

MEETING DATE: December 6, 2018 AGENDA ITEM: 2A

TITLE:

Parks and Recreation Report

STAFF REPRESENTATIVE:

David Junek, Parks & Recreation Superintendent

RECOMMENDATION:

Review staff Parks and Recreation November operational report.

ATTACHMENTS:

November Operational Update



Operational Update

November 2018

- 101 landscaping hours, 268.5 park maintenance hours, 42.5 tree maintenance hours
- Installed new barricades and signage at the Old Iron Bridge
- Installed a new bollard at the entrance of the Riverwalk to allow for better access to pedestrians
- Held the annual Texas Arbor Day celebration at Bob Bryant Park
- Cleaned off the Riverwalk, Boat Ramp, and Canoe Launch due to the flooding back in October
- Supported the Veteran's Day Car Show (125-man hours)
- The concrete for the parking lot and sidewalks at Delgado Park has been poured









MEETING DATE: December 6, 2018 AGENDA ITEM: 2B

TITLE:

Bastrop State Park Report

STAFF REPRESENTATIVE:

Jamie Creacy, Park Superintendent, Lost Pines State Park Complex

Curtis Hancock, Assistant Public Works Director

RECOMMENDATION:

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

ATTACHMENTS:

N/A



MEETING DATE: December 6, 2018 AGENDA ITEM: 2C

TITLE:

Bastrop YMCA Report

STAFF REPRESENTATIVE:

Terry Moore, Executive Director, YMCA of Austin Bastrop Branch Curtis Hancock, Assistant Public Works Director

RECOMMENDATION:

Review Bastrop YMCA monthly operational report.

ATTACHMENTS:

November Bastrop YMCA monthly operational report



Program Report November 26, 2018

The Halloween Bash on October 31st was fantastic! This was the first time the event was held at Mayfest Park. An estimated 1500 people participated in the fun. There were over 25 trick or treat vendors. It was decided during the after action meeting that the event would be hosted at Mayfest Park going forward.

The Outdoor Fitness unit opened to a great crowd on November 3rd at Bob Bryant Park. We are adjusting the opening schedule and classes. Attendance has been light which is expected this time of year.

AQUATICS

The pool has been winterized for the season. Off season staff are servicing the pool approximately 5 hours per week.

SPORTS

Both Soccer and Volleyball seasons concluded on November 10th. Surveys are showing participants are very pleased with the experience and quality of the season. Registration for spring seasons is now open.

Youth Track registration is open and schedule to open in January 26, 2019.

Plans are being made to host a youth tennis clinic after the first of the year.

Pickleball continues to grow in participation. There are courts at both Fisherman's Park and Bob Bryant Park.

YOUTH & FAMILY

The Dance program continues to grow. Ballet programs are for ages 4-5 and 6-9. Gymnastics will be added in January for ages 3-5 and 5-8.

CPR class for the public was held on November 15th. The next class is scheduled for January 19.

MEMBERSHIP & MARKETING

The Y participated in the Downtown Window Decorating Contest.

Making Spirits Bright is the theme for Christmas at the Y!

- Participating in the Downtown Window Decorating Context
- Hosting an event on December 7th at the downtown location with pictures with Santa, ornament making and cooking decorating. Event starts at 5:30 and is free to the public.
- Hosting a float in the parade.

HEALTH & WELLNESS

The Bastrop Y hosted a Matter of Balance program at the Settlement with an average of 16 participating. It is a free 8 session free program to seniors. Feedback was very favorable for the participants.

A variety of health and wellness programs on a weekly basis. Those include Yoga, Chair Yoga, Pilates, Active Older Adult Strong class, Body Pump, Cycling and more.



MEETING DATE: December 6, 2018 AGENDA ITEM: 2D

TITLE:

Youth Parks Activity Committee (YPAC) Report

STAFF REPRESENTATIVE:

Trey Job, Managing Director of Public Works & Leisure Services

RECOMMENDATION:

Review Youth Parks Activity Committee (YPAC) report.

ATTACHMENTS:

 Email from Trey Job pertaining to Youth Advisory Council parks/recreation related activities.

Heather Ambrose

From: Trey Job

Sent: Wednesday, November 21, 2018 2:45 PM

To: Heather Ambrose

Subject: Re: YAC Report related to Parks?

I have not heard from Allison. The only thing the youth advisory Council is working on that might be of interest to the parks board is they are developing a process to reach out to all of the youth in BISD about a recreational facility.

Trey Job, CPM
Managing Director of
Public Works & Leisure Services
City of Bastrop, Texas
Main 512-332-8800 | Fax 512-321-1313
tjob@cityofbastrop.org | www.cityofbastrop.org
P.O. Box 427 - 1209 Linden Street, Bastrop, Texas 78602

From: Heather Ambrose hambrose@cityofbastrop.org

Sent: Wednesday, November 21, 2018 2:36 PM

To: Trey Job

Subject: YAC Report related to Parks?

Trey,

Parks Board meets on December 6^{th.} If you'll have anything to report to them, let me know.

Also, the former youth member of the Parks Board was going to reach out to you. Did you hear from her?

The mission of the City of Bastrop is to continuously strive to provide efficient and proactive services that enhance our quality of life and achieve our vision. My goal is to provide excellent service to the customers of the City of Bastrop. If you have any questions, concerns, or compliments, please do not hesitate to share them with me or my supervisor.



Heather Ambrose
Public Works Technician
Public Works and Leisure Services Department
City of Bastrop, Texas

Direct Line 512-332-8921 | Main 512-332-8920 | Fax 512-321-1313 hambrose@cityofbastrop.org | http://www.cityofbastrop.org/
P.O. Box 427
1209 Linden Street
Bastrop, Texas 78602



MEETING DATE: December 6, 2018 AGENDA ITEM: 2E

TITLE:

Task Force for Certified Habitat and Bird City Texas Report

STAFF REPRESENTATIVE:

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

RECOMMENDATION:

Receive Task Force for Certified Habitat and Bird City Texas report. Any reports will be handed out or presented at the meeting.

ATTACHMENTS:

N/A



MEETING DATE: December 6, 2018 AGENDA ITEM: 4A

TITLE:

Consider action to approve Parks and Public Tree Advisory Board minutes from the November 1, 2018 regular meeting.

STAFF REPRESENTATIVE:

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

POLICY EXPLANATION:

Section 551.021 of the Government Code provides as follows:

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

RECOMMENDATION:

Approve, amend, or correct the minutes of the November 1, 2018 Parks and Public Tree Advisory Board.

ATTACHMENTS:

November 1, 2018 DRAFT Parks and Public Tree Advisory Board meeting minutes

MINUTES OF BASTROP PARKS AND PUBLIC TREE ADVISORY BOARD MEETING NOVEMBER 1, 2018

The Bastrop Parks and Public Tree Advisory Board met in a Regular Meeting on Thursday, November 1, 2018 at 5:00 p.m. at Bastrop City Hall, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Josh Gordon, Betty Rucker, Kelly Dawson, Dorothy Skarnulis, Barbara Wolanski, Jamie Creacy and Lyle Nelson. Bastrop Public Works staff in attendance were David Junek, Curtis Hancock, and Heather Ambrose.

