

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



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**October 4, 2018, at 6:00 P.M.**

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*City of Bastrop Parks Board 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.*

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**1. CALL TO ORDER**

**2. ROLL CALL AND CONFIRMATION OF A QUORUM OF BOARDS MEMBERS PRESENT**

**3. STAFF, BOARD, AND COMMITTEE MONTHLY OPERATIONAL REPORTS**

3A. Parks and Recreation Report

3B. Bastrop State Park Report

3C. Bastrop YMCA Report

3D. Youth Parks Activity Committee (YPAC) Report

3E. Task Force for Certified Habitat Report

**4. 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.*

**5. PARKS & RECREATION WORKSHOP**

5A. Receive presentation from Dorothy Skarnulis, Bastrop Parks and Public Tree Advisory Board Member, related to the new Bird City Texas program.

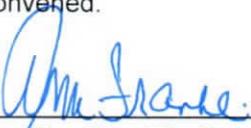
- 5B. Discussion regarding enforcement of City park policies.
- 5C. Discussion regarding revenue generating policies for commercial use of City parks: food/vendors policy.
- 5D. Update on Healthy Parks Plan in Bastrop.
- 5E. General discussion by Park Board members related to issues arising since last meeting.

**6. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 6A. Consider action to approve Parks and Public Tree Advisory Board minutes from the July 5, 2018 regular meeting.
- 6B. Discuss and consider recommendations on items to be placed on next month's agenda.

**7. 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 27, 2018 at 11:00 a.m. and will remain posted for at least two hours after said meeting is convened.

  
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Ann Franklin, City Secretary



# STAFF REPORT

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**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 3A

**TITLE:**

Parks and Recreation Report

**STAFF REPRESENTATIVE:**

David Junek, Parks & Recreation Superintendent  
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

Review Staff monthly operational reports for July and August.

**ATTACHMENTS:**

- July and August Operational Updates



# Operational Update

July, August, & September 2018

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## July

- 355 landscaping hours, 136 park maintenance hours, 43 tree maintenance hours.
- Installed more trash cans at Fisherman's Park due to increased usage
- Supported the Patriotic Festival (138.5 man hours)

## August

- 312 landscaping hours, 181 park maintenance hours, 66 tree maintenance hours.
- Finished clearing brush in Fisherman's Park behind the Library
- Installed new dog waste bag dispensers and trash can mounts at the Bark Park
- Replenished decomposed granite at the Bark Park
- Upgraded our traffic control barriers with reflective safety tape
- Planted 3 trees in Bob Bryant Park
- Removed large, dead tree overhanging the Riverwalk (approximately 8 feet of hollow trunk was holding up 62 feet).
- Supported the Bastrop Homecoming Rodeo (155 man hours)

## September

- 305 landscaping hours, 155 park maintenance hours, 56 tree maintenance hours.
- "Deep cleaned" water fountains and bathrooms at the parks
- Replaced an A/C unit at the Rodeo Arena
- Installed gates at the entrance of Delgado Park





# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 3B

**TITLE:**

Bastrop State Park Report

**STAFF REPRESENTATIVE:**

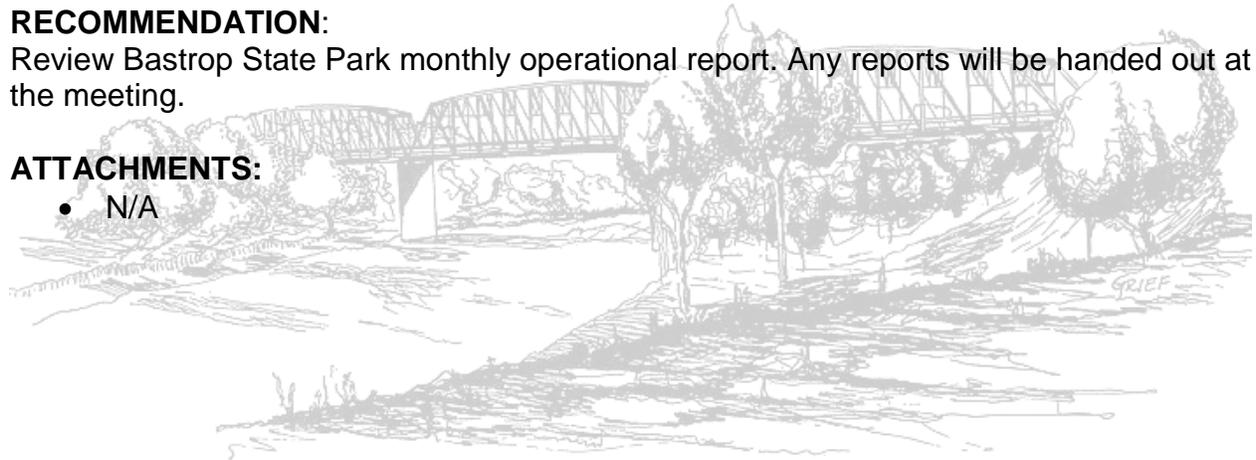
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

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

**ATTACHMENTS:**

- N/A





# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 3C

**TITLE:**

Bastrop YMCA Report

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

Review Bastrop YMCA monthly operational report.

**ATTACHMENTS:**

- YMCA Parks Board Report: 7/19/18





## Parks Board Report: 7/19/18 updated 7/28/18

- Summer Programming has gone very well this summer. Example of programs are:
  - River Adventures
  - Art, Dance and Soccer mini camps
  - Creative Writing
  - Active youth dance, yoga programs
  - Cooking for teens
  - Adventure Hikes
- Aqua Fitness continues to grow in participation. Numbers range from 110-200. Participation is primarily seniors but not all. Water is for some, the only way they can exercise. Being able to stay in Bastrop and get their daily exercise has been beneficial.
- June Teen Night at the pool was a hit!
- Flick N Float movie at the pool is scheduled for July 21<sup>st</sup>. – went well with approximately 85 in attendance.
- Still working on the permit for the Outdoor Fitness Unit. Placement is key to success and we are working hard to make sure it's in the best possible location for use.
  - Update: The item went before the Planning & Zoning Department for a variance of the build material. Passed with no problem. Currently working on determining the elevation of the proposed location. This is still a work in progress with the hope of installation the end of August/first part of September.
- Personal Training is a new offering at the Bastrop Y.
- Offering a safe around water program to a group of 20 the week of 7/30. And another group of 20 the week of 8/6. This is a free program that teaches basic water safety and swimming skills, to prevent drowning.
- The Bastrop Y participated in the Volunteer Fair on 7/17 at the Bastrop Convention Center. Recruited the interest of approximately 30 volunteers.
- During the month of July, the Bastrop Y provided 27 staff hours of programming to the community as part of the BOOST outreach



# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 3D

**TITLE:**

Youth Parks Activity Committee (YPAC)  
Report

**STAFF REPRESENTATIVE:**

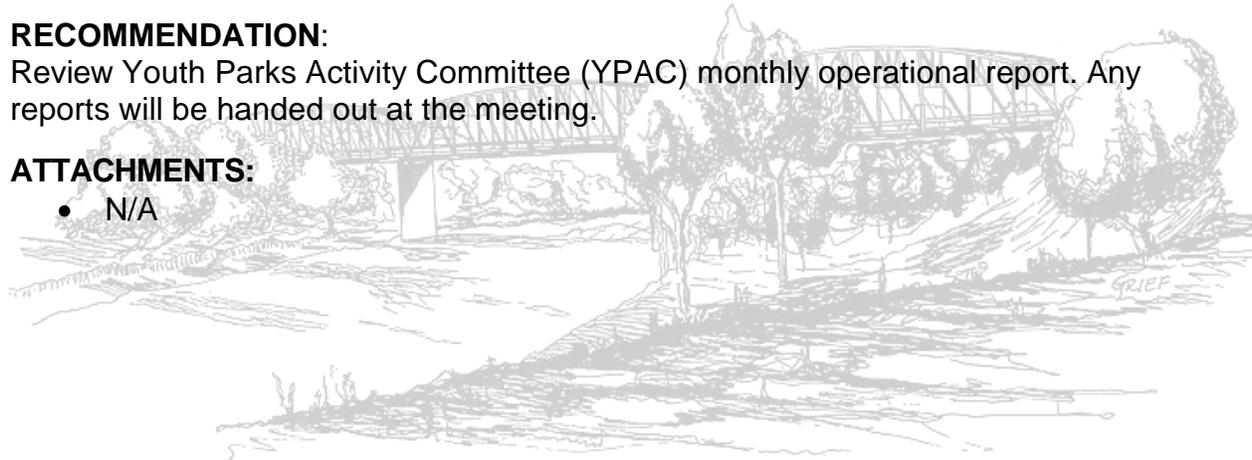
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

Review Youth Parks Activity Committee (YPAC) monthly operational report. Any reports will be handed out at the meeting.

