



Parks Board

November 2, 2023

Town Hall

2121 Cross Timbers Road

Flower Mound, TX 75028

6:30 p.m.

AGENDA

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the Board/Commission regarding any item on this agenda that is not a "Public Hearing." Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972- 874-6000 during business hours. To speak to the Board/Commission during public comment, please fill out a comment form, which is located in the lobby of Town Hall.

In accordance with the Texas Open Meetings Act, the Board/Commission is restricted from discussing or acting on items not listed on the agenda.

- Speakers are limited to 3 minutes; a tone will sound at 30 seconds left and when time has expired, and times may be adjusted by the Chair depending on the number of speakers.
- Speakers must address their comments to the Board/Commission.
- Please state your name and address when speaking.

E. PRESENTATIONS

1. As prescribed in the Youth Sports Contract, a report will be given by Flower Mound Youth Sports Association of their operations in regards to youth baseball and softball in the Town of Flower Mound.
2. Recap presentation of the Arts Festival at Heritage Park

F. STAFF/DIRECTOR REPORT

G. CONSENT ITEM(S)

This part of the agenda consists of non-controversial, or "housekeeping" items required by law. Items may be removed from Consent by any Commissioner by making such request prior to a motion and vote.

1. October 5, 2023 Minutes - Consider approval of the minutes from October 5, 2023.

H. REGULAR ITEM(S)

1. Park Naming Recommendation - Consider recommending approval for Town Council consideration the naming requests for two future Town parks located within the Furst Ranch development.
2. Public Hearing for Standards of Care - Public Hearing to consider recommending for Town Council consideration, Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code - Section 42.041 and to adopt an ordinance providing for said Standards.

I. WORK SESSION ITEMS

J. COORDINATION OF CALENDARS

1. The next meeting is scheduled for December 7, 2023.

K. ADJOURN

I do hereby certify that the Notice of Meeting was posted on the bulletin board at the Town Hall for the Town of Flower Mound, Texas, in a place convenient and readily accessible to the general public at all times and said Notice was also posted on the Town's website in accordance with GC Section 551.056 on the following date and time: October 30, 2023, at 5:00 p.m., at least 72 hours prior to the scheduled time of said meeting.

Jade Olson, Staff Liaison

The Flower Mound Town Hall and Jody Smith Hall are wheelchair accessible. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting by contacting Town Hall at 972.874.6076. Additional time limits will be provided for members of the public that need to address the Town Council through a translator.

Parks Board



October 5, 2023
Town Hall
2121 Cross Timbers Road
Flower Mound, TX 75028

6:30 p.m.

DRAFT MINUTES

A. CALL TO ORDER

The Parks Board met in a regular meeting with the following members present:

Teresa Thomason, Chair, Place 3
Rick Kenyon, Vice Chair, Place 4
Christopher Chastain, Place 1
Dart West, Place 2
Mark Mayer, Place 6
Susan Borella, Place 8, Alternate
Doug Graves, Place 9, Alternate
Ron Ruthven, Place 10, Alternate

with the following member(s) absent:

Holly Royer, Place 5

Jennifer Romaszewski, Place 7

constituting a quorum with the following members of the Town Staff participating;

Chuck Jennings, Director of Parks and Recreation
Travis Cunniff, Assistant Director of Parks and Recreation
Clayton Litton, Parks Superintendent
Brennon Peltier, Park Development Manager
Jade Olson, Administrative Assistant

B. INVOCATION

Board Member West gave the invocation.

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Board Member Thomason led the invocation.

D. ANNUAL ELECTION OF A CHAIR AND VICE-CHAIR FOR THE PARKS BOARD

ACTION: Board Member Kenyon nominated Teresa Thomason for Chair.
Board Member Mayer seconded the motion.