Not in Attendance were Jimmy Crouch and Allison Hewitt.

CALL TO ORDER

At 6:00 p.m. Chair Josh Gordon called the meeting to order with a quorum being present.

STAFF, BOARD, AND COMMITTEE MONTHLY OPERATIONAL REPORTS

2. WORKSHOP SESSION

2A. Presentation was made by Parks Superintendent David Junek. Board received handouts of current Ordinances and Fees Schedule. Discussion by Board and City Staff for recommended revisions.

3. STAFF AND BOARD BRIEFINGS

- 3A. Parks and Recreation Report
 - Presentation was made by David Junek, Parks Superintendent.
- 3B. Bastrop State Park Report

Presentation was made by Board Member Jamie Creacy, Parks Superintendent, Lost Pines State Park Complex.

- 3C. Bastrop YMCA Report
 - Bastrop YMCA Director Terry Moore was not in attendance to present the report. A written report was included in the packet.
- 3D. Youth Parks Activity Committee (YPAC) Report

Youth Representative Allison Hewett was not in attendance and no written report was provided.

3E. Task Force for Certified Habitat Report

Presentation was made by Board Member Dorothy Skarnulis.

4. CITIZEN COMMENTS

5. APPROVAL OF THE MINUTES

5A Consider action to approve Parks and Public Tree Advisory Board minutes from the October 4, 2018 regular meeting.

A motion was made by Parks Board Member Barbara Wolanski to approve the minutes with a correction that Lyle Nelson was in attendance at the October 4, 2018 meeting, seconded by Parks Board Member Kelly Dawson. Approved on a 5-0 vote.

6. ITEMS FOR INDIVIDUAL CONSIDERATION

6A. Consider action on a recommendation of support by the Parks and Public Tree Advisory Board to the City Manager and City Council to pursue an application for Bird City Texas through sponsors Texas Parks & Wildlife and Audubon Texas, and recommending the City move forward with the application process once an invitation has been received.

A motion was made by Kelly Dawson recommending to the City Manager and City Council that the City move forward with the Bird City Texas application process now that an invitation has been received, seconded by Barbara Wolanski. Approved on a 5-0 vote.

7. ADJOURNMENT

Josh Gordon adjourned the meeting at 7:30 p.m. without objection.

APPROVED:	ATTEST:
Josh Gordon, Chair	Betty Rucker, Secretary



MEETING DATE: December 6, 2018 AGENDA ITEM: 5A

TITLE:

Consider action on a recommendation of support by the Parks and Public Tree Advisory Board to the City Manager and City Council to look into measures that can be undertaken to alleviate maintenance and public health and safety issue problems associated with geese in City parks.

STAFF REPRESENTATIVE:

Curtis Hancock, Assistant Public Works Director

BACKGROUND/HISTORY:

At the November 1, 2018 Parks and Public Tree Advisory Board meeting, staff and several members present expressed concerns about the geese in City parks and the problems they cause for maintenance, health concerns about their feces, and safety concerns about the aggressive behavior. The Parks Board will discuss and may make a recommendation for City Council consideration.

POLICY EXPLANATION:

Bastrop City Code of Ordinances includes the following related to geese in City parks:

- Chapter 2, ANIMAL CONTROL, Article 2.02 GENERAL PROVISIONS, Section 2.01.001 DEFINITIONS defines "protected animals" as (1) Poultry, fowl and birds that are harbored in any city park or park area.
- Chapter 2, ANIMAL CONTROL, Article 2.07 NUISANCES, Section 2.07.001 Creating Health Hazard states:
 - (a) Generally. It shall be unlawful for any person to keep any animal, other than a protected animal, on any property located within the corporate limits of the city when the keeping of such animal constitutes a public nuisance or menace to public health or safety. Any person who harbors or keeps on his/her premises, or in or about premises under his/her control, an animal, other than a protected animal, and who allows his/her premises to become a hazard to the general health and welfare of the community, or who shall allow his/her premises to give off obnoxious or offensive odors and/or noises due to the activity or presence of such animals, other than the presences of a protected animal, shall be guilty or a class C misdemeanor.
 - (b) Status update on potential hazard posed by protected animals. In order to monitor whether protected animals continue to pose no hazard to the citizens of the city, in the future, the City Manager, or his designee, shall periodically report to the City Council concerning the status of the protected animals and shall indicate whether, in his opinion, the protected animals continue to pose no apparent health risk, nuisance to humans, and whether the population of such protected animals remains at a reasonable level. In addition, the City Manager will report to Council

upon the city's receipt of credible, documented complaints related to the presence or activities of protected animals in the city.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to recommend to the City Manager and City Council that the City consider and look into a solution to the safety and health concerns related to the geese in City park/s.

ATTACHMENTS:

- Informational 2018 Web Article: "Study of bacteria inside guts of wild Canada geese shows greater danger than earlier studies exposed." Smithsonian Insider
- Informational 2018 Web Article: "Goose Control FAQ/Oklahoma and Texas/Predator Impact." Predator Impact



Study of bacteria inside guts of wild Canada geese shows greater danger than earlier studies exposed

By John Barrat



Canada geese crowd Hellyer County Park in San Jose, California. (Flickr photo by Don DeBold)

In the early 20th century, Canada geese were considered endangered in the U.S. So in the 1950s and 1960s, birds from the Midwest were released in eastern and southern states to boost their numbers. The strategy worked too well.

Populations grew exponentially in the 1990s and today millions of wild Canada geese are permanent residents in cities and towns across the U.S., constantly eating and depositing large amounts of feces in the habitat they share with humans.

As public health concerns have grown, a team of biologists at the Smithsonian's National Museum of Natural History recently decided to take a close look at the bacteria living in the intestines of these birds. What they found was eye-opening.

Scientists discovered the high prevalence of three bacterial species that cause serious disease in humans: Clostridium perfringens, Streptococcus suis (harmful to pigs too) and Staphylococcus sp.



In a laboratory at the Smithsonian's National Museum of Natural History, Sergi Drovetski deposits a sample of material taken from the digestive tract of a Canada goose into a vial held by Museum Technician Ingrid Rochon. Museum Specialist Brian Schmidt (center) works with a goose specimen as Museum Technician Cailin Meyer records data on each sample. (Photo by Christina Gebhard)

Inside the birds they found other potentially pathogenic organisms that may contain virulent strains known to cause serious infections in wild and domestic waterfowl, poultry, domestic mammals and farmed fish.

When Canada geese are killed for food by animals such as a dog, fox or cat, or run over by a car on an urban street, these harmful pathogens are released into the environment and can potentially infect humans. Knowing they are present and in what quantity helps experts accurately estimate their potential threat to humans.

Previous studies focused almost exclusively on sampling the feces of captive birds fed an artificial diet, and did not show significant signs that this volume or variety of these bacteria were present. In this new study, Smithsonian scientists used DNA sequencing to identify bacteria collected from multiple parts of the digestive tracks of 30 wild birds of varying ages and sex.



A Canada goose near Oceanville, New Jersey (Photo by Daniel D'Auria)

This is the first study to sample multiple gut regions inside wild Canada geese says Sergei Drovetski, a contract biologist at the Smithsonian's National Museum of Natural History and lead author of the <u>study published in the journal Scientific Reports</u>.