**ATTACHMENTS:**

- N/A





# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 3E

**TITLE:**

Task Force for Certified Habitat Report

**STAFF REPRESENTATIVE:**

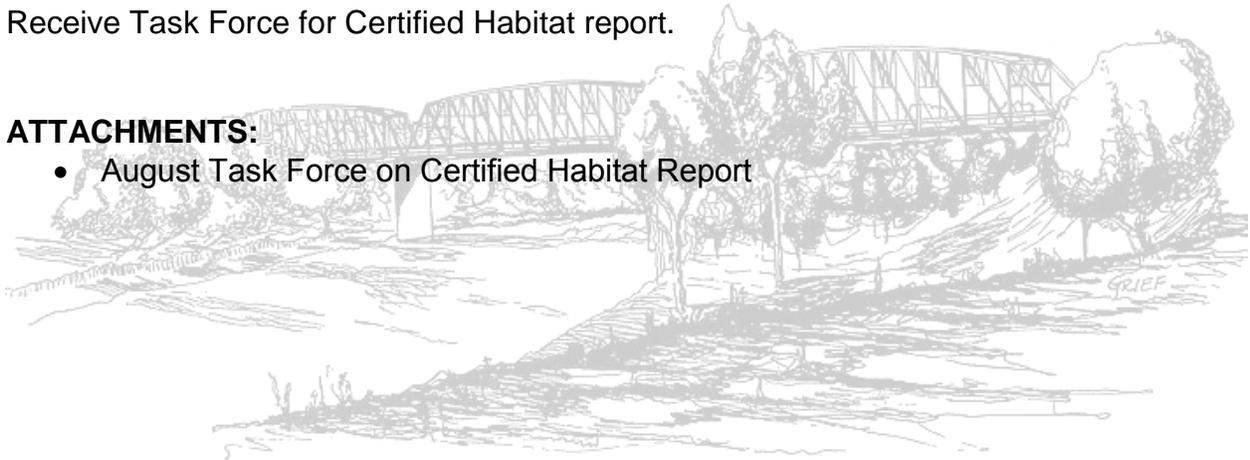
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

Receive Task Force for Certified Habitat report.

**ATTACHMENTS:**

- August Task Force on Certified Habitat Report



## Task Force on Certified Habitat Report

8/22/18

- June 18, 2018-Barbara Wolanski and I met with Kelly Bender Simon, Urban Biologist with Texas Parks and Wildlife, to discuss her idea & thoughts on a certified habitat program for the City. **Outcome:** Discussion of the new Bird City Program sponsored f by TPWD and Audubon Texas. She'll present information to Parks Board on August 2.
- July 3, 2018-Josh Gordon and I discussed with Troy Walters, City Animal Services/Code Compliance officer, to discuss his idea /thoughts on a certified habitat program for the City. **Outcome:** A citizen review panel that would teach classes regarding certified habitat and then approve yards for certification.
- Invitations extended to the following to hear the Bird City presentation on 8/2/18:
  - Audubon Bastrop County-Susan Leslie
  - Bastrop County Master Gardeners-Alice Traugott
  - Lost Pines Master Naturalist-Marcia Karr and Nancy Rabensburg
  - Troy Walters
- August 3, 2018-I met with Susan Leslye, President of Bastrop Audubon, to discuss the new Bird City Program. **Outcome:** Definitely thinks her

members would want to participate and feels this would be an excellent community project.

- August 20, 2018- Marcia Karr, President of Lost Pines Master Naturalists, discussed criteria of Bird City Texas designation. **Outcome:** She presented the information to her board on August 20<sup>th</sup>. She anticipates enthusiasm in participating and would serve on the collaborative group.

Submitted,

Dorothy Skarnulis



# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 5A

**TITLE:**

Receive presentation from Dorothy Skarnulis, Bastrop Parks and Public Tree Advisory Board Member, related to the new Bird City Texas program.

**STAFF REPRESENTATIVE:**

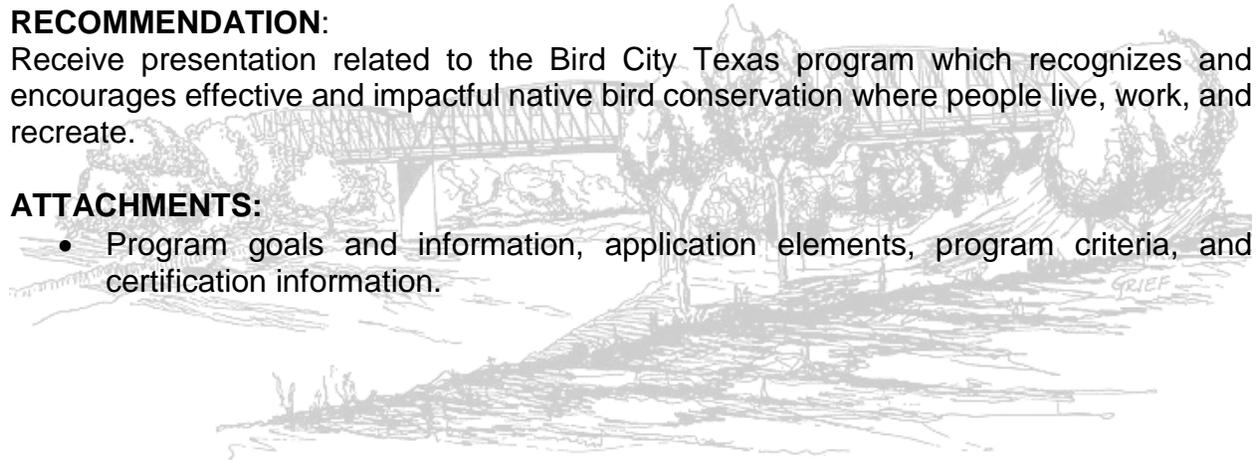
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

Receive presentation related to the Bird City Texas program which recognizes and encourages effective and impactful native bird conservation where people live, work, and recreate.

**ATTACHMENTS:**

- Program goals and information, application elements, program criteria, and certification information.



## **Program Goal**

Bird City Texas recognizes and encourages effective and impactful native bird conservation where people live, work, and recreate. Science based bird conservation initiatives and community centric action will enhance and restore habitats, reduce population-level threats, increase public awareness of the benefits and challenges of bird conservation, and promote environmental stewardship in Texas cities. Where birds thrive, people prosper. From urban centers to rural towns, each community can provide important habitat for birds. In turn, birds offer us a richer, more beautiful, and healthful place to live.

## **Program Sponsors**

Bird City Texas is jointly sponsored and managed by Texas Parks & Wildlife Department and Audubon Texas. Program sponsors have final authority over Program rules, guidelines, report requirements, and certification decisions. Program sponsors will have the flexibility to invite partners and volunteers to assist with application reviews and program guidelines in an advisory capacity.

## **Program Rigor**

The sponsors of Bird City Texas feel strongly that Bird City status is awarded only to applicants that demonstrate a significant level of investment in native bird conservation that benefits communities, birds, and the habitats on which they depend. Applicants that demonstrate minimal compliance with criteria or propose investments that do not match the resources of their communities will be asked to re-apply.

Certification will be based on an intense level of expectations and commitments. Only communities that provide documentation and supporting materials that clearly show they have exceeded minimum standards will be certified.

Certification will be based on the strength of anticipated conservation impact, diversity of individuals or organizations engaged, and overall quality of submissions. Program sponsors will evaluate accomplishments and commitments and reserve the right to limit the number of certifications in our inaugural year either competitively or by timing (i.e. the first 5 applicants that exceed certification standards) should the application response exceed Program resources.

Successful applications will include:

- Measurable and meaningful actions that meet criteria and fully engage in the mission of Bird City Texas.
- Accurate listing of work already completed and proposed commitments that describes activities, outcomes, and a short summary of process.
- Clear demonstration of timelines, evaluative metrics, and processes by which activity success will be demonstrated/evaluated by the applicants.

- Upon certification, a commitment to participate in statewide Bird City Program promotion and certification review process (e.g. post-evaluation surveys, interviews, promotional events, etc.)

Applications that do not meet base expectations will not move forward to the review committee.

## **Program Structure**

Bird City status is awarded to communities based on activities that a community has already completed, and what a community proposes to do in the future. We offer 2 levels of certification: Basic and High Flyer. High Flyer status is a distinguished recognition level intended to credit those communities that have committed to making bird conservation a top priority throughout all levels of the community.

The definition of “community” will be defined by the applicant. Boundaries must be able to be physically delineated on a map and will typically follow municipal boundaries. Neighborhoods and non-regulatory HOAs will generally not be able to meet program requirements. A “community” may include more than 1 municipality. Because many wildlife management practices require the ability to influence land management and pass and enforce regulatory mechanisms, applicants will typically be local governments. However, activities that contribute to Bird City certification may be coordinated or conducted by people and organizations outside of the applicant’s organizational structure. In fact, Bird City Texas strongly encourages applicants to develop partnerships within their community, wherein citizens, organizational partners, and governing bodies work together to improve bird conservation activities. The applicant is not required to be involved in every activity or commitment listed in the application. In this manner, applicants can leverage the full potential of their community.

Bird City Texas Certification will be conferred for a 3 year period, after which communities may seek recertification. Communities will be required to submit an annual progress report each year to verify that program intensity is met each year. Communities will be asked to submit annual reports and a recertification application near the end of their 3 year certification period.

Criteria are purposefully broadly written to give flexibility to communities of different sizes to implement programs appropriate for their community. The review committee will be given the latitude to judge whether a community’s accomplishments match the level of intensity expected, given the physical size, human population, and potential resources of the applying community. Communities will be expected to meet their commitments, develop evaluative metrics, and provide substantial supporting documentation that demonstrates how the community excels at meeting each criteria. The application should clearly explain how communities have evaluated, developed and utilized strong metrics for evaluating the success of their programs, and revised their activities based on their evaluations (as appropriate).

Bird City status may be revoked by Program sponsors for failure to accomplish required actions, failure to maintain minimum levels of activity within a certification period, failure to submit annual reports, or anytime for major actions or policy changes that negatively and severely impact birds or bird habitat.

## Application Elements:

If you are submitting an application and have questions, please contact [info@birdcitytexas.org](mailto:info@birdcitytexas.org).