AYES: Ervin West, Mark Mayer, Richard Kenyon, Susan Borella, Christopher Chastain, Teresa Thomason
NAYS: None
ABSTAIN: Douglas Graves
RESULT: 6:0:1

ACTION: Chiar Thomason moved to nominate Rick Kenyon for Vice-Chair. Board Member Borella seconded the motion
AYES: Susan Borella, Mark Mayer, Ervin West, Christopher Chastain
NAYS: None
ABSTAIN: Douglas Graves, Rick Kenyon
RESULT: 4: 0: 2

E. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the Board/Commission regarding any item on this agenda that is not a "Public Hearing." Issues regarding daily operational or administrative matters should first be dealt with by calling Town Hall at 972- 874-6000 during business hours. To speak to the Board/Commission during public comment, please fill out a comment form, which is located in the lobby of Town Hall.

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- Speakers must address their comments to the Board/Commission.
- Please state your name and address when speaking.

N/A

F. PRESENTATIONS

1. As prescribed in the Youth Sports Contract, a report will be given by Greater Lewisville Area Soccer Association of their operations in regards to youth soccer in the Town of Flower Mound.
Matt Chutchian, Athletics Supervisor, introduced Joe Nauenburg, GLASA President, and Dick Metivier, Treasurer to represent GLASA. The Board was updated with GLASA's operations in regards to youth soccer and adult soccer.
2. NCOA Senior Center Accreditation
Jaime Jaco-Cooper, Senior Programs Manager, introduced Jill Kranz, Accreditation Peer Reviewer, with the National Institute of Senior Centers. The Board was informed of the accreditation process.

G. STAFF/DIRECTOR REPORT

Chuck Jennings, Director of Parks and Recreation, Travis Cuniff, Assistant Director of Parks and Recreation, and Brennon Peltier, Park Development Manager provided updates.

H. **CONSENT ITEM(S)**

This part of the agenda consists of non-controversial, or “housekeeping” items required by law. Items may be removed from Consent by any Commissioner by making such request prior to a motion and vote.

1. Approval of Minutes - Consider approval of the minutes from September 7, 2023.

ACTION: Vice Chair Kenyon moved to approve as presented in the agenda caption. Board Member Borella seconded the motion.

AYES: Ervin West, Mark Mayer, Richard Kenyon, Susan Borella, Douglas Graves, Christopher Chastain

NAYS: None

ABSTAIN: None

RESULT: 6 : 0

I. **REGULAR ITEM(S)**

1. Amending the Five Year CIP for Park Projects - Consider approval of a recommendation to amend the Town’s Five-Year Capital Improvement Projects list to incorporate the Leonard and Helen Johns Park Master Plan project to be funded by the Community Development Corporation in Fiscal Year 2023-2024 using 4B sales tax revenue.

ACTION: Board Member Mayer moved to approve as presented in the agenda caption. Vice Chair Kenyon seconded the motion.

AYES: Ervin West, Mark Mayer, Richard Kenyon, Susan Borella, Douglas Graves, Christopher Chastain

NAYS: None

ABSTAIN: None

RESULT: 6 : 0

J. **WORK SESSION ITEM(S)**

1. Review and discuss the appointment of a Parks Board Committee whose charge is to make a recommendation regarding the naming requests for two future Town parks located within the Furst Ranch development.

Director of Parks and Recreation Chuck Jennings requested 3 Board Members to make a recommendation regarding naming two future Town Parks. Board Members Teresa Thomason, Dart West, and Susan Borella were appointed.

K. COORDINATION OF CALENDARS

1. The next meeting of the Parks Board is scheduled for November 2, 2023.

L. ADJOURN

Chair Thomason adjourned the meeting at 7:37 p.m. on Thursday, October 5, 2023 and all were in favor.



PARKS BOARD AGENDA H.1. REGULAR ITEM(S)

DATE: November 2, 2023
FROM: Chuck Jennings, Director of Parks and Recreation
ITEM: **Consider recommending approval for Town Council consideration the naming**
requests for two future Town parks located within the Furst Ranch development.