"Our results show clearly that bacteria found in feces does not accurately represent what we found in the small intestine, the cecum and especially the esophagus of these birds," Drovetski says. "Fecal bacteria content alone should not be used to estimate the potential threat of certain animals to human health."

Some 421 different microbial species were identified inside the geese and the scientists observed that bacterial communities differed widely in richness and composition depending on their location in each bird's digestive tract. Community variability was also significant between individual geese.

Different methods were used to collect the samples depending on their location in the bird's gastrointestinal tract. For example, a sterile swab was dipped into each bird's esophagus then placed in a sterile vial. In the duodenum, cecum and colon, where microbes live in the mucous lining of the intestine, sterile water was pumped back and forth with a small, single-use syringe to wash the material from the intestine wall before it was collected.



A Canada goose family wander through a parking lot in Salem, Oregon. (Photo Oregon Department of Transportation)

Two samples were taken at each site inside each bird. "One sample was used immediately and one was placed in the Natural History Museum collections," Drovetski says. "Techniques always improve and new questions arise."

In addition to having a fuller picture of the harmful bacteria geese can carry in their guts, this study will also help scientists understand more about goose biology. Recent science has demonstrated that a human microbiome—the community of

Study of bacteria inside guts of wild Canada geese shows greater danger than earlier studies exposed

microorganisms living in our digestive tract—have an impact on all kinds of biological functions beyond digestion, like helping us fight certain diseases such as diabetes and cancer.

"Before we began these studies of bacteria, we thought of each animal as an independent organism, one with its own genetic tools to deal with the environment, deal with its own maturation, with other animals," Drovetski says. "Now we are beginning to realize that much of these functions come from the microbial communities living inside an animal, its microbiome."

Bacteria are the dominant members of each microbial community surveyed, but there are also eukaryotes, protists and other microbes living there.

"An animal or plant is a bimolecular network consisting of a host and its microbiota, called a holobiont. If you are going to study any species group, especially multicellular organisms, its ecology, behavior and physiology are all related to the combination of the animal or plant and its microbes," Drovetski says. "To begin to understand it you really need to look inside each individual, as we did in this study."

(In addition to Sergi Drovetsky, co-authors of this <u>study</u> are Michael O'Mahoney, Department of Invertebrate Zoology, NMNH; Emma J. Ransome, Imperial College London; Kenan O. Matterson, Consortium for the Barcode of Life, NMNH; Haw Chuan Lim, Department of Vertebrate Zoology and Center for Conservation Genomics, NMNH; R. Terry Chesser, USGS Patuxent Wildlife Research Center and Gary R. Graves, Department of Vertebrate Zoology, NMNH.)

Tags: birds, conservation biology, National Museum of Natural History, veterinary medicine

Nuisance geese live where they do largely due to lack of predators. We bring predators to their home turf and convince them that they should live somewhere else. That is the Predator Impact difference!

GOLF COURSE SPECALISTS

We have developed a very effective approach to managing goose populations on golf courses. We use your golf carts to bring the fear to the geese. Whether highly trained dogs, or trained Harris' hawks, the geese soon learn that danger comes from golf carts and since they can't predict which golf cart holds predators, they become afraid of all golf carts. Essentially, we are recruiting everyone that drives a golf cart to help with goose abatement!

A DIRTY MESS

Each adult goose produces 3-4 lbs of nasty goose poop per day. An average flock of ten geese will produce over 30 lbs a day! That is enough to fill a bushel basket! It is unsightly in public areas and poses a health risk to humans and pets.



NON-LETHAL VS. LETHAL

Goose control divides roughly into two categories: Non-lethal methods can control the population and reduce their numbers over time. Lethal methods require a federal permit (except during the hunting season) that can take a little time to get, but this approach will remove a few individuals and convince the rest that they should live somewhere else.

NON-LETHAL METHODS

PREDATOR HARASSMENT

Due to the risk of injury to the geese, we cannot use the trained Harris' hawks, but the geese respond very well to the dogs. The dogs are muzzled so they can't accidentally hurt a goose. This is the one type of harassment that the geese never get accustomed to. We also have a robotic alligator that can be used to harass the geese and to convince them that your property isn't a safe place to be!

TIMING

Non-lethal methods cannot be used in the spring and early summer. The geese molt their flight feathers at this time and are flightless. We can't convince them to go somewhere else if they can't fly! In addition to that, they won't leave flightless goslings. We focus on nest control during this time and leave the non-lethal harassment until later in the summer when the geese and goslings can fly away.

GOOSE ROUNDUP

There is nothing that an Oklahoman likes better than a good roundup, and that goes for Canada geese too! In the summer when they are

flightless, the majority of the population can be rounded up and herded into specially designed trailers. They are then then transported to holding ponds or lakes designated by the Oklahoma Department of Wildlife where they spend the rest of the summer growing new flight feathers. By the time they can fly again, most of the adults and all of the goslings will have "re-homed" to the new location. A few will return to your property, but the majority will not.

Of course, with a Federal Depredation permit, all of the geese may be harvested and none of them will return to your property!

NEST MANAGEMENT

Destroying nests seldom works. The geese just nest again nearby and hide their nest better. Instead we "addle" the eggs that are in the nest rendering them lifeless and the geese will continue to incubate the eggs well past the time that they could re-nest. Each year fewer goslings are hatched and the population shrinks over time.

ROOST MANAGEMENT

Geese will not stay in an area where they cannot sleep well. By taking a comprehensive approach to disrupting their roost, they soon learn that they can sleep peacefully somewhere else, but not on your property!

THERE ARE SEVERAL THINGS THAT WE CAN DO TO DISRUPT THEIR BEAUTY SLEEP:

FLASHING LIGHTS

No one is really certain why geese hate flashing lights, but they do. One expert speculated that the light looks like the flash of a predator's eyes when they catch the light just right. Not sure if this is the case, but the fact remains that geese don't sleep well when there is a flashing light nearby. We place flashing lights in strategic locations including floating one or more on the water where they roost.

DECOYS

Mannequins of coyotes or other predators placed near the areas where they roost in the water will disrupt their sleep. These need to be repositioned regularly or the geese become accustomed to them.

LASERS

Powerful green and red lasers are used to keep the geese moving at night rather than sleeping. They instinctively move away from the laser light at night and will not sleep well for fear that the laser "predator" will come back.

LETHAL METHODS

Non-lethal methods will help control the nuisance goose population on your property, lethal methods will convince them to leave altogether. Nothing convinces them to leave your property like losing a few members of their flock.

PREDATOR HARASSMENT

During the regular fall goose hunting season, or once a federal permit is issued, we can use the trained Harris' hawks as well as the un-muzzled dogs. Nuisance geese get very comfortable around people and this allows us to approach them closely before releasing the dogs or the hawks. In either case, a few geese are harvested and the rest quickly learn that your property is not a safe place to stay, and move on. The geese never become accustomed to the presence of the predators and will seek out an area without dangerous predators.

NEST MANAGEMENT

Nesting geese can be very aggressive and can be a risk to people or pets that venture too close. One or both adults are eliminated from the area as well as any potential goslings. Geese soon learn that your property is not a safe place to nest and go somewhere else.