1. Check the criteria that your community has met
  - a. Your community must fulfill each of the requirements in the “Required Actions for All Communities” section
  - b. To attain the Basic Bird City Certification, your community must additionally fulfill a total of 14 (or more) from the “Basic Criteria Options,” with at least 5 from Category 1, 5 from Category 2, and 4 from Category 3.
  - c. To attain the High Flyer Bird City Certification, your community must meet all requirements of the Basic Bird City Certification, plus all additional High Flyer Required criteria, 1 criterium from Higher Flyer Category 1, 3 criteria from High Flyer Category 2, and 2 criteria from High Flyer Category 3.
2. Narrative for each criterion that your community has met:
  - a. Provide a narrative containing a description of your community’s action(s). Narrative should provide sufficient information to the review committee to justify that the action and resulting conservation benefit is appropriate to warrant recognition given the size and resources of your community. Include information detailing results or outcomes and methods used to measure and demonstrate success with program metrics, quantifiable objectives, etc.
  - b. Identify the partners, organizations, departments, and primary point(s) of contact for each deliverable.
  - c. Attach appropriate documentation, which may include photos, press, educational programs, other collateral material, and maps/locations of action locations.
3. Narrative for each criterion that your community promises to meet within the next 3 years:
  - a. Provide a narrative containing a description of your community’s commitment to action. Narrative should provide sufficient information to the review committee to explain proposed actions, scale/scope of actions, expected conservation benefit and expected benefit to people. Include information detailing how you will measure and demonstrate success with program metrics, quantifiable objectives, evaluation procedures, etc.
  - b. Identify the partners, organizations, departments, and primary point(s) of contact for each deliverable.
  - c. Identify the year(s) in which the activity will take place.
  - d. Attach appropriate documentation, which may include planning documents, meeting agendas, maps/locations, or other collateral material
  - e. Please explain how the proposed action and expected conservation benefit is appropriate given the size and resources of your community.
4. Timeline: Include a timeline that demonstrates the timing of accomplished tasks and commitments for future actions. New applications should differentiate the Year(s) of Action in which activities took place, the year of review in which the application is prepared and submitted, and the 3 years of commitment. Applicants are encouraged, but not required to define activities conducted during the year of application.
  - a. Sample:  
2017: Year of Action

2018: Year of Review; application submitted

2019: 1<sup>st</sup> year of commitment

2020: 2<sup>nd</sup> year of commitment

2021: 3<sup>rd</sup> year of commitment (recertification application submitted)

- b. Instances may arise in which activities are proposed, Bird City Texas Status is conferred based on that commitment, and some commitments cannot be met (for instance, a prescribed fire is proposed to improve bird habitat for Black-capped vireos, but poor weather prevented the burn from being conducted). Bird City communities can adjust their plans, but should coordinate with Bird City staff when the need arises. In rare cases, communities, requests may need formal review. We recommend that applicants exceed the minimum application standards in the event that an intended commitment is not fulfilled.
5. Definition of “community”: Include a definition of the applicant community, a map delineating community boundaries, and a list of ecological regions represented in the community. If the applicant’s regulatory authority is not immediately clear, this section should include a description of their planning and regulatory authority.
6. Contact information for a central Point of Contact representing the applicant community. Include name, title, affiliation, phone, and email
7. Signed endorsement from a municipal executive such as the mayor, Parks director, or County Judge (must include required language).

# **Bird City Texas Criteria**

## **Required Actions for All Communities:**

Your community must complete all of the following requirements:

- Community forms a collaborative body that supports the application development and management of their Bird City enrollment
- Community enacts an annual resolution (proclamations are not accepted) to recognize World Migratory Bird Day (WMBD) AND holds an annual event to celebrate WMBD
- Create and maintain a demonstration bird-friendly native landscape on at least one highly visible community property
- Include noticeable information on municipal tourism and/or Chamber of Commerce website about local birding sites, lists of native birds, tips for landscaping for birds, local educational resources, birding events, bird-related citizen science projects, and bird clubs
- Officially endorse the American Bird Conservancy's *Cats Indoors* program through education/outreach to residents
- Provide businesses and residents with education/outreach and/or a communications campaign about dark sky lighting solutions and reducing bird collisions with buildings
- Promote the use of native plants in landscaping through community website, newsletters, public events, and through use of the National Audubon Society's *Plants for Birds* program
- Provide and promote information on the importance of controlling invasive species (both plant and animal)

## **Bird City Texas Basic Certification Options:**

### **Category 1: Community Engagement**

Your community must meet a total of 5 criteria from this category:

- Initiate community participation in at least one National Audubon Society community science program annually: Hummingbirds at Home, Great Backyard Bird Count, Christmas Bird Count, Climate Watch, Creating Bird-Friendly Communities, and Swifts Night Out
- Engage community and partners in long-term (greater than 5 years) local bird monitoring programs that incorporate eBird and/or iNaturalist
- Implement an annual communications campaign about issues and actions related to Bird City Texas, creating Bird Friendly Communities, and the criteria that the community adopts
- Create demonstration displays for public areas that educate the public about the benefits of dark sky compliant lighting, window modifications that improve glass visibility and reduce glass reflectivity.

### **Category 1: Community Engagement (continued)**

- Create bird watching amenities in public parks, such as bird blinds, observation decks, interpretive signs, binocular loan out programs, and birding/trail guides
- Host a completely native plant sale and advertise community-wide for the event.
- Host 3 community volunteer planting events per year featuring native plants on public properties, community centers, libraries, or other sites where the plantings would be labeled and visible to the public.
- Engage the public park system and/or local museums to offer environmental education opportunities for the public that support the objectives of the Bird City program
- Public park system has interpretive/educational signage in natural areas that are open to the public that prioritizes bird identification and native bird ecology in their message
- Include a recurring (at minimum quarterly) native bird education themed section in a community newsletter, social media platform (i.e., Facebook, NextDoor, etc.)
- Conduct a speaker or workshop series (minimum 3 events per year) with topics focusing on issues relating to birds, wildlife, habitat, environmental stewardship, etc
- Sponsor an annual bird festival that promotes community stewardship and appreciation of native birds and their habitats
- Work with traditionally underserved communities to increase engagement with parks, ecological education, and birding resources
- Educate the public about the responsibilities and best practices of providing food and water for birds and discern the benefits of natural food sources from supplemental feeding

### **Category 2: Habitat Enhancement and Protection**

Your community must meet a total of 8 criteria from this category:

- Develop and implement a bird-centric wildlife or habitat management plan for all lands owned or managed by the community.
- Acquire and conserve (through purchase or easement) habitat for birds, wildlife, and native plant communities representative of the local ecosystem (wildscapes and demonstration gardens will not qualify)
- On existing protected properties, modify and improve existing habitat for birds, wildlife, and native plant communities representative of the local ecosystem
- Create and conserve corridors and connectivity between habitat areas to promote movement and migration of birds, wildlife, and native plant communities
- Incentivize residents, businesses, and community group participation in local habitat enhancement/restoration programs
- Implement wetland habitat restorations or installations to mitigate flooding rather than stream channelization
- Where public safety allows, implement a policy and training that ensures dead trees are left standing in parks/natural areas to provide foraging and nesting habitat
- Develop and adopt a community approved list of only native tree and shrub species recommended for use by all new developments (business and sub-division developers)

## **Category 2: Habitat Enhancement and Protection (continued)**

- Reduce municipal water use for landscaping by implementing permanent once/week landscape watering with irrigation system/sprinkler schedules citywide and/or native landscape incentive programs
- Implement an active invasive plant species removal program on public lands
- Under the guidance of a Wildlife Management Plan, community actively uses prescribed fire that benefits birds and native ecosystems
- Adopt or designate a nearby Important Bird Area or other natural area
- Create overlays and other zoning and land use restrictions so that nature preserves are buffered against negative impacts of development
- Enact and enforce more stringent city ordinances protecting existing bird habitat
- Implement seasonal management practices that protect nesting birds
- Manage natural areas in public parks to encourage the growth of native plants that provide important wildlife habitat including managed “No Mow” areas for native grasses and plants
- Sponsor at least 5 habitat restoration projects of at least 1 acre in size in the community to improve bird habitat over the 3 year period.
- Manage a municipal or public golf course for the benefit of native birds
- Community conducts an inventory of city lands (using iNaturalist or comparable platform) to document plant and animal species present and assesses habitat quality
- Review all property slated for municipal development to avoid impacting quality bird habitat where possible, including adjusting siting of buildings to avoid habitat

## **Category 3: Creating Safer Spaces for Birds**

Your community must meet a total of 4 criteria from this category:

- Educate building owners/architecture community about Bird-Friendly Buildings best design practices and the conservation value of reducing collisions
- Provide best design guidelines about reducing bird collisions and impacts to businesses applying for new building permits
- Participate in National Lights Out Program during spring and fall migration periods
- Conduct a sustained educational campaign focused on the impacts of pesticides and herbicides on bird populations and include practical information on proven Integrated Pest Management options
- Implement Integrated Pest Management strategies to minimize use of pesticides and herbicides on city-managed property
- At least one municipal or major public building receives LEED certification that includes the Credit for Bird Collision Deterrence (during review period)
- Provide alternative transportation throughout the community (e.g. hike and bike trails, rideshare programs, bike lanes)
- Reduce light pollution by using dark-skies compliant shielded lighting throughout community and does not install or use blue wavelength lights (4000 Kelvin) in all outdoor publicly owned fixtures with a target of approximately 2700 Kelvin
- Prohibit feeding of ducks on community-managed properties to decrease domestic disease transfer to migrating waterfowl

- Community stormwater management plan implements actions from the National Menu of Best Management Practices for Stormwater
- Active program to remove invasive or harmful animal species, including harmful or invasive bird species, deer, and/or wild pigs.
- Actively prohibits the formation, maintenance, or support of outdoor cat colonies inside or adjacent to parks/natural areas. Removal of cat colonies within or adjacent to parks/natural areas will also suffice.
- Monitor and limit the release of native wildlife and prohibit the release of domestic animals within parks/natural areas to prevent unhealthy over-concentration of native species or introduction of non-native species that would be destructive to birds

# Bird City Texas High Flyer Certification

Bird City Texas anticipates that in the years ahead its communities will want to strengthen their commitment to bird conservation. These additional criteria demonstrate that higher level of commitment. To earn a High Flyer designation, a community will need to document that it still meets Bird City's basic qualifications and meets the additional requirements outlined below.

