hunter's Crossing Park multipurpose field;
    - (I) Concession stand at splash pad; and
    - (J) Rusty Reynolds Little League Fields.

In the event of a conflict between the city ordinance and a lease agreement, the terms of the lease agreement shall control.

- (2) *Multipurpose fields (noncommercial use).* The noncommercial reservation policies of the multipurpose fields in Fisherman's Park, Hunter's Crossing Park and Bob Bryant Park are as stated below. For purposes of this section and determining whether a fee and reservation is required, a patron shall include all individuals attending the event including, as applicable to the event, players, participants, guests, children, spectators, coaches, relatives, family, friends, and parents. An area may not be reserved more than three (3) times in one month for a noncommercial use. See section 1.10.003 below for information related to commercial uses of the multipurpose fields and section A1.10.002 of the fee schedule in appendix A for additional information related to fees.

Patrons	Fee	Deposit	Reservation
0—14	None	None	None
15—45	None	Required	Required
46+	Required	Required	Required

- (3) *Pavilions (noncommercial use and commercial use)*. For reservation of city pavilions a fee and a deposit is required. See section A1.10.002 of the fee schedule in appendix A for additional information related to the applicable commercial and noncommercial uses and fees.
- (4) *Concessions stand*. The concession stand at the splash pad located in Fisherman Park shall be available for use by individuals under the age of 17 and for a period of no longer than fourteen (14) consecutive days. Parent or guardian adult supervision is required for use of the concession stand. For reservation of the city concession stand a deposit is required. All other concession stand will be handled through a spate permit. All individuals who reserve the concession stands shall comply with chapter 4 of this Code and shall be responsible for payment of all applicable vendor and permitting fees. Use of the concession stand will be on a first come, first served basis. See section A1.10.002 of the fee schedule in appendix A for additional information related to commercial and noncommercial uses and fees.
- (5) *Youth sports leagues*.
  - (A) Commercially sponsored and/or organized youth league sports play (ages 17 and under) that require a registration fee for participation shall contact the parks department for reservations, times, and field designations. All organized youth sports leagues shall submit their schedules to the parks department as soon as possible, but in no event later than thirty (30) days before the first scheduled practice to ensure that a field is available for use at the desired times and locations. Unless otherwise controlled by the terms of a lease agreement, no area of a park is specifically designated or reserved for one organization or youth team and areas will be provided on a first come, first served basis.
  - (B) No fee is required for a youth league that does not collect registration "fees" or "dues" to reserve an area. However, after the conclusion of an event, the area that was reserved shall be clean and free of trash and debris. In the event an area is not properly cleaned, the entity reserving the area may be prohibited from future use of city parks.
- (6) *Tennis courts and basketball courts*. Tennis courts and basketball courts located in city parks shall be used for their intended purposes, only. Activities other than the intended use of the courts will require approval by the parks department, or its designee.
- (7) *Permit*. On receipt of an application to reserve an area in a city park, the parks department, or its designee, will review the application to determine the applicable fee, deposit, and necessary insurance, if any. On approval and payment of same, the city will provide the applicant with a permit stating that the applicant has successfully reserved the area on the requested date.
- (8) *Refunds of deposits and fees*. Reservations must be made a minimum of three (3) business days in advance (excluding holidays) of the use. A reservation is not valid, and a permit will not be issued, until all fees, deposits, and proof of insurance, if necessary, are paid in full to the parks department. Deposits and fees paid in accord with this section may be refunded under the following conditions:
  - (A) Full refund of the reservation deposit and fee if the parks department is notified, in writing, of the cancellation not less than seven (7) days prior to the date of use of the reserved area.
  - (B) Refund of one-half ( $\frac{1}{2}$ ) of the reservation deposit and fee if notice of cancellation is received by the parks department, in writing, between seven (7) days and twenty-four (24) hours prior to the date of use of the reserved area.
  - (C) The reservation deposit and fee will not be refunded if the event is cancelled less than twenty-four (24) hours before the day of the event.
  - (D) The reservation deposit will be returned to the individual or group reserving the area after the event so long as the area being reserved is clean and free of trash and debris at the conclusion of the event. Any damage, cleaning or maintenance required, in the sole discretion of the city and/or the parks department, will be charged against the deposit.