ROOST MANAGEMENT

Geese will not stay in an area where they cannot sleep well, and nothing disturbs their beauty sleep like losing a few comrades. Using high powered lasers from the opposite shore, or a boat in larger waters, we can shepherd the geese near the bank where waiting dogs, or properly, safely equipped humans await them. Lethal harassment prevents them from resting and they will not stay in the area long. We enhance the effect by including some of the non-lethal methods listed above.

FREQUENTLY ASKED QUESTIONS

What happens to the geese that are harvested?

Geese that are harvested as part of the abatement program are properly cleaned, frozen and donated to a local homeless shelter. Roasted goose in delicious and they appreciate the donation!

What about permits?

Federal and/or state permits are required for egg addling, and lethal removal of geese, but not for non-lethal harassment. The permit must be in the landowner's name, but we will handle the paperwork as your agent. Egg addling permits are instantaneous, but depredation permits can take a little time to obtain. Federal permits do have a cost, however, it is very reasonable (usually \$50-\$100 per site). We can use non-lethal methods to start reducing the flock while we are waiting for the depredation permit to be issued.

What kind of dogs are used?

Our dogs are lurchers. Lurchers are a deliberate cross between a greyhound and an Anatolian Shepherd. They are large, well trained, and very fast. Some contractors use Border Collies to stalk and intimidate the geese, our lurchers move with the speed of their greyhound parents and strike fear into the hearts of nuisance geese. They will pursue them on land or water. Whether coming from a stalking blind, or a golf cart, they seem to appear from nowhere and the geese are always worried about them appearing again!

How can you legally use trained hawks?

Our Harris' hawks are captive raised and are specially bred for falconry. Harris' hawks are unique among birds of prey in that they live in large flocks in the desert Southwest and it is not uncommon for a group to hunt together. When one hawk appears on your property, geese get worried. When two or more appear, they panic. It doesn't take them long to learn that they don't want to live where hawks hunt.

Are the dogs and hawks dangerous?

No, not unless you are a goose. They pose a threat to an occasional rabbit or squirrel, but mostly focus on geese. Our dogs are house pets and live around our children and pets. Our Harris' hawks are gentle and are often taken to grade school classes to teach the children about raptors. They live and hunt with our dogs, including small dogs like dachshunds. They are no risk to any person or pet.

Which approach will work best for my situation?

There is no "one size fits all" solution. Each solution is unique and we will do an on-site survey and discuss options with you.

Will they come back?

The geese that are driven from your property will not come back, however, the same features that made your property attractive to geese

before may continue to attract them. We will help you determine what changes can be made to discourage geese, or in some situations, we may need to plan regular visits to discourage newcomers. It is much easier to repel newly arrived geese than it is geese that have been settled for a long time.

Does it hurt to feed the geese?

Nothing encourages geese to stay in an area more than feeding them. If they are already used to being fed, we can use that to our advantage to bring them into a net, but if they are not used to being fed, don't allow people to feed them. That only makes it harder to get them to leave.

What about all the goose poop left behind?

One of our services is to pressure wash any sidewalks or patio areas at your request. Goose droppings in grassy areas break down quickly in the rain.

Will this disrupt my business?

Again, there isn't a one-size fits all answer. We will work with you to minimize the interference with your business. Perhaps limiting hazing to after dark, or low business hours. We will work with you to find a solution. Most of our goose abatement can be done at night when there are no golfers on the golf course. Our methods are very quiet (no cannons or noise makers), so that neighbors aren't disturbed other than by our lights.

DROP US A LINE

Get in touch with us today to eliminate your pest problem!

EMAIL

info@predatorimpact.com (mailto:info@predatorimpact.com)

PHONE

(918) 397-4091 (tel:9183974091)

HOME (/)

SERVICES (/SERVICES.HTML) ABOUT US (/ABOUT-US.HTML)

FAQ (/FAQ.HTML)

(/CONTACT-US.HTML)

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MEETING DATE: December 6, 2018 AGENDA ITEM: 5B

TITLE:

Consider action on a recommendation for a Parks and Recreation Donation Program, to include guidelines and specifications for plaques.

STAFF REPRESENTATIVE:

David Junek, Parks Superintendent

BACKGROUND/HISTORY:

At the November 1, 2018 Parks and Public Tree Advisory Board meeting, the City Code of Ordinances article related to Parks was reviewed in a workshop session. In the past a donation (and plaque) program has been discussed by the Board but is not currently in the Code of Ordinances. A draft program has been prepared for consideration and possible recommendation for inclusion in the City's Code of Ordinances.

POLICY EXPLANATION:

The Parks and Public Tree Advisory Board makes recommendations related to the City Parks. Amendments and additions to the City Code must be approved by the City Council. The inclusion of this program will streamline and clarify the process when donations are considered or plaques are requested.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to forward revisions to the City of Bastrop Code of Ordinances, Chapter 1 GENERAL PROVISIONS, Articles 1.10 PARKS related to a Parks and Recreation Donation Program to the City Attorney for review and to the City Council for possible approval.

ATTACHMENTS:

DRAFT Parks and Recreation Donation Program

DRAFT Donation Policy and Plaque Policy previously presented to Parks Board (for reference)



PARKS & RECREATION

Donation Program

Information & Application

DONATIONS & GIFTS

Donations are important to the vitality of the City of Bastrop and its mission to preserve, enhance and strengthen the quality of life in the community.

Add to the beauty of a park, make a difference in a child's life, or honor someone or something special by making a gift to the City of Bastrop Parks and Recreation Donation Program.

The City of Bastrop Parks and Recreation Department welcomes and encourages donations from private individuals and entities that support the programs and services the Department and its Advisory Board provide to the public.

There are many variations on how to make an official donation as there are needs to be met.

Donations and gifts to the City of Bastrop Parks and Recreation Department may be made in any amount to aid or benefit the services and facilities provided by the department. Gifts may be designated for a specific program, park, or purpose. Gifts may also be unrestricted in which case they will be dispersed to the area of greatest need at the sole discretion of the Department and the Advisory Board.

This document provides the application form and basic information to get started. Persons or organizations wishing to donate should also review the Parks and Recreation Donations, Gifts, and Memorials Policy, Procedures, and Guidelines, which will govern all donations and use this form to submit their request. ** Note: This policy does not cover signage, display boards, banners, or public artworks. All art donations should be submitted through the Parks and Recreation Department and are

subject to review from the Bastrop Art in Public Places Board.

TAX DEDUCTIONS:

Although the Department is a municipal government entity and not part of a non-profit organization, gifts and donations given to the City of Bastrop can be tax deductible if made solely for "public purposes" such as parks and recreation. The IRS Code, at 26 U.S.C.170(c)(1) defines a "charitable contribution" (which is tax deductible) to include "a contribution or gift to or for the use of a State, a possession of the United States, or any political subdivision of any of the foregoing, or the United States or the District of Columbia, but only if the contribution or gift is made for exclusively public purposes."

PROCEDURE

The City and its citizens value parks and public lands. Therefore any request to enhance a park or add a monument, marker, plaque or memorial will be carefully assessed to ensure what is being proposed protects the integrity of the City's Parks.

Donors:

Those wishing to donate must complete a written proposal to the Department for consideration. Donors are encouraged to speak with Department staff to discuss potential areas of need within the parks and recreation system.