## **High Flyer Requirements:**

All communities must meet all the following criteria in order to be eligible for High Flyer status:

- Prohibit Trap, Neuter and Release programs for feral or free roaming cats. Does not actively subsidize or condone outdoor cat colonies, and prohibits the formation, feeding, and support of outdoor cat colonies
- Create and/or maintain a demonstration bird-friendly native landscape on at least two highly visible community properties that would be visited by socioeconomically diverse groups in your community.

## **Category 1: Community Engagement**

Your community must meet a total of 1 criteria from this category.

- Local school district(s) uses native Texas ecosystem/conservation programs in curriculum for all K-12 students in either science, social studies, or language arts
- Sponsor a community planning charrette that brings in major municipal, industry, and community partners to improve bird conservation within the community that results in a draft/preliminary community conservation plan
- Enact an annual series of highly-visible community planting events that engage a dedicated corps of volunteers to restore native habitat on city-owned properties

## **Category 2: Habitat Enhancement and Protection**

Your community must meet a total of 3 criteria from this category.

- Require the use of native plants for landscaping in all new landscapes in publicly owned or managed spaces, buildings, and properties
- Designate a new nature park primarily managed for the benefit of native plants, wildlife, and ecosystems
- Create a \$2 per capita dedicated fund for habitat conservation, enhancement, or restoration
- Manage all recreational areas (including sports areas) in public park system to include at least 5% contiguous area designated as natural habitat
- Designate, manage, and maintain at minimum 2% of parks as preserves where resource protection is prioritized over human use and enforce policies such as: no pets allowed, noise management, limited number of visitors, pedestrian use only, and closing to allow for land management practices
- Community has at least 1 golf course within its extraterritorial jurisdiction (ETJ) certified as an Audubon Certified Cooperative Sanctuary

- Create and implement a Smart Growth development plan to protect and manage watersheds, open space, and habitat areas
- Conduct overview of all community parks and natural areas within the community, owned by all entities, to develop a greenbelt/corridor master plan using creation of more natural areas and trails to connect all green space throughout the community. Include land acquisition plans and detailed timeline for implementation.

### **Category 3: Creating Safer Spaces for Birds**

Your community must meet a total of 2 criteria from this category.

- Enact and enforce a city-wide ordinance requiring domestic cats to be kept indoors or in an enclosure
- Construction ordinance requires that new public buildings seek LEED certification (silver or higher) that includes meeting the requirement for the LEED Credit for Bird Collision Deterrence
- Design or retrofit public buildings to reduce bird collisions using Bird Friendly Buildings guidelines by American Bird Conservancy and Audubon
- Participate in Bird-Friendly Buildings: Lights Out program in all city-owned buildings
- Community actively and intensively traps brown-headed cowbirds on several community-owned lands
- Implement adaptive feral hog population control plan that encompasses several community-owned lands



# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 5B

**TITLE:**

Discussion regarding enforcement of City park policies.

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**POLICY EXPLANATION:**

The City Code of Ordinances addresses the enforcement of park policies in Article 1.10. Parks, Sec. 1.10.002 Park Rules, (c) Control of park and recreation areas. This states, *“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.”*

**RECOMMENDATION:**

Discussion related to current and future enforcement of City park rules and policies.

**ATTACHMENTS:**

Sec. A1.10.002 – Park 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.

- (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.

(g) *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 is hereby authorized and directed to install barricades at the designated locations to prohibit vehicle traffic on designated streets.
- (h) *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.
- (i) *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 for scientific or educational purposes.
- (j) *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.
- (k) *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, unless otherwise permitted by applicable state law(s).

(1995 Code, § 1.1302; Ord. No. 2010-13, 6-8-10; Ord. No. 2013-18, pt. 1, 10-8-13; Ord. No. 2016-06, pt. 1, 3-22-16; Ord. No. 2016-07, pt. 1, 4-12-16)



# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 5C

**TITLE:**

Discussion regarding revenue generating policies for commercial use of City parks: food/vendors policy.

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**POLICY EXPLANATION:**

Food and concession vendors are permitted through an application process to the City Secretary per the City Code of Ordinances Article 4.04, Division 1. Currently, there is no fee for using the concession stands but there is a required deposit. There is a fee associated with obtaining the Vendors Permit for sales in the park.

**RECOMMENDATION:**

Discuss revenue generating policies for commercial use of City parks such as the food and vendor policy related to concessions stands and other sales.

**ATTACHMENTS:**

- City of Bastrop Code of Ordinances Article 4.04 Peddlers, Solicitors and Vendors
- City of Bastrop Registration/Application for Peddlers, Solicitors and Vendors
- Appendix A1.10.002-Parks, Noncommercial fees and deposits

## ARTICLE 4.04 - PEDDLERS, SOLICITORS AND VENDORS

### DIVISION 1. - GENERALLY

#### Sec. 4.04.001 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Event.* Any occasion or activity where one or more vendors offer goods, services, entertainments, amusements or other like products or activities to the public for profit or for free.

*Franchisee.* A business entity with whom the city has a current contractual agreement, which entitles the entity to use city rights-of-way or easements for the provision of the entity's services to citizens of the community.

*Motor vehicle.* Any vehicle used for the displaying, storing or transporting of articles for sale by a peddler, solicitor, and/or vendor, which is required to be permitted and registered by the state. The term also includes trailers, trucks and automobiles.

*Peddler.* Any person, entity or organization (other than nonprofit organizations as that term is defined herein), whether a resident of the city or not, that offers merchandise for sale along the streets or rights-of-way, on private or public property, or from door to door.

*Peddling, soliciting and/or vending activities.* The practices of peddlers, solicitors and/or vendors, as described in this article.

*Permit.* The document(s) issued by the city authorizing the peddling, soliciting or vending activities, pursuant to this article.

*Permittee.* The holder of a permit issued by the city issued pursuant to this article.

*Solicitation activities.* The practices of solicitors as listed in this section.

*Solicitor.* Any person, whether a resident of the city or not, including an employee or agent of another, traveling either by foot, automobile, truck, or other type of conveyance, who engages in the practice of going door-to-door, house-to-house, or along any streets within the city for the purpose of requesting contribution of funds, soliciting money, property or anything of value, or soliciting the pledge of any type of future donation; or selling or offering for sale any type of property, including but not limited to the sale and/or distribution of goods, tickets, books and pamphlets, for commercial or noncommercial purposes (including but not limited to solicitations for and sales of political, charitable, or religious documents and/or items).

*Temporary/seasonal and/or multiple-vendor activity.* Those activities that: (1) take place at a single, central location and which are organized and conducted by a single permit applicant for the purpose of holding an event during which two (2) or more vendors, solicitors or peddlers intend to offer goods, wares, services, etc. (for example, a sidewalk bazaar sale), and/or (2) involve vending, soliciting, or peddling of items that are only seasonally available and/or are only envisioned to be temporarily sold within the community. Permits for temporary/seasonal and multiple-vendor activities may only be ongoing for a maximum period as stipulated in the applicable permit (i.e., either thirty (30), sixty (60) or ninety (90) consecutive days), in any twelve-month period during which a permit is issued by the city. No temporary/seasonal and/or multiple-vendor activity shall be permitted within the city or at the same locale for periods exceeding the above-noted periods of time, as specified on the applicable permit. When the permittee conducts temporary/seasonal and/or multiple-vendor activities, and conducts such activities from a temporary/seasonal and/or multiple-vendor structure, the permittee shall be required to disassemble and remove the temporary/seasonal and/or multiple-vendor structure (including specifically all tables, booths, tents, canopies, shelves, racks, displays, buildings, storage containers, and all other items used to store and/or display merchandise, products or services) from the location used by the permittee at the close of each day of operation.

*Temporary/seasonal and/or multiple-vendor permit.* The document issued by the city authorizing activities pursuant to this article.

*Temporary/seasonal and/or multiple-vendor personnel.* All personnel working with, for or otherwise employed by or associated with vendors who have obtained a temporary/seasonal and/or multiple-vendor permit pursuant to this article.

*Temporary/seasonal and/or multiple-vendor structure.* Those temporary buildings, facilities, tents, enclosed spaces, trailers, and other mobile structures which are constructed, assembled or otherwise provided by entities who have or seek to obtain a temporary/seasonal and/or multiple-vendor permit from the city, with such structure to be used solely for the purpose of displaying, exhibiting, carrying, transporting, storing, selling, taking orders for, or offering for sale or offering to take orders for the wares, products, or merchandise made available for sale, or taking orders for or offering to sell or take orders for the temporary/seasonal and/or multiple vendors' products, wares or merchandise. Such structures shall include but not be limited to any tables, booths, tents, canopies, shelves, display racks, storage buildings or containers and other items used to store and/or display merchandise, products or services.