BACKGROUND: The naming or renaming of Town parks is the responsibility of the Parks Board. A specific request has been made by the owners/developers of Furst Ranch to name two future Town parks within the development after their grandparents, Samuel G. Tate and George Barner Furst (bios attached). The two parcels will eventually be dedicated to the Town as part of the development's parkland dedication requirements. The Town is requesting that the Board make a naming recommendation before receiving the deeds to the land so that it can be included in a Developers Agreement with the applicant.

At the October 5, 2023 regular meeting, the Chair of the Parks Board appointed a Committee that was tasked with reviewing the requests and making a recommendation to the full Board to consider. The Committee consisted of board members Teresa Thomason, Susan Borella, and Dart West. The committee met on October 1, 2023, at the Town's O&M Facility without Parks Board member Dart West who could not attend due to being in close contact with a person that tested positive for COVID. The Naming Committee reviewed the request and considered different variations of the park names which incorporated the names of the two grandfathers.

Utilizing the information provided by the developer, the Committee recommended that the Parks Board consider Samuel G. Tate Athletic Complex at Furst Ranch as the name for the 92 +/- acre park and George B. Furst Park at Furst Ranch for the 20 acre park where a second community activity center would be built. Additionally, the committee recommended dedicating the building to George B. Furst and delaying the official naming of the building to a later date. The committee felt that it would be advantageous for the Town to have a catchy name for the center that would assist with branding and marketing. Examples in the metroplex that follow this same approach are: Grapevine - The Rec, Grand Prairie - The Epic, McKinney - Apex, Lewisville - Thrive, Coppell - The Core, and Southlake - The Marq.

The Parks Board naming recommendations will be sent to the Town Council for consideration at a future meeting once the Developers Agreement is ready for their consideration.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: N/A

FISCAL IMPACT: N/A
N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Furst Ranch Bios 10 30 23

DRAFT MOTION: Move to approve for Town Council consideration the naming of the future Town park properties as Samuel G. Tate Athletic Complex at Furst Ranch and George B. Furst Park at Furst Ranch with the future building being dedicated to George B. Furst.

Bios for Samuel G. Tate and George B. Furst

Both of these gentlemen are Grandfathers to Jack and Robert Furst. The 92+- acre Oncor/Furst Ranch tract located south of Dunham Road and the 20-acre tract site adjacent to State Highway 377 located in the Prairie Vista are properties which will become an athletic complex and a Community Activity Center, respectively, for the Town of Flower as Furst Ranch becomes a reality.

Samuel. G. Tate lived 90 years (1888-1978). He resided in the small town of Salena located in central Pennsylvania. Sam had an eighth-grade education and started working at the age of 14. He worked for the US Postal Service for 50 years. Sam and his wife had two children and four grandchildren and six great grandchildren. He served in the Army Quartermaster Corps. during World War I. In addition to being a Postmaster, Sam was an enterprising, small-town entrepreneur: forming a Water Company to serve the Town of Salena and surrounding areas; buying and selling farmland/timber on regular basis, owned a school bus company that served Lamar Township School District: owned and operated a country store and owned and operated a local stone quarry.

In 1951, Sam was duly elected to the Central State Normal School Class of 1916 (an honorary degree). Sam was smart, articulate and kind. A man of the community in which he served his entire life. Behind his bus barn, Sam built a baseball field for local youth. For over 50 years, kids frequently played baseball on Sam's field.

George B. Furst lived 85 years (1897-1985). He spent his entire life in the East End of Nittany Valley, Pennsylvania. George and his wife had 5 children and 9 grandchildren and many great grandchildren. George was a crop farmer and a dairy farmer his entire life. He was an excellent horseman. He loved animals. He served in the Army in World War I. Furst Ranch aspires to be "Where modern life meets the prairie." One of the signature amenities of Furst Ranch is its open space and natural parks. The Town's Community Activity Center located in the Prairie Vista is a perfect place and space to pay tribute to a hardworking farmer and family man.