Proposals:

The proposal should include information necessary for the Department to determine whether the proposed donation complies with the City of Bastrop Donation/Gift/Memorial Acceptance Policy. The proposal must address such things as whether the gift is restricted or unrestricted as well as anticipated location, cost, life cycle, specifications, recognition, wordage, maintenance etc. prior to acceptance.

Donation proposal submittal:

Mail to: Parks & Recreation Attention:

Superintendent

1209 Linden St., Bldg 3 Bastrop, TX 78602

Email to: djunek@cityofbastrop.org

Review:

The Department will review and determine the appropriateness of the proposal as measured by the policy and the guidelines in Appendix A. If the donation falls outside of the approved policy, the proposal will be presented for further discussion and decision to the Parks and Recreation Advisory Board. Donors are invited to attend the board meeting to discuss the proposal or answer questions.

Decision:

Department staff will notify the Donor, in writing, within 30 business days of the review decision, identifying any final conditions of approval.

Implementation:

With a positive review decision, Department staff will initiate and finalize the Donation and Gift Agreement between the City and the Donor. Approval must be received and agreement signed before ordering and installation of donation or memorial may proceed. The City shall be responsible for the coordination of installation, maintenance, and protection of the donation, within reason.

City Acceptance:

Once the donation is accepted, constructed, and/or installed on City property it will be deemed as donated to the City and the City will take ownership until such time that it is removed from City property. The City is in no

way obligated to replace the gift or park improvement if it is stolen, vandalized, worn out, irreparably damaged, or destroyed.

Removal and/or Relocation:

This section applies to both existing and new donations. The City or Department reserves the right to remove and/or relocate donations or monuments when (a) they interfere with the site safety, maintenance, or construction activities, (b) become unsightly due to vandalism or lack of maintenance and repair, or (c) if the law changes such that the monument, donation, plaque, or its message would be treated solely as the speech of a private person rather than the governmental speech of the City. The City will notify the donors, heirs, or alternate contact of any action related to the relocation or disposition of the donation. In certain situations, such as safety or emergency, the notification may be made after the action is taken. In the event a memorial is to be discontinued, a concerted effort will be made to return the plaque to the donor or heirs at no charge.

Donor Future Responsibility:

If the donation, gift, and/or memorial meet the intended life cycle or becomes damaged or destroyed, the Department will make a reasonable effort to contact the donor, heir, or alternate contact specified on the Donation and Gift Agreement. In advance of the expiration of a memorial or notification of damage or destruction, donors will be contacted first to allow for renewal or replacement at their own expense. If a donor, heir, or alternate is unable to be reached after six (6) months of initial attempted contact, the location, gift, memorial, or donation may be opened to allow for an additional or new Donor. In the event a memorial is to be discontinued, the plaque will be offered to the donor or heirs at no charge.

TYPES OF DONATIONS

- Monetary Donations
 - Unrestricted
 - Restricted
- Securities, Stocks, & Bonds
- Real Estate for Resale
- Real Estate for Park Property
- Endowment Funds
 - o Funds in Perpetuity
 - o Quasi-Funds
- Commemorative Trees & Shrubs
- Small Park Amenities
 - Benches
 - o Lights
 - o Water Fountains, etc.
- Large Park Amenities
 - o Playgrounds
 - Sport Courts/Fields
 - Picnic Shelters



Commemorative Benches

The Commemorative Bench Program is a unique and lasting way to remember those

who have passed, honor those who have made great achievements, or celebrate those who have reached a milestone in their lives.

Commemorative Tree & Shrub

The City of Bastrop takes pride in its trees as we have been a Tree City USA since 2010. A vibrant, beautiful tree benefits everyone now and for future generations and is perhaps the most fitting memorial of all. Planting a tree is an act of direct benefit to all. It can inspire energy, faith, devotion, and courage and carry forward the name of those memorialized in a living, vital way that grows grander with the years.

Park Renovations

Does your organization or family want to make a large impact on the quality of life for the citizens of Bastrop? Consider installing a picnic shelter at a park near your home, adding lights to a youth sports facility, resurfacing a tennis court, or helping to build an artificial turf field.

Small Park Amenity

The park system is in need of small enhancements or replacements. Donations of small park amenities such as dog watering stations, swings, slides, and picnic tables are always appreciated and vitally important to our parks.

It is the City's policy to encourage and facilitate public and private contributions that enhance, beautify, improve, supplement, support, or otherwise benefit the parks and recreation system.

All donations will adhere to the donation policy, procedures, and guidelines and be consistent with the Department mission, policies, park property restrictions, park master plans, and the most current Parks and Recreation Comprehensive Plan approved by City Staff and the Advisory Board.

POLICY

It is the policy of the Bastrop Parks and Recreation Department:

- 1. To encourage and facilitate public and private gifts, bequests, and such contributions that enhance, beautify, improve, supplement, support, or otherwise benefit the parks and recreation system.
- 2. To accept only those gifts, park improvements, and donor recognitions that are consistent with the gift and donation guidelines as well as Department mission, policies, park property restrictions, park master plans, and the most current comprehensive parks and recreation plan approved by the Department staff and the Advisory Board.
- 3. To accept only those gifts, park improvements and Donor recognitions given with no contingencies and the full understanding that they become the property of the City and are subject to the laws, ordinances, resolutions, policies and procedures that govern the Department.
- 4. To enter into a written Donation and Gift Agreement with the donor, where appropriate and advisable, that specifies the terms of any restricted gift, which may include provisions regarding maintenance, life span, and donor recognition.
- 5. To control and manage the placement, spacing, location, and number of memorials.
- 6. To accept only gifts with the knowledge that the Department is in no way obligated to replace the gift or park improvement if it is stolen, vandalized, worn out, irreparably damaged, or destroyed.
- 7. To accept only gifts which are of high quality to ensure a long life and are resistant to the elements, deterioration, and to acts of vandalism.
- 8. To maintain the donation or memorial in accordance with the written agreement between the donor and the Department and if no such agreement exists the donation or memorial shall be maintained for a time period reflecting the reasonably expected lifespan.
- 9. To make a reasonable effort to contact the donor or heirs in advance of the expiration of a memorial so that donors may request a renewal at their expense. In the event of replacement or upgrading, the original memorial plaque may be reused or replaced with a new plaque at the donor's direction and cost. In the event a memorial is to be discontinued, the plaque will be offered to the donor or heirs at no charge.
- 10. To calculate, review, and evaluate the expected life cycle, repair and replacement costs, estimated employee labor and all types of maintenance costs as well as only accept those gifts that do not cause undue financial burden on Department staff and/or resources.
- 11. To require, if it is determined the donation will cause the Department to incur a financial burden, the donor cover the full cost for the purchase, installation, and maintenance during the expected life cycle. This may require, but is not limited to, a separate fee schedule agreement which the Department will enter into with the donor to ensure the installation or on-going maintenance costs do not have a negative impact on the resources available for maintenance of other park facilities.