*Vendor.* An individual, including an employee or agent of a group of individuals, partnership or corporation, who sells or offers to sell food, beverages, goods or merchandise or provides entertainment or recreational services from a venue, stand, or motor vehicle or from the person, and specifically includes those conducting temporary/seasonal and/or multiple-vendor activities, as defined herein.

(Ord. No. 2005-6, pt. 1 (4.301), 2-8-05)

Sec. 4.04.002 - Findings; purpose.

- (a) Reasonable regulation of peddling, soliciting, and vending activities is necessary to protect the public health, safety and welfare.
- (b) Activities that fail to comply with the requirements of this article shall constitute a public nuisance under the law.
- (c) As such, and to fairly administer these codes, the city shall enforce the provisions hereafter, as allowed in state law.
- (d) The regulations contained in this article are not intended to prohibit or hamper speech which is protected by the First Amendment, but to regulate specific activities that are commercial in nature and protect the public from fraudulent practices.

(Ord. No. 2005-6, pt. 1 (4.302), 2-8-05)

Sec. 4.04.003 - Enforcement actions.

The city may institute, in any court of competent jurisdiction, an action to prevent, restrain, enjoin, correct or abate any violation of this article, or of any order or ruling made in connection with its administration or enforcement.

(Ord. No. 2005-6, pt. 1 (4.340), 2-8-05)

Sec. 4.04.004 - Penalty.

Each violation of this article or of any regulation, order or ruling promulgated under this article shall, upon conviction, be punishable as provided in section 1.01.009 of the city Code of Ordinances.

(Ord. No. 2005-6, pt. 1 (4.341), 2-8-05)

Sec. 4.04.005 - Hours of operation.

It shall be unlawful for a peddler, vendor, or solicitor to conduct activities listed in section 4.04.001 except between the hours of 8:00 a.m. and 8:00 p.m., seven (7) days a week, and such activities shall be similarly unlawful for vendors and/or temporary/seasonal and/or multiple vendors, except as stated in the applicable vendor's permit(s).

(Ord. No. 2005-6, pt. 1 (4.320), 2-8-05)

Sec. 4.04.006 - Conducting activities where signs are posted.

It shall be unlawful for a peddler, solicitor, or vendor to conduct or attempt to conduct activities at a place where a sign clearly indicates that peddlers, solicitors or vendors are unwelcome. Complaint of a violation of this prohibition is grounds for revocation of a permit.

(Ord. No. 2005-6, pt. 1 (4.321), 2-8-05)

Sec. 4.04.007 - Prohibited areas for vending.

Notwithstanding any other provision in this article, all vending activities are prohibited and no permit shall be valid for the following locations:

- (1) Any area of the city where, because of the location of the vendor, wares, merchandise or goods, the customers stand, congregate or park within an area where parking on the public right-of-way is prohibited by ordinances of the city or where the vendor's activities constitute, contribute to, or create a traffic and/or pedestrian hazard;
- (2) Within one hundred (100) feet of any intersection of county, state or federal highways;
- (3) Any area where access by emergency vehicles would potentially be obstructed;
- (4) Within twenty (20) feet of any parking space or access ramp designated for persons with disabilities;
- (5) Within twenty (20) feet of any driveway, loading zone or bus stop;
- (6) Within fifteen (15) feet of a building entrance or exit;
- (7) Within fifteen (15) feet of any fire hydrant or fire escape;
- (8) Against display windows of fixed location businesses;
- (9) Any area or structure incompatible with the city's zoning, safety/health or building requirements; and
- (10) Any property located in a district zoned residential, as per the city's zoning code.

(Ord. No. 2005-6, pt. 1 (4.322), 2,8,05)

Sec. 4.04.008 - Health inspection certificate.

Any application for a vending permit to engage in the sale of food or beverages shall require proof of approval and issuance of an applicable certificate of health inspection (or health permit), in addition to the permit required by the city. The permittee shall comply with all health department regulations. Notice of noncompliance shall be grounds for revocation of the city's permit.

(Ord. No. 2005-6, pt. 1 (4.323), 2-8-05)

Sec. 4.04.009 - Litter control and trash removal.

- (a) Vendors shall keep the sidewalks, roadways and other spaces adjacent to their vending areas and sites clean and free of paper, refuse and trash and rubbish of any kind generated from the operation of their business. All trash, rubbish, waste, garbage, debris or other matter accumulating within fifty (50) feet of the property on which the activity or vending activity takes place shall be collected by the vendor on a daily basis and deposited in a trash container that is either owned by the vendor or which the vendor is using with the express written permission of the owner of the trash container. Failure to comply with this provision shall be a basis for immediate revocation of the vendor's permit. The city reserves the right to refuse issuance of a permit to any applicant that is not able to demonstrate at the time of application that he/she has made adequate and satisfactory arrangement for handling the collection and disposal of all trash, debris, refuse, and rubbish generated by the operation of his/her business.
- (b) Persons engaged in food vending shall affix to their vending stations, vehicles or other conveyances a receptacle for litter, trash and rubbish that shall be so marked and shall be maintained and emptied regularly by the vendor.
- (c) Solicitors, vendors and peddlers shall refrain from placing, leaving, or putting catalogs, brochures, papers, handbills, leaflets or other printed materials and/or samples of wares and materials on properties in a manner that constitutes or contributes to littering or otherwise creates a nuisance. Failure to comply with this provision shall be a basis for revocation of the solicitor's or peddler's permit.

(Ord. No. 2005-6, pt. 1 (4.324), 2-8-05)

Secs. 4.04.010—4.04.030 - Reserved.

DIVISION 2. - PERMIT FOR INDIVIDUAL PEDDLERS, SOLICITORS AND VENDORS

Sec. 4.04.031 - Required.

- (a) It shall be unlawful for a peddler, solicitor or vendor to engage in the activities defined and regulated in this article upon or along any public ways or public or private property within the city without first being issued an applicable permit by the City Secretary or designee, as provided in this division.
- (b) Exceptions. This section 4.04.031 specifically does not apply to the following:
  - (1) Events and activities held in city parks or on other city-owned/controlled property that have been previously approved and/or granted permits by the city pursuant to other licenses, applications, permits, leases, contracts or agreements.
  - (2) The farmers' market operated on property owned and/or controlled by the city and/or the Bastrop Economic Development Corporation, under agreement with the city and/or the Bastrop Economic Development Corporation.
  - (3) Under special conditions granted by the City Council/City Manager .
  - (4) Entities who are franchisees, and/or franchisees' employees, so long as the franchisee notifies the City Manager , in writing, of any solicitation events to be conducted by the franchisee on or before ten (10) business days prior to beginning solicitation activities within the city, and provided that all employees of the franchisee wear visible identification during solicitation activities, and meet all other requirements, if any, stipulated by the City Manager related to the solicitation event.

(Ord. No. 2005-6, pt. 1 (4.310), 2-8-05)

Sec. 4.04.032 - Application.

The application for a peddler, solicitor, or vendor permit shall contain all information relevant and necessary to determine whether a particular permit may be issued, including, but not limited to:

- (1) The state sales tax identification number.
- (2) The tax-exempt identification number.
- (3) Site development and building permits, if required.
- (4) If the applicant is acting for or on behalf of any commercial or noncommercial organization, the name, telephone number and address of such organization shall be included in the application.
- (5) If the applicant is operating from private property, the applicant shall provide with the application a signed form from the property owner of record, granting permission for the operator to use the property and providing all terms and conditions for the use of the property. (The necessary form for use for this purpose is available from the City Secretary, upon request, and is attached to Ordinance 2005-6 as exhibit A.) The property owner shall be jointly and severally responsible along with the vendors given permission to use the private property for compliance with all requirements of this article, and shall be subject to penalty and fines for violations, as noted herein.
- (6) A description of the nature, character and quality of the goods or merchandise to be sold and/or being offered for sale shall be included in the application.
- (7) A description (year, make, color, and type) and permit plate number and state of all vehicles to be used in soliciting, peddling and vending shall be included.
- (8) The applicant must provide original identifying documents to the City Secretary or his/her designee, upon request.
- (9) A valid sales tax permit issued by the state comptroller of public accounts shall be included.
- (10) Copies of pertinent corporate documentation from secretary of state of the business entity's formation, or substantially similar documentation for the entity's applicable structure, if any.

(Ord. No. 2005-6, pt. 1 (4.311), 2-8-05)

Sec. 4.04.033 - Fee.

All peddlers, solicitors and vendors not exempt under section 4.04.035 shall pay a permit fee to the City Secretary. The fee is in an amount established by the city and listed in section A4.04.033 of the fee schedule in appendix A to this code for each individual and/or business engaged in peddling, soliciting and vending activities.

(Ordinance adopting Code; Ord. No. 2005-6, pt. 1 (4.312), 2-8-05)

Sec. 4.04.034 - Issuance; duration; renewal; records; addition of personnel.

- (a) The permit shall be an original city license authorizing vendor activities, and will be issued by the City Secretary or her/his assignee. Each permit will be valid for sixty (60) days from the date of issuance, unless otherwise terminated or revoked pursuant to the terms of this article or other applicable law. Permits may be renewed for additional sixty-day periods, if there are no changes in the information provided on the original application for permit. The fee for each renewal is in an amount established by the city and is listed in appendix A of this code. To apply for each renewal, the permittee must apply for renewal, in person, with the City Secretary or his/her designee at the city's administrative offices, and provide updated information as required for such renewal of the permit, including provision of information noted in section 4.04.032.