Both, gentlemen were outdoorsmen, veterans and examples of excellence in their communities. Both men loved to work, respected people and spent their entire lives in Nittany Valley, an agricultural marvel. Furst Ranch with its open space and parks intends to pay tribute to the contours of the land allowing its tenants and visitors to experience the magic of the great outdoors-"modern living with rustic charm" or "modern living meets the prairie."



PARKS BOARD AGENDA H.2. REGULAR ITEM(S)

DATE: November 2, 2023
FROM: Travis Cuniff, Assistant Director of Parks and Recreation
ITEM: **Public Hearing to consider recommending for Town Council consideration, Standards of Care for Youth Recreation Programs operated by the Town, in accordance with the Texas Human Resources Code - Section 42.041 and to adopt an ordinance providing for said Standards.**

BACKGROUND: The State of Texas Department of Family and Protective Services administer state regulations and general licensing procedures for all child-care facilities. Municipalities are exempted from the licensing requirement for programs provided for elementary aged youth so long as the Town Council annually adopts standards of care by ordinance after a public hearing. Additionally, the following criteria must be met in order to receive the exemption:

- Standards of care are provided to the parents of each program participant.
- Ordinance includes at a minimum: staffing ratios; staff qualifications; facility, health, and safety standards; and mechanisms for monitoring and enforcing the adopted local standards.
- Parents are informed that the program is not operated or advertised as a licensed day care.

The request for the exemption is necessary as the Town currently offers different day camps and programs throughout the year to elementary-age youth (5 – 13 years of age).

At the November 3, 2022 Parks Board meeting, the board members recommended for Town Council approval the proposed Standards of Care. On December 5, 2022, the Town Council enacted Ordinance No. 58-22, which adopted Standards of Care for the Town's Parks and Recreation youth recreation programs. The Town officially received exemption from the State on February 11, 2011.

As part of the State's requirement for exemption, the Town will annually hold a public hearing on the Standards of Care and the Town Council will formally adopt the standards as part of an ordinance. A representative from the Texas Department of Family and Protective Services was contacted to confirm there had not been any newly mandated Standards of Care changes that the Town needed to include in the document. The proposed Standards of Care are updated to reflect Cati's Law, which requires parents/guardians to provide written notification if their child can swim or is in danger of death or injury when swimming, and is in accordance with Section 42.041(b)(14) of the Texas Human Resources Code, and Section 54-206 of the Code of Ordinances, Town of Flower Mound, Texas.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES: N/A

FISCAL IMPACT: N/A
N/A

LEGAL REVIEW: No alteration to the legal content of this (ordinance, resolution, etc) was made, which had originally been approved by Taylor, Olson, Adkins, Sralla, & Elam L.L.P.

ATTACHMENTS:

1. Proposed 2023 Standards of Care
2. Proposed Standards of Care Town Ordinance 2023

DRAFT MOTION: Move to approve as presented in the agenda caption.

Parks & Recreation Department



Standards of Care For Youth Programs

Parks and Recreation Department
1200 Gerault Road
Flower Mound, TX 75028
972.874.6300
972.874.6471 (Fax)
www.flower-mound.com

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FLOWER MOUND YOUTH PROGRAMS

STANDARDS OF CARE

The following Standards of Care have been adopted by the Town Council of the Town of Flower Mound, Texas, to comply with Chapter 42 of the Texas Human Resources Code, specifically Section 42.014(b)(14) regarding an exemption for the Town of Flower Mound's Youth Programs, as defined herein. These Standards of Care are intended to be minimum standards by which the Town of Flower Mound Parks and Recreation Department will operate the Town's youth programs. The Youth Programs are recreational in nature and are not child-care facilities or day care programs.