- 12. To strongly discourage gift, park improvement and donor recognition proposals that are memorial or headstone in nature. While the Department respects the desire of individuals to memorialize their loved ones, it also recognizes the desire of other community members not to be burdened with a constant reminder of death in public places. Therefore, care must be taken to recognize and remember loved ones in a discreet manner.
- 13. To review requests for plaques which accompany donations. For memorials, gifts, and recognition of individuals, plaque text shall be limited to the name of donor and/or person being honored, and year of donation. Recommended wording for a plaque is shown below:

Donated by the friends and family of (Name)
(Year)

The use of words "In memory of" or use of birth and death dates are not permitted. The words "In honor of" may be used. Educational and/or historical information related to the park or the amenity can be included in the plaque if it will enhance the value to the public. These forms of recognition are the responsibility of the donor to supply and BP&R staff will be responsible for installation. Consistency and standards in size, as related to "like" projects shall be maintained.

- 14. To reject any gift that could possibly infer in any way the Department or City's endorsement of the donor's goods or services or any proprietary interest of the donor.
- 15. To decline to accept a donation if such donation is not consistent with the policies, plans, mission, or ordinances of the Department or the City or acceptance of same is contrary to law.
- 16. To ensure that all donor recognition objects are consistent with design guidelines approved at the discretion of the Director and/or approval from the Advisory Board.
- 17. To make it known that the donor is responsible for any fees for independent legal counsel retained by donor for completing a gift to the Department; any appraisal and appraisal report fees; the cost of all environmental assessments, audits and reviews; all title searches, reports, insurance or binders in the case of real estate; and all other third-party costs and fees associated with the transfer of the gift.
- 18. To ensure that donations for properties located on the National Register of Historic Sites meet the requirements for those properties. This may include obtaining approval from the Historic Preservation Commission.
- 19. To provide written acknowledgment of all gifts made to the Department and comply with the current IRS requirement in acknowledgment of the gifts.

"People who really want to make a difference in the world usually do it, in one way or another. And I've noticed something about people who make a difference in the world: They hold the unshakable conviction that individuals are extremely important, that every life matters. They get excited over one smile. They are willing to feed one stomach, educate one mind, and treat one wound. They aren't determined to revolutionize the world all at once; they're satisfied with small changes. Over time though, the small changes add up. Sometimes they even transform cities and nations, and yes, the world." - Beth Clark.



DONATION PROGRAM APPLICATION

I wish to make the following donation to support City of Bastrop Parks and Recreation. I understand that final decisions on the acceptance, use, or placement of all donations will be made in accordance with the Parks and Recreation Donation, Gift, and Memorial Policy.

BASTROP PARKS AND RECREATION I	DONATION P	PROPOSAL					
Donor Name:			Date:				
Address:			City/State:				
Organization (if applicable):		Email:					
Item or Project to be Donated:							
Reason for Making Donation:							
Approximate Cost or Worth: \$							
Donor Cost Responsibility: \$		_	ost Responsibilit	•			
How will the City be expected to maintain donation in the future/estimated cost of maintenance:							
Desired location, if applicable (be specif	ic):						
*Please note: The City may not be able to place the item in d	esired location, let	us know if there is an	alternate location in ad	dition to first	priority.		
Expected Completion Date:)o you wish t	to be present v	when installed?	☐ Yes	□ No		
Recognition Plaque Wording (if applical	ole):						
Donor Signature:			Date:				
FOR PARKS	AND RECREA	ΓΙΟΝ OFFICIAL U	JSE				
Date Approved:		proved By:					
Parks & Recreation Board Approval Yes	□ No Me	eeting Date Appro	oved:				
Donor Notified of Disposition: □ By Phone □ By Letter		In Person	Date:				
Date Completed:		mpleted By:	Date.				

NOTE: DRAFT previously presented for reference.

City of Bastrop - Parks Division DONATION POLICY

Thank you for considering the City of Bastrop as a recipient of your donation. Donations help us provide a higher service level than normally possible within our allocated budgets. The City of Bastrop, Parks Division, accepts donations of the following:

- Labor
- Site Furnishings, Supplies, and Materials
- Plant Materials (i.e. trees, shrubs, flowers)
- Cash/Check (cash donations are to be made to the City of Bastrop Parks department).

All proposed donations must have the approval of a Parks Division Director. The successful growth of donated plant material cannot be guaranteed. The Parks Division may not elect to replace donated trees, shrubs, or other plant material that is removed for any reason. Also, the Parks Division reserves the right to remove, alter, or discontinue the use of a donated item or one acquired with or partially acquired with, donated funds or labor at any time depending on our assessment of current needs.

A statement naming the donor and a description of the nature and estimated value of the donation shall be kept on file and upon request, shall be given to the donor.

If you have further questions, or if you wish to proceed with a donation, please call the Bastrop Parks and Recreation Department at (512) 332-8920.

NOTE: DRAFT previously presented for reference.

City of Bastrop Memorial Tree and Bench PLAQUE POLICY

Parks and Recreation Department

July 5, 2018

The Parks and Recreation Department permits the installation of a donated plaque with trees and benches provided it meets policy criteria.

The Department must approve plaque material, size and wording, as well as memorial location (site), before the donor orders the plaque. The Department will not be responsible for vandalism and/or repair and replacement of donated plaques. If a plaque is vandalized or damaged to the extent that it is a maintenance concern or possesses a liability to the public, the Parks and Recreation Department will, at its discretion, remove it and attempt to notify the donor of the action. It is the donor's responsibility to keep the Parks and Recreation Department apprised of any changes to contact information.

Plaques:

- **Tree donations plaques** must be made of a corrosive resistant material (bronze, brass or an aluminum alloy).
- **Site furnishing plaques** must be made of a corrosive resistant material (metal, polycarbonate or similar durable material) of a color that will harmonize with the site furnishing.
- The exposed surface of a plaque must not exceed eighteen (18) square inches (3" x 6"). Plaques that exceed the size limit will not be installed on site.
- Plaques will be installed by the Parks and Recreation Department/Park Division once they are received from the donor. The Department will notify the donor once installation is complete.



MEETING DATE: December 6, 2018 AGENDA ITEM: 5C

TITLE:

Consider action on a recommendation to the City Council for revisions to the City of Bastrop Code of Ordinances, Chapter 1 GENERAL PROVISIONS, Articles 1.10 PARKS and Appendix A FEE SCHEDULE. Sec. A1.10.002 Parks.

STAFF REPRESENTATIVE:

David Junek, Parks Superintendent

BACKGROUND/HISTORY:

At the November 1, 2018 Parks and Public Tree Advisory Board meeting, the City Code of Ordinances article related to Parks was reviewed in a workshop session. Several recommendations for changes were discussed. A draft revision with those changes has been prepared for review with the Board. With the Parks Board's acknowledgment and recommendation, these changes will be presented to the City Attorney and then referred to the City Council for possible approval.

POLICY EXPLANATION:

The Parks and Public Tree Advisory Board makes recommendations related to the City Parks. Amendments and additions to the City Code must be approved by the City Council.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Consider action to forward recommended revisions to the City of Bastrop Code of Ordinances, Chapter 1 GENERAL PROVISIONS, Articles 1.10 PARKS and Appendix A FEE SCHEDULE, Sec. A1.10.002 Parks to the City Attorney for review and to the City Council for possible approval.

ATTACHMENTS:

DRAFT revisions to the City of Bastrop Code of Ordinances, Chapter 1 GENERAL PROVISIONS, Articles 1.10 PARKS and Appendix A FEE SCHEDULE. Sec. A1.10.002 Parks.