- (b) The City Secretary will retain a copy of the approved permit(s) and the original application for official records. The permit may not be represented as an endorsement or approval by the city of the purposes of a solicitation or a product offered by the permittee.
- (c) A copy of the permit will be provided to the Chief of Police and the director of planning by the City Secretary, and will be maintained in the files of the police department for a period of one (1) year.
- (d) Only those individuals whose names are listed on the approved application may conduct activities under the issued permit. If any new personnel are added after the original permit is issued, the information required in section 4.04.032 must be furnished to the City Secretary for each such additional person prior to that person's involvement in peddling, soliciting and/or vending activities, as per section 4.04.032.
- (e) The City Manager reserves the right to limit, at his/her sole discretion, the number of individuals or entities that may engage in peddling, soliciting, and/or vending activities under a single permit issued under this division.

(Ord. No. 2005-6, pt. 1 (4.313), 2-8-05)

Sec. 4.04.035 - Exemptions.

- (a) Exemptions from permit application process and fees. The following are exempt from the permit application process and from permit fees:
  - (1) Newspaper carriers.
  - (2) Vendors that have been approved by the city to use city property for events pursuant to specific arrangements with and/or under the terms of agreements between the city and the event sponsor, subject to approval by the City Council, provided that: (i) such vendors have provided all requisite information to the sponsoring entity related to their activities and participants on a form acceptable to the city, (ii) the vending is acceptable to and approved by the city prior to the event, and (iii) the vending is limited to those areas, times, products, persons, and any other applicable limitation, as agreed to by the city. Any vendor found to be in violation of the terms of the agreement made between the city and the sponsor of the event shall be required to make immediate application for a permit and pay the applicable fee and fine or immediately cease vending operations upon notice by the city.
  - (3) Vendors that participate in events on city property under license or lease agreements approved by the city, including farmers or gardeners who are qualified members of the association operating the farmers' market located on BEDC property under an agreement with the BEDC.
- (b) Exemptions from fees only. The following are required to secure all applicable permits, but are held exempt from payment of the permit fee. Entities desiring this status must complete an exemption application at the time of requesting the permit.
  - (1) Peddlers, solicitors, or vendors representing and/or sponsored exclusively by a bona fide philanthropic, charitable, political, educational, or religious organization having documentation of a bona fide tax-exempt status on file with the state.

(Ord. No. 2005-6, pt. 1 (4.314), 2-8-05)

Sec. 4.04.036 - Denial.

- (a) Investigation of applicant. A copy of the application for permit will be referred to the Chief of Police of the city or his/her designee, who will undertake an investigation of the applicant's record and background, such as shall be reasonably necessary to protect the public, and as allowed by law. An application for a permit under this article may be denied by the City Secretary or her/his designee where:

- (1) Required information is incomplete or incorrect; or
  - (2) The applicant or key personnel of the applicant have an outstanding warrant for arrest; or
  - (3) The applicant or key personnel of the applicant have a record of criminal arrests.
- (b) Investigation of activity. A copy of the application for permit shall be referred to the director of planning to assess the compatibility of the proposed activity with the character and use of adjacent property and the surrounding neighborhood. An application for a permit under this article may be denied or qualified by the City Secretary and/or her/his designee, where:
- (1) Required information is incomplete or incorrect; or
  - (2) The activity is found to have or potentially have negative impacts on the area immediately surrounding the activity.
- (c) Appeals. If the permit is denied, the applicant may appeal this decision, in writing, to the City Manager , who may affirm, modify or reverse the denial.

(Ord. No. 2005-6, pt. 1 (4.315), 2-8-05)

Sec. 4.04.037 - Display.

Each permittee, and each individual conducting peddling, solicitation, and/or vending activities on behalf of the permittee, shall carry the permit at all times while engaging in activity regulated in this article. Upon request or demand, the permittee and/or the personnel of the permittee shall exhibit the permit (or copy of the permit) to indicate compliance with the requirements of this article.

(Ord. No. 2005-6, pt. 1 (4.316), 2-8-05)

Sec. 4.04.038 - Transfer.

Permits issued under the provisions of this article are not transferable under any circumstance, and shall be clearly marked "NOT TRANSFERABLE." ;hn0; (Ord. No. 2005-6, pt. 1 (4.317), 2-8-05)

Sec. 4.04.039 - Suspension.

- (a) The Chief of Police or his designee may, upon investigation of a valid documented complaint or violation of law, suspend and confiscate a permit issued under this article.
- (b) Upon such suspension, all activity must cease immediately and the vendor must vacate the premises.
- (c) A permittee whose permit is suspended shall have three business days from the date of suspension to request an administrative review, in writing, of the suspension by the City Manager . If a request for an administrative review is not made, the permit shall be automatically revoked with no further action by the city required.

(Ord. No. 2005-6, pt. 1 (4.318), 2-8-05)

Sec. 4.04.040 - Revocation.

- (a) Upon a permittee's request, the City Secretary shall provide the permittee with written notice containing the particulars of any and all complaints against the permittee, and the time, date and place for an administrative review of the suspension.
- (b) The City Secretary, in conjunction with the City Manager , will conduct an administrative review to determine whether the permit will be restored, qualified or revoked.

- (c) After notice and review, the city may revoke or qualify any permit issued under this article for the following reasons:
  - (1) Fraudulent statements or omissions on the permit application or in the conduct of the permitted business;
  - (2) Violation of ordinances or laws;
  - (3) Complaint of one (1) (e.g., after-hours calls, harassment, intimidation, noise, traffic problems, etc.) from citizens;
  - (4) Complaints from citizens of violations of the sign ordinance;
  - (5) Health and safety concerns;
  - (6) Creating or becoming the source of or contributing to nuisance conditions within the city.
- (d) If the permit is revoked by the city, the permittee may appeal this decision, in writing, to the City Council, which may affirm, modify or reverse the revocation.
- (e) Revocation of a permit shall bar the permittee from eligibility for any permit under this article for a period of one year from the date of revocation.

(Ord. No. 2005-6, pt. 1 (4.319), 2-8-05)

Secs. 4.04.041—4.04.070 - Reserved.

### DIVISION 3. - PERMIT FOR TEMPORARY/SEASONAL AND MULTIPLE VENDORS

Sec. 4.04.071 - Required.

- (a) It shall be unlawful for temporary/seasonal and/or multiple vendors to engage in the activities defined and regulated in this article within the city without first being issued an applicable permit by the City Secretary or designee, as provided in this division.
- (b) Permits issued pursuant to this division are applicable to the vendor, event, or location shown on the permit.
- (c) When the permittee conducts temporary/seasonal and/or multiple-vendor activities, and conducts such activities from a temporary/seasonal and/or multiple-vendor structure or other enclosure (e.g., tents or awnings/canopies erected for the purpose of vending), the permittee shall be required to disassemble and remove the temporary/seasonal and/or multiple-vendor structure (including specifically all tables, booths, tents, canopies, shelves, racks, displays, buildings, storage containers, and all other items used to store and/or display merchandise, products or services) from the location used by the permittee at the close of each day of operation.

(Ord. No. 2005-6, pt. 1 (4.330), 2-8-05)

Sec. 4.04.072 - Application.

The application for a temporary/seasonal and/or multiple-vendor permit shall contain all information relevant and necessary to determine whether a particular permit may be issued, including but not limited to:

- (1) The applicant's name, telephone number, address, birth date, and physical description.
- (2) Driver's license number and state, or an official, government-issued picture identification document.
- (3) The state sales tax identification number, if required by state law for products offered for sale.

- (4) The state sales tax identification number, if any.
- (5) If the applicant is acting for or on behalf of any commercial, charitable or political organization, the name, telephone number and address of such organization shall be included in the application.
- (6) The application shall include the following for each individual involved in the activities regulated in this article:
  - (A) Name, telephone number, address, birth date, and physical description;
  - (B) Driver's license number and state; and
  - (C) An official, government-issued picture identification document.
- (7) A description of the nature, character and quality of the goods or merchandise to be sold and/or being offered for sale shall be included in the application.
- (8) A description (year, make, color, and type) and permit plate number and state of all vehicles to be used in soliciting and peddling shall be included.
- (9) The applicant must provide original identifying documents to the City Secretary upon request.
- (10) A valid sales tax permit issued by the state comptroller of public accounts shall be included.
- (11) Copies of pertinent corporate documentation from the secretary of state of the business entity's formation, or substantially similar documentation for the entity's applicable structure.
- (12) The location, including the street address within the city from which the temporary/seasonal and/or multiple vendors will conduct the operation under the permit.
- (13) Documentation from the owner of the property from which the permittee will operate indicating consent to locate and conduct activities at that site under the permit, for the time period covered by the permit.
- (14) A letter from the planning department and property owner defining allowable terms of such activity.
- (15) Any bond, insurance, proof of adequate security or other requirement deemed necessary by the City Manager .

(Ord. No. 2005-6, pt. 1 (4.331), 2-8-05)

Sec. 4.04.073 - Fee; right of city to refuse permit.

- (a) All temporary/seasonal and/or multiple vendors (not exempt under section 4.04.035) shall pay a permit fee to the City Secretary. The fee is in an amount established by the city and listed in section A4.04.073 of the fee schedule in appendix A to this code for each individual and/or business engaged in temporary/seasonal and/or multiple-vendor activities.
- (b) The city expressly reserves the right to refuse issuance of a temporary/seasonal and/or multiple-vendor permit if the city determines that the permit applicant is attempting to circumvent the purpose or intent of this article in any manner (e.g., to limit the vending periods allowed for temporary/seasonal and/or multiple-vendor permit holders) by requesting permits under identities or names for vendors who have already obtained temporary/seasonal and/or multiple-vendor permits with the city, which have an expired term or have been terminated for any other reason.