General Administration

1. Organization

- A. The governing body of the Town of Flower Mound youth programs is the Town of Flower Mound Town Council.
- B. Implementation of the Youth Programs Standards of Care ("Standards of Care") is the responsibility of the Director of Parks and Recreation and departmental employees.
- C. These Standards of Care apply to all Youth Programs operated by the Department, including but not limited to: the Day Camp Program, Holiday Day Camp Program, and Spring Break Day Camp Program.
- D. Each Program Site will have available for public and staff review a current copy of the Standards of Care.
- E. Parents of participants may obtain a copy of the Standards of Care from the Town during the registration process or the Standards of Care can be accessed on the Town's website at: www.flower-mound.com/cac.
- F. Criminal background checks are conducted on all prospective Program Employees. If the results of a criminal background check indicate that a prospective Program Employee has been convicted of any of the following offenses, he or she will not be considered for employment:
 - (1) A felony or a misdemeanor classified as an offense against a person or family member.
 - (2) A felony or misdemeanor classified as public indecency.
 - (3) Any offense involving moral turpitude.

- (4) Any offense that, in the Director's sole opinion, would place the participants of the Youth Programs at risk.

2. Definitions

- A. Camp Director: A temporary Department employee who is assigned responsibility to implement and direct a Youth Program, and oversee the Program Employees that are assigned to the corresponding Youth Program.
- B. Community Activity Center or CAC: Town of Flower Mound Community Activity Center located at 1200 Gerault Road, Flower Mound, TX, 75028, 972.874.7275.
- C. Department: Parks and Recreation Department of the Town of Flower Mound.
- D. Employee(s): Term used to describe people who have been hired to work for the Town of Flower Mound and have been assigned responsibility for managing, administering, or implementing some portions of the Youth Programs.
- E. Parent(s): This term will be used to represent one or both parent(s) or legal guardian(s) who have legal custody and authority to enroll their child(ren) in the Youth Programs.
- F. Participant: A Youth whose parent(s) or legal guardian(s) have completed all required registration procedures and determined to be eligible for the Youth Programs.
- G. Program Coordinator or Coordinator: A full-time Department employee who has been assigned administrative responsibility for the Youth Programs and oversees the Camp Directors.
- H. Program Employee: A temporary Department employee who is assigned to work with participants of a Youth Program at a Program Site.
- I. Program Manual: Notebook of policies, procedures, required forms, and organizational and programming information relevant to Youth Programs.
- J. Program Site: The facilities and surrounding property where Youth Programs are held, consisting of, but not limited to, the Community Activity Center and Gerault Park.
- K. Program Supervisor: A full-time Department employee who oversees the Program Coordinator and operations of all Youth Programs.

- L. Director: Town of Flower Mound Parks and Recreation Director, or his or her designee.
- M. Town: Town of Flower Mound, Texas.
- N. Town Council: Town Council of the Town of Flower Mound.
- O. Youth: A school aged person between the ages of 6 and 13 as of the enrollment date of the Youth Program.
- P. Youth Programs: The Town of Flower Mound youth programs consisting of the Summer Day Camp Programs, Holiday Day Camp Programs, and Spring Break Day Camp Program. A single camp may be referred to as a Youth Program.

3. Objectives of Youth Programs

- A. To provide Youth with the opportunity of recreational activities, which may include sports, games, arts and crafts, education, dance, drama, special events, field trips, tournaments, etc.
- B. To provide an encouraging atmosphere by emphasizing the positive development of physical skills, emotional development and growth of self-confidence.
- C. To provide a safe environment by promoting good health and welfare for all participants.
- D. To teach Youth how to spend their leisure time wisely in an effort to meet the emotional, physical and social needs of the Youth.

4. Inspections/Monitoring/Enforcement

- A. The Town has established these Standards of Care in order to obtain an exemption from the State regarding the Youth Programs. Once the exemption is established, the State will not monitor the Youth Programs. These Standards of Care will be reviewed annually and brought before the Town Council for consideration, regarding any amendments recommended by the Director, and approval after a public hearing regarding the Standards of Care is held, pursuant to Texas Human Resources Code § 42.041(b)(14).
- B. A monthly inspection report will be prepared and submitted to the Program Supervisor by the Coordinator to confirm the Standards of Care are being adhered to.