Bastrop Parks Department City Park Overnight Parking Permit Application

City of Bastrop Code of Ordinances 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.

An overnight parking permit application must be submitted and approved three (3) business days in advance. Applications may be submitted in person at 1209 Linden Street, Bldg. 3 (M-Fr, 7:00 a.m. — 3:00 p.m. or online at https://www.cityofbastrop.org/page/parks.home). A permit is required for each vehicle. There is no charge for the permit. Failure to receive the permit due to electronic failure, incomplete application, or other reason is no defense for parking without approved permit.

Permit must be displayed on the dashboard of the vehicle on the driver's side. Failure to display permit will be a violation of City ordinance. By issuing a permit, the City is not responsible for damage or loss to property owner. Vehicles should be locked when not attended.

**********	******	*************	
Name of Applicant (please print):			
Reason for Request (i.e. canoe/kayak t	rip):		
Contact Phone Number:			
The following information is required f	or a Park Overnight Pa	rking Permit:	
*Beginning Date:	Ending Date:		
*Maximum length of parking permit is 72 hours.			
Owner of Vehicle:			
License Plate Number:	Last 4 Digits of Vehicle VIN:		
Type of Vehicle (i.e. truck, car)	Vehicle Color:		
Vehicle Make:	Model:	Year:	
closures for various reasons may prohibit my ability to pa	ark during the period requested/a	k is solely at my own risk. Further, I understand that inclement weather or pa oproved and that the City will not be responsible for informing me ahead of tim op Police Department will be informed of approved Permits.	
Signature		Date	

ARTICLE 1.10 - PARKS

Sec. 1.10.001 - Parks board.

- (a) Created; composition; compensation; appointment.
 - There is hereby created a parks board of the city to be composed of eight (8) regular members and one (1) special member, for a total of nine (9) voting members. In addition, in their discretion, the parks board may identity and name one minor, who resides within the BISD jurisdiction, to serve on the board as an ex officio, nonvoting youth member of the board. The youth member shall be enrolled in grades 9—12 and serve a term in length identified by the parks board at the time of the youth member's selection, but not to exceed three (3) consecutive years. The regular and special voting members of the board shall be appointed by the mayor and confirmed by the City Council and shall serve without compensation by the city for terms of three (3) years. The members shall be known to be interested in public parks and public recreation and the proper use of the leisure time of the people of the city.
 - (2) The special member position on the board shall be held by the superintendent of the city's state park, or his/her designee, who may reside either within the city limits or in any other area within the BISD's jurisdiction.
 - (3) A minimum of six (6) of the regular members on the board will be persons who reside within the city limits, however two (2) of the regular members may be a person who resides outside of the city limits but within the BISD's jurisdiction.
- (b) Terms of members. Each seat on the board will be assigned a "place." Board members' terms of service shall be "staggered," so that the entire membership of the board will not be subject to replacement at any single point in time. To the extent possible, staggering shall be done so that the board membership is divided into thirds. Initial staggering of the membership will be accomplished by having all appointees/members who are serving as of the first annual meeting following approval and passage of this section (held in July), "draw lots" to determine which "place" will have what number of service in the transition period (e.g., one-third (1/3)) of the places will draw for one-year terms, one-third (1/3) of the places will draw for two-year terms, and the remaining one-third (1/3) of the places will draw for three-year terms.) After the first July meeting, staggering of membership, by place, will begin.
- (c) Vacancies. In the event of a vacancy, an individual appointed to fill the vacancy will serve only the remaining term of the individual who is being replaced by the appointee, so that the staggering of terms shall remain intact.
- (d) Attendance. Attendance requirements for the board members are set forth in this Code, section 1.02.002(b), et seq.

(Ord. No. 2012-13, pt. 4(L), 6-26-12; Ord. No. 2014-3, 4-8-14; Ord. No. 2016-06, pt. 1, 3-22-16)

Sec. 1.10.002 - Park rules.

- (a) Overnight camping; hours when closed. There shall be no person, vehicle, equipment or activity within any publicly owned park or playground within the city limits from 10:00 p.m. to 6:00 a.m. each day, unless—an exception to this rule is provided, in writing a permit is obtained from the parks department within three (3) business days (excluding holidays) prior.
- (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 stands at the splash pad-located in Fisherman Park shall be available for use by individuals, nonprofit groups, or other noncommercial/commercial entities under the age of 17 and for a period of no longer than fourteen (14) consecutive days. Parent or guardian adult supervision is required for use of the concession stand. For reservation of the city concession stand a deposit is required. All other concession stands will be handled through a spate separate 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 (½) 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)three (3) days 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-fourthree (24) (3) hours days 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 devise 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 Designated city staff is are 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 appropriate city staff 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 appropriate city staff, 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)

Sec. 1.10.003 - Commercial use of parks.

(a) Definitions:

- (1) Commercial use. A use which is undertaken for a business purpose and for which a fee is collected. This definition specifically includes organized adult and youth sports leagues, teams, or groups where "fees" or "dues" are collected in order to participate in an activity and nonmembers are prohibited from joining the activity.
- (2) Non-commercial use. A use which is undertaken for a recreational purpose with no intention to gain commercial advantage and/or monetary compensation. The participation of patrons are not required to pay "dues" or "fees" while participating in a organized program, such as sports leagues, teams, or groups.
- (3) General course/class. A class that meets regularly for a certain specific period of time which is organized for the purpose of teaching individuals and/or their pets a hobby, skill, or for other enjoyment or exercise and for which the owner or operator is paid a fee or for which "dues" are collected, including dog (or other pet) training classes.
- (b) Permit required. Persons or entities shall not conduct the commercial sale or offer to sell any item nor render or offer to render any commercial service for hire, including coaching or organizing a commercial sports event, at any park or other location in the city without obtaining a reservation and a commercial use permit properly issued by the city's parks department. Examples of activities or

services in city parks which may qualify as commercial uses include boot camps, yoga, dog training, organized adult sports leagues, fitness professionals, meditation groups, and running clubs.

(c) Fees and deposits.