(Ord. No. 2005-6, pt. 1 (4.332), 2-8-05)

Sec. 4.04.074 - Issuance; duration; renewal; records; addition of personnel.

- (a) The permit shall be a city license authorizing vendor sales under section 4.04.072. Each permit will be valid for the time period indicated on the permit (e.g., 30, 60 or 90 days) and may be renewed as allowed herein during the subsequent twelve-month period from the date of issuance, unless otherwise terminated or revoked pursuant to the terms of this article or other applicable law.
- (b) The City Secretary will retain a copy of the approved permit for official records. The permit may not be represented as an endorsement or approval by the city of the purposes of a solicitation or a product offered by the permittee.
- (c) One copy of the permit will be provided to the Chief of Police by the City Secretary and maintained in the files of the police department for a period of one (1) year.
- (d) Only those individuals whose names are listed on the approved application may conduct activities under the issued permit. If any new personnel are added after the original permit is issued, the information required in section 4.04.072 must be furnished to the City Secretary for each such additional person prior to that person's involvement in temporary/seasonal and/or multiple-vendor activities, as per the above section.
- (e) The city reserves the right to limit, at its sole discretion, the number of individuals or entities that may engage in peddling, soliciting, or vending activities under a single permit issued under this division.

(Ord. No. 2005-6, pt. 1 (4.333), 2-8-05)



Fee Paid _____	Renewal Fee Paid _____
Date Received _____	Date Received _____
Permit No. _____	Renewal Expires _____ [If additional renewals-list on back]
Term of Permit _____	<input type="checkbox"/> Renewals on Back

**CITY OF BASTROP, TEXAS  
REGISTRATION STATEMENT/APPLICATION  
FOR PEDDLERS, SOLICITORS, AND VENDORS**

Name of Applicant \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Sex \_\_\_\_\_ Hair Color \_\_\_\_\_

Telephone Number \_\_\_\_\_

Date of Birth \_\_\_\_\_ Drivers License No. & State (attach copy of DL or photo I.D.) \_\_\_\_\_

Company Name (attach copy of Secretary of State Corporate Certificate) \_\_\_\_\_

Company Address \_\_\_\_\_

Company Phone Number \_\_\_\_\_ Company Fax Number \_\_\_\_\_

Sales Tax I.D. Number (attach copy) \_\_\_\_\_ Tax Exempt I.D. Number \_\_\_\_\_

Description of the vehicle(s), if any, that will be operated under the registration permit:

State of Registration	Make & Model	License Number	Color of Vehicle

Have you ever been convicted of a felony or misdemeanor?  Yes  No

If you answered "Yes", list and explain the nature of every felony or misdemeanor offense, other than misdemeanor traffic offenses, give State where conviction occurred, and the year it occurred:

\_\_\_\_\_

\_\_\_\_\_

Describe the type of business and related activities to be conducted:

\_\_\_\_\_

\_\_\_\_\_



**EACH INDIVIDUAL WHO WILL BE INVOLVED IN BUSINESS (OTHER THAN THE APPLICANT) MUST BE LISTED ON THE FOLLOWING PAGES.**

The applicant and individuals who will be involved in business under this registration will be required to submit a recent color or black and white photo no larger than 2" x 2". The applicant and each individual listed on this application will need to present photo identification to the City (preferably a Texas Driver's License).

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Company Name

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Individual Name	Height	Weight	Sex	Hair Color
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Telephone Number

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Date of Birth	Drivers License No. & State (attach a copy or photo I.D.)
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Have you ever been convicted of a felony or misdemeanor?     Yes     No

If you answered "Yes", list and explain the nature of every felony or misdemeanor offense, other than misdemeanor traffic offenses, give State where conviction occurred, and the year it occurred.

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I acknowledge receipt of a copy of Chapter 4, Article 4.300 "Peddlers" of the City of Bastrop Code of Ordinances and am fully aware of the regulations contained therein.

By signing below, I acknowledge and agree that I have given voluntary consent for the Bastrop Police Department to conduct any investigation of my background, criminal/judicial history and driving records, in Texas or other jurisdictions, and make all necessary inquires related to.

---

Signature

Date

**AGREEMENT TO GRANT PERMISSION FOR USE OF PRIVATE PROPERTY  
AND  
ACKNOWLEDGEMENT OF ACCEPTANCE OF PERSONAL LIABILITY FOR  
VENDING ACTIVITIES**

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I, \_\_\_\_\_ [printed name], am the owner of property located at \_\_\_\_\_ [address], Bastrop, Texas (Property Owner).

As Property Owner, I understand that Vendor has applied to the City for a Permit to conduct these activities, and that my written permission is required for the City to issue the necessary permit, as per City Ordinance, Chapter 4, Article 4.300.

I have granted permission for \_\_\_\_\_ [name of Permit applicant] (Vendor) to conduct vending/peddling/soliciting activities on my property on the following dates, and during the following hours:

Date: _____	Time: _____
Date: _____	Time: _____
Date: _____	Time: _____

Further, I agree and acknowledge that I, as Property Owner, shall be **jointly and severally responsible and liable**, along with the Vendor(s), for full compliance with all requirements of the City's Ordinance concerning Peddling, Soliciting and Vending from Private Property, and, further, that **I shall be subject to penalty, and fines for violations**, as noted in the Ordinance, for any violation by Vendor(s) of the City's Ordinance or Permit.

---

Printed Name Property Owner and Signature

---

Date

**ARTICLE A4.04 PEDDLERS, SOLICITORS AND VENDORS**

**Division 2. Permit for Individual Peddlers, Solicitors and Vendors**

**Sec. A4.04.033 Fee**

Individual peddler, solicitor and vendor permit (60 days): \$30.00.

Individual peddler, solicitor, vendor permit (each agent or employee): \$10.00.

Renewal of individual peddler, solicitor and vendor permit: \$15.00.

Replacement permit: \$10.00.

(Ordinance 2005-7, pt. 1, app. A (4.200(a)–(c), (g)), adopted 2/8/05)

**Division 3. Permit for Temporary/Seasonal and Multiple Vendors**

**Sec. A4.04.073 Fee; right of city to refuse permit**

Temporary/seasonal and/or multiple vendors or events permit (30 days): \$100.00.

Temporary/seasonal and/or multiple vendors or events permit (60 days): \$150.00.

Temporary/seasonal and/or multiple vendors or events permit (90 days): \$200.00.

Replacement permit: \$10.00.

(Ordinance 2005-7, pt. 1, app. A (4.200(d)–(g)), adopted 2/8/05)

to have at an event to confirm 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.

### Sec. A1.10.002 - Parks.



(a) *Noncommercial fees and deposits.*

(1) *Pavilions (including BBQ pits when available) and **concession** stand.*

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
<b>Concessions</b> stands*	\$0.00	\$50.00



# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 5D

**TITLE:**

Update on Healthy Parks Plan in Bastrop.

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**POLICY EXPLANATION:**

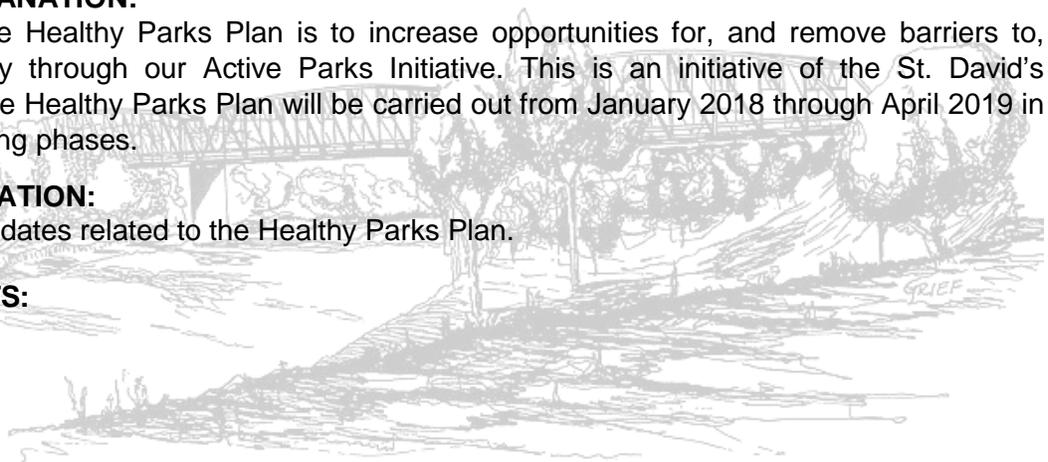
The goal of the Healthy Parks Plan is to increase opportunities for, and remove barriers to, physical activity through our Active Parks Initiative. This is an initiative of the St. David's Foundation. The Healthy Parks Plan will be carried out from January 2018 through April 2019 in three overlapping phases.

**RECOMMENDATION:**

Discuss any updates related to the Healthy Parks Plan.

**ATTACHMENTS:**

NA





# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 5E

**TITLE:**

General discussion by Park Board members related to issues arising since last meeting.