- (1) Monthly inspection reports will be sent to the Director or his/her designee for review and maintained by the Town in accordance with applicable record retention policies.
 - (2) The Director or his/her designee will review the monthly inspection report and shall establish deadlines and criteria for compliance with the Standards of Care where failure to comply is noted.
- C. The Director or his/her designee will make visual inspections of the Youth Programs based on the following schedule.
1. Youth Programs operating during the summer will be inspected no less than twice during the Youth Program's summer schedule.
 2. Youth Programs, which operate during the regular Lewisville Independent School District school year, for two (2) weeks or less, will be inspected at least once during the Youth Program's schedule.
- D. Complaints regarding enforcement of the Standards of Care will be directed to the Coordinator. The Coordinator will be responsible to take the necessary steps to address the complaint and resolve the problem, if any. Complaints regarding enforcement of the Standards of Care and resolution of complaints arising under the Standards of Care will be recorded by the Coordinator. All complaints regarding enforcement of the Standards of Care where a deficiency is noted will be forwarded to the Director with the complaint and the resolution noted.

5. Enrollment

Before a child may be enrolled in a Youth Program, the parents must sign registration forms that contain the following information about the child:

- (1) Name, home address, home telephone number;
- (2) Name and address of parent(s) and contact telephone number(s) during Youth Program hours;
- (3) The names and telephone numbers of people to whom the child can be released;
- (4) If requested, a statement of the child's physical health, including a physician's signed statement detailing any special needs the child may have;

- (5) Emergency medical authorization, current shot records, and valid health insurance information;
- (6) Proof of CAC Membership or Non-Membership, when appropriate; and
- (7) A signed liability waiver.

6. Suspected Abuse

Program Employees will report suspected child abuse or neglect in accordance with the Texas Family Code. In a situation where an Employee is involved in an incident with a child that could be considered to be child abuse, the incident shall be immediately reported to the Program Supervisor. The Program Supervisor will immediately notify the Police Department and any other agency, as may be appropriate.

Texas State law requires the Employees of Youth Programs to report any suspected abuse or neglect of a child to the Texas Department of Family and Protective Services or a law enforcement agency. Failure to report suspected abuse is punishable by fines up to \$1000 and/or confinement up to one hundred eighty (180) days. Reports of abuse may be made by calling 1.800.252.5400.

A complete copy of the Texas Family Code regulations regarding child abuse can be found at www.statutes.legis.state.tx.us/docs/FA/htm/FA.261.htm.

Staffing - Responsibilities and Training

1. Camp Director

A. Qualifications. A Camp Director must:

- (1) Consistently exhibit competency, good judgment, and self-control when working with Youth and other Town employees.
- (2) Interact with Youth with courtesy, respect, tolerance, and patience.
- (3) Successfully complete a course in first aid, CPR, and AED, in compliance with American Red Cross standards.
- (4) Pass a background investigation and testing for illegal substances.
- (5) Be mature, responsible, and able to complete duties with minimal supervision.
- (6) Communicate effectively with the public.

- (7) Possess a valid Texas driver's license.
- (8) Have previous experience in supervising Youth of varying age levels in a group setting and possess knowledge of recreational games, crafts, and activities.
- (9) Complete Town-mandated training.
- (10) Be at least eighteen (18) years of age.

B. Job Functions. A Camp Director shall endeavor to:

- (1) Direct and supervise Program Employees. Hiring and training of staff shall be the responsibility of the Coordinator with assistance from the Camp Director.
- (2) Complete and submit proper records, including Youth Program schedules, Program Employee schedules, accident/incident reports, and Participant attendance.
- (3) Schedule appropriate activities in accordance with the philosophy of the Youth Program and coordinate with the Coordinator to ensure appropriate reservations and transportation are secured in order to complete activities.
- (4) Maintain an orderly, clean and safe environment for the Youth while promoting a non-competitive program directed toward accentuating positive behaviors, physical development, and emotional growth.
- (5) Maintain supplies, equipment and all necessary documentation for the operation of the Youth Program.
- (6) Communicate with Parent(s) as necessary.
- (7) Conduct on-going evaluations regarding the Youth Program and implement approved recommendations as needed.
- (8) Provide reports to Coordinator on a weekly basis regarding Youth Program activities.
- (9) Know and follow all Town, Department, and Program Manual standards, policies, and procedures that apply to Youth Programs.