- (1) The parks department reserves the right to increase any fees, deposits or insurance, or to require additional assurances in the event an activity poses a unique safety concern or would be detrimental to the park or the citizens of the city. See section A1.10.002 of the fee schedule in Appendix A of this Code for information regarding city fees and deposits for commercial uses.
- (2) All fees and reservations for commercial uses shall be made through the parks department. Fees and security deposits shall be made only by cash or check. Once the applicable fee and deposit is paid, a permit to conduct the requested activity, class or course will be issued. A failure to comply with any of the terms set forth herein will subject the applicant to loss of the deposit.
- (3) Additional information regarding refunds of fees and deposits for commercial uses shall be as stated in section 1.10.002(b)(8).
- (d) Waitlist for commercial use and other restrictions.
 - (1) The parks department shall maintain a "waitlist" of individuals or entities who wish to use the city parks for a commercial use. The maximum amount of time an applicant may continuously reserve space in a city park for a commercial use, as shown on the permit received by the parks department, is ten (10) weeks per six (6) months. Once the ten (10) weeks has been utilized, and six (6) months have passed, the applicant may notify the parks department that he/she would like to be placed back on the waitlist to apply for an additional ten-week period. At the discretion of the parks department, if there is no other individuals on the wait list, an applicant may immediately renew their ten (10) weeks of commercial use.
 - (2) The maximum number of patrons who may utilize Fisherman's Park at one time for a commercial use is five hundred (500). The maximum number of individuals who may utilize Bob Bryant Park for a commercial use at any one time is five hundred (500). The maximum number of individuals who may utilize Hunter's Crossing Park for a commercial use at any time is two hundred fifty (250). For purposes of calculating the restrictions set forth herein, a patron shall include all individuals attending the event including, as applicable, players, participants, guests, children, spectators, coaches, relatives, family, friends, and parents.
 - (3) The City Council shall have the right to vary the above restrictions in its discretion when in the best interest of the city and its citizens.
- (e) Location and time of certain activities restricted.
 - (1) Dog trainers who use the park for commercial use purposes are prohibited from using any area other than the Bark Park located on Grady Tuck Avenue to conduct training classes.
 - (2) Unless otherwise stated herein, commercial use of a city park is restricted to the hours from 6:00 a.m. to 10:00 p.m. specific written permission must be secured from the parks board department, for additional hours.
- (f) Insurance. The individual or entity involved in a commercial use of the park shall provide proof of insurance to the city in the amount of \$250,000 \$1,000,000 which names the city, and its officers, employees, volunteers and officials as additionally insured. Proof of insurance must be received by the parks department prior to the issuance of a commercial use permit.

(Ord. No. 2013-18, pt. 2, 10-8-13; Ord. No. 2016-06, pt. 1, 3-22-16)

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
Concessions stands*	\$ 0.00 - <u>?</u>	\$50.00

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

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

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

Facility/Amenity	Fee	Additional Fee Rates & Information	Additional Fee Rates & Information	Deposit
Softball fields (daily/practice use)	\$20.00 per hour	Additional lighting fee	\$10.00 per hour (from 6pm— 10pm)	\$50 flat fee

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

Softball fields (tournament use)	\$150.00 per day	Additional lighting fee	\$10.00 per hour (from 6pm— 10pm)	\$100 flat fee
Sand volleyball court	\$40.00 per 4 hour block	No lighting available		
Pier/scenic outlook	\$40.00 per 4 hour block	Seating at additional cost	\$2.00 per chair	
Tennis & Basketball courts	\$40.00 per 4 hour block	Limited lighting available	\$10.00 per hour (from 6pm— 10pm)	
City Staff	\$25.00 per hour	Required with 100+ patrons	If additional equipment is required standard FEMA rates apply.	
Barricades	Type I \$3.00 ea.	Туре II \$10.00 еа.	Type III \$20.00 ea.	
Cones	24—36" \$1.00 ea.	48" \$2.00 ea.		

(b) Commercial fees and deposits.

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

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

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

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

(3) Additional park amenities fees commercial use.

Facility/Amenity	Fee	Additional Fee Rates & Information	Additional Fee Rates & Information	Deposit
Softball fields	\$30.00 per	Additional lighting	\$10.00 per hour (from 6pm—	\$100 flat
(daily/practice use)	hour	fee	10pm)	fee
Softball fields	\$250.00 per	Additional lighting	\$10.00 per hour (from 6pm—	\$200 flat
(tournament use)	day	fee	10pm)	fee
Sand volleyball court	\$ 80.00 per 4 hour block	No lighting available		
Pier/Scenic outlook	\$ 80.00 per 4 hour block	Additional seating	\$3.00 per chair	
Tennis & Basketball	\$80.00 per 4	Limited lighting	\$10.00 per hour (from 6pm—	
courts	hour block	available	10pm)	
City Chaff	\$25.00 per	Required with 100+	If additional equipment is	
City Staff	hour	patrons	required standard FEMA rates apply	
Barricades	Type I \$5.00 ea.	Туре II \$20.00 еа.	Type III \$25.00 ea.	
Cones	24-36" \$2.00	48" \$ 4.00 ea.		

ea.		

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

(c) Rodeo Arena Rental Fees.

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

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

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

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

- (f) Refunds of deposits and fees. In accord with section 1.10.002(b) (8), deposits and fees may be refunded as follows:
 - (1) Reservations must be made a minimum three (3) business days in advance (excluding holidays) of the use. A reservation is not valid, and a permit will not be issued, until all fees, deposits, and proof of insurance, if necessary, are paid in full to the <u>parks department special events department</u>.
 - (2) Deposits and fees paid in accord with this section may be refunded under the following conditions:
 - (A) Full refund of the reservation deposit and fee if the parks department is notified, in writing, of the cancellation not less than seven (7) days prior to the date of use of the reserved area.
 - (B) Refund of one-half of the reservation deposit and fee if notice of cancellation is received by the parks-department_special_events_department, in writing, between seven (7) days and three (3) days_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 three (3) days 24 hours before the day of the event.
 - (D) The reservation deposit will be returned to the individual or group reserving the area after the event so long as the area being reserved is clean and free of trash and debris at the conclusion of the event. Any damage or maintenance required, in the sole discretion of the city and/or the parks department, will be charged against the deposit.
 - (E) In the event a field is closed by the parks department (or other applicable city personnel) due to inclement weather, construction and/or maintenance which cause an event to be cancelled, the reservation deposit and fee will be returned or applied to the "rain date."
 - (F) Exceptions to the above are allowed only on written approval of the city manager.
- (g) Application to parks department special events department -(commercial and noncommercial use). An application for a reservation and permit may be obtained from the <a href="parks-department_special-events-depar
- (h) General rules (commercial and noncommercial use). Fees and deposits must be paid at the time the reservation is made or a permit will not be issued by the <u>parks department special events department</u> for the use. This includes the use of a BBQ pit. There is no additional fee for use of the BBQ pit, <u>but the renter will be required to pick up and return the required key from the parks department.</u> Failure to return the key within seven (7) days after the event will cause the deposit to be forfeited. In the event of improper use of a city park or facility, or if the user fails to clean and restore city parks and facilities to the same condition in which they found them, the park's department, in its sole discretion, reserves the right to prohibit future use by that person or entity.

- (i) Special events. A request to use a park, or a portion of a park, or an application for a significant use that is likely to result in a substantial impact on the park, facilities, or public safety services must seek a special event permit in accord with article 4.06.
- (j) Exceptions. The fees and deposit described herein do not apply to the following local governmental entities which provide reciprocal privileges to the city: Bastrop Independent School District, the Bastrop county, and the Lower Colorado River Authority. However, if such entities wish to close a city park, or if such use will result in a substantial impact on the park, facilities, or public safety, or the entity will charge admission fees to an event, such entities will be required to obtain a special event permit. In addition, the entities will be required to clean and restore city parks and facilities to the same condition in which they found them. Failure to do so will result in a claim by the city against the entity for the actual costs, including administrative costs, of restoring or repairing city property. In accord with general city policy, nonprofit organizations that can demonstrate proof of nonprofit status will receive a 15% discount.

(Ord. No. 2013-15, 7-23-13; Ord. No. 2016-06, pt. 2, 3-22-16)

ARTICLE A1.18 FILM AND BROADCASTING