**STAFF REPRESENTATIVE:**

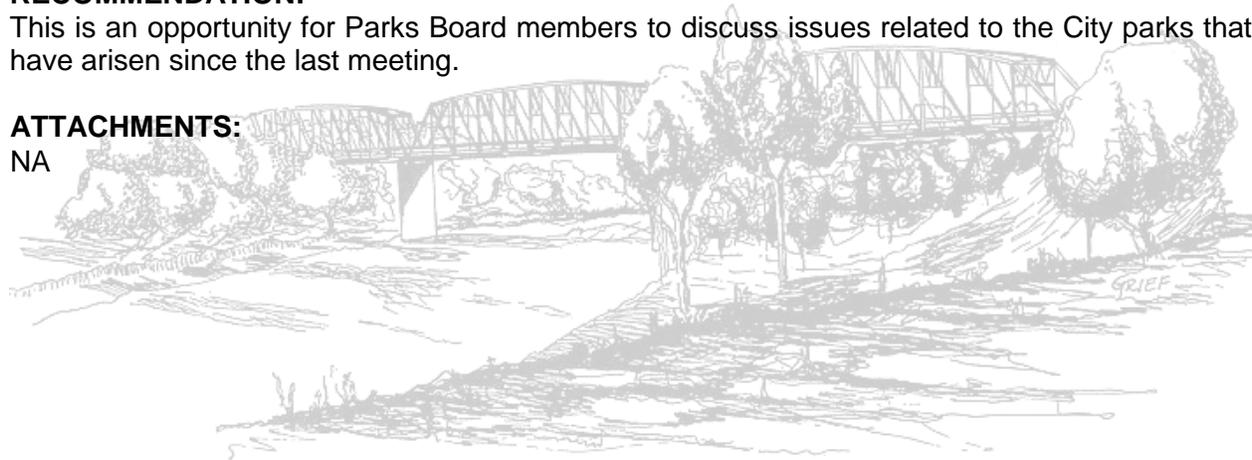
Curtis Hancock, Assistant Public Works Director

**RECOMMENDATION:**

This is an opportunity for Parks Board members to discuss issues related to the City parks that have arisen since the last meeting.

**ATTACHMENTS:**

NA





# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 6A

**TITLE:**

Consider action to approve Parks and Public Tree Advisory Board minutes from the July 5, 2018 regular meeting.

**STAFF REPRESENTATIVE:**

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 July 5, 2018 Parks and Public Tree Advisory Board.

**ATTACHMENTS:**

July 5, 2018 DRAFT Parks and Public Tree Advisory Board meeting minutes

**City of Bastrop, TX  
Parks Board and  
Public Tree Advisory Board Meeting  
MINUTES**

**Bastrop City Hall  
City Council Chambers  
1311 Chestnut Street  
Bastrop, TX 78602  
(512) 332-8800**



**DRAFT**

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**July 5, 2018, at 6:00 P.M.**

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*City of Bastrop Parks Board 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.*

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1. **CALL TO ORDER**  
AT 6:00 P.M. CHAIR JOSH GORDON CALLED THE MEETING TO ORDER
2. **ROLL CALL AND CONFIRMATION OF A QUORUM OF BOARDS MEMBERS PRESENT:**  
A quorum of Josh Gordon, Betty Rucker, Kelly Dawson, and Dorothy Skarnulis were present. Other City Staff in attendance were Curtis Hancock, Trey Job, David Junek and Heather Ambrose. Members not in attendance were Barbara Wolanski, Jamie Creacy and Allison Hewitt.
3. **STAFF, BOARD, AND COMMITTEE REPORTS**
  - 3A. Parks and Recreation Report  
Parks & Recreation Department Superintendent David Junek submitted the Monthly overview of events, maintenance, repairs, and projects.
    - 380 Landscaping hours, 187 maintenance hours, and 68 tree maintenance hours. Assisted with the Music Festival – worked 150 hours
  - 3B. Bastrop State Park Report  
Jamie Creacy, Superintendent, was not in attendance and did not submit a report for this month.
  - 3C. Bastrop YMCA Report  
Terry Moore for the YMCA was present to give report.
    - Pool was opened – made the community very happy.
    - Bryan, who oversees the pool staff, is doing a great job with them.
    - “Fitness in a box of workout equipment” has been moved to Bob Bryant Park in the front area and will begin end of August.
    - The YMCA has joined in on the Healthy Parks Plan.

# DRAFT

- 99.8% of the programs have made, one that did not was Art of Cooking with Teens.
- July 11<sup>th</sup> is Free Hugs Day so hug your neighbor, friends or anyone and everyone you see.
- Track will start back up.
- Outreach will be feeding through the summer to anyone with kids that are home and want to come and eat a good meal. Please pass it on to those you know that they are serving on Tuesday and Friday: breakfast and lunch from 8:30 a.m. to 12:00 noon. Friendship Bible group at Housing Authority Central Texas.
- August 11<sup>th</sup> will be backpack giveaway through the Cap City for 300 kids. They need to call Norma at BISD to register and the program is targeting homeless or foster kids.
- July 28<sup>th</sup> is the BISD event held at Memorial Stadium for "Back to School Bash".
- The YMCA assisted and participated in the Patriotic Festival.

### 3D. Youth Parks Activity Committee (YPAC) Report

- Allison Hewitt was not in attendance – no updates.

## 4. 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 Citizens' Comment portion of the Board 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.*

There were no citizen's comments.

## 5. Parks & Recreation Workshop

### 5A. Discussion regarding revenue generating policies for commercial use of City parks.

- Trey Job handed out the City Code of Ordinances for the Board to review regarding the different fee schedules, etc.
- Discussed preparing Ordinances of fees that Troy Walters, City Compliance Officer could enforce.
- Need to have a public meeting and then send out notices around October to start enforcing in January 2019.
- Councilman Lyle Nelson suggested we have Chief Altgelt come to our next meeting regarding enforcing the fees, etc. that the Board suggested to see if he sees a problem with this.
- We need to do a media campaign to get the word out about any changes.
- Clean-up costs are related to the City crews cleaning up areas after vendors leave i.e. Camp Gladiators, other fitness groups, soccer leagues, etc.
- Bastrop River Co., Phoenix Adventures using the boat ramp as they launch in Bob Bryant, coming over to the parks to take out, etc. They should be charged for use of our public facilities launches as commercial entities.

### 5B. Discussion on appointing a member of the Youth Action Council as the youth member of the Parks Board.

- Trey will meet with the Youth Action Council on Monday to see who is interested in joining or attending.

### 5C. Discussion on memorial plaque policy of City parks.

- Trey provided a Draft of a Donation Policy letter regarding donations from individuals and what would be accepted including: labor, site furnishings, supplies and materials, plant

# DRAFT

- materials (trees, shrubs, flowers), and any cash/check to be made to the City of Bastrop Parks Department. All proposed donations must have the approval of a Parks Department Director.
- Trey also provided us a draft of the City of Bastrop Memorial Tree and Bench Donation Policy. The Parks and Recreation Department permits the installation of a donated plaque with trees and benches provided it meets policy criteria.

## 6. ITEMS FOR INDIVIDUAL CONSIDERATION

- 6A. Consider action to approve Parks and Public Tree Advisory Board minutes from the June 7, 2018 regular meeting.
- Dorothy Skarnulis made the motion to approve minutes as presented. Seconded by Kelly Dawson and carried with objection.
- 6B. Discuss and consider recommendations on items to be placed on next month's agenda.
- Food discussion for vendors
  - Invited Kelly Bender-Simon with Bird City Texas to our meeting. Barbara Wolanski and Dorothy meet with her and she feels we could be a Bird City.
  - Discuss enforce of policy- meeting with Chief Altgelt
  - Certified Habitat – put on agenda each month till January.
  - Open discussion by Parks Board of things that we have heard about between meetings.

## 7. ADJOURNMENT

Meeting Adjourned at 7:35 p.m.

APPROVED: \_\_\_\_\_

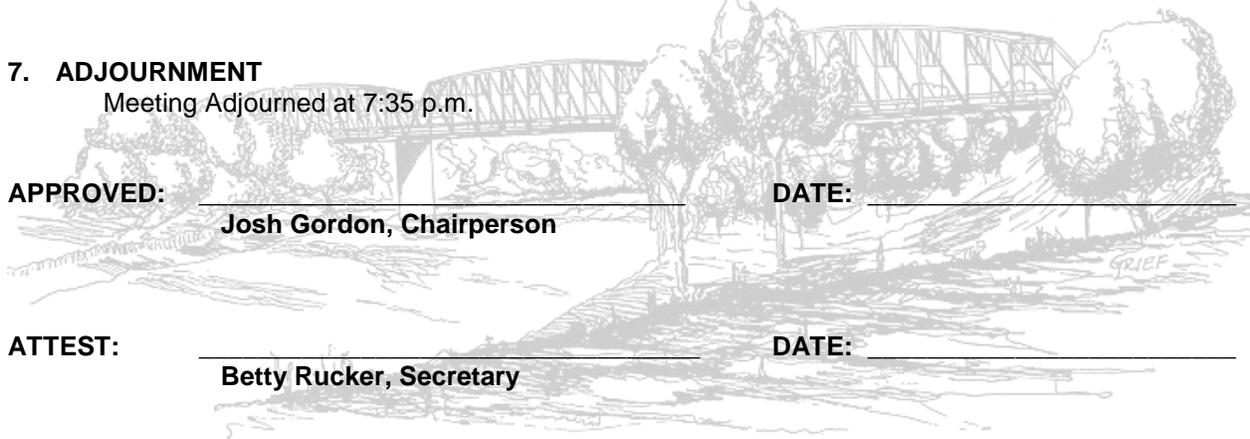
**Josh Gordon, Chairperson**

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_

**Betty Rucker, Secretary**

DATE: \_\_\_\_\_





# STAFF REPORT

**MEETING DATE:** October 4, 2018

**AGENDA ITEM:** 6B

**TITLE:**

Discuss and consider recommendations on items to be placed on next month's agenda.

**STAFF REPRESENTATIVE:**

Curtis Hancock, Assistant Public Works Director

**POLICY EXPLANATION:**

NA

**RECOMMENDATION:**

NA

**ATTACHMENTS:**

NA