- (10) Ensure that Participants are released only to a Parent or an adult designated by the Parent. All Program Sites will have a copy of the Department approved plan to verify the identity of a person authorized to pick-up a Participant if that person is not known to the Camp Director.

2. Program Employees

A. Qualifications. A Program Employee must:

- (1) Consistently exhibit competency, good judgment, and self-control when working with Youth.
- (2) Interact with Youth with courtesy, respect, tolerance, and patience.
- (3) Successfully complete a course in first aid, CPR, and AED, in compliance with American Red Cross standards.
- (4) Pass a background investigation and testing for illegal substances.
- (5) Be mature, responsible, and able to complete duties with minimal supervision.
- (6) Possess a valid Texas driver's license.
- (7) Have previous experience in working with Youth of varying age levels in a group setting and possess knowledge of recreational games, crafts, and activities.
- (8) Complete Town-mandated training.
- (9) Be at least sixteen (16) years of age.

B. Essential Job Functions. A Program Employee shall endeavor to:

- (1) Promote a non-competitive, positive, image-enhancing environment for each Participant through the direction of fun, varied, and well-organized activities.
- (2) Directly lead activities using a method that will provide opportunities for the involvement of all Participants on an equal basis.
- (3) Exhibit enthusiasm for the activity to impart a feeling of excitement in the Participants.

- (4) Follow procedures for Youth Programs drop-off and pick-up, and preparation of accident/incident reports.
- (5) Follow guidelines for safety and storage of equipment and notify Camp Director regarding supply inventories.
- (6) Ensure safety of Youth at Program Site and on field trips.
- (7) Provide and adhere to Standards of Care.

3. Personnel Restriction

A person will not be employed as an Employee in a Youth Program if:

- (1) The person would be permanently barred from being present at a child care operation while children are in care under the Texas Administrative Code Title 40, Part 19, Chapter 745 (Licensing); or
- (2) The Director determines that, based on the criminal history and other relevant and credible information, the person poses a risk to the safety or health of participants.

4. Training/Orientation

- A. The Department is responsible to provide training and orientation to all Youth Program employees who work with children regarding their specific job responsibilities. Coordinator will provide each Camp Director with a staff program manual specific to each Youth Program.
- B. Employees must be familiar with these Standards of Care for Youth Programs.
- C. Employees will be trained in appropriate procedures to handle emergencies.
- D. Employees will be trained in Town, Department, and Program Manual policies and procedures applicable to Youth Programs.
- E. Employees will be required to sign an acknowledgment that they received the required training.

Service Standards

1. Appearance

- A. Youth Program shirts and name badges will be worn and clearly visible.

- B. The Town's dress code policy shall be adhered to at all times. Failure to comply with the dress code will result in an Employee being sent home.
- 2. Interaction with Parents and Participants
 - A. Participants and Parents will be treated with respect at all times.
 - B. Program Employees and Camp Directors will keep Parents continuously informed of activities and schedules. A weekly schedule will be distributed and copies will be kept with the daily sign in sheets.
 - C. Staff will note details of behavior of Participants (accomplishments, discipline problems, general activities, etc.) and update Parents as much as possible.
 - D. The Camp Director will listen to complaints and forward to Coordinator as appropriate. All complaints will be followed up within 24-hours if they are not resolved on site. All complaints must be recorded, including resolution, and forwarded to Coordinator.
- 3. Additional Staff Responsibilities
 - A. Program Employees will monitor the sign in/out log at all times.
 - B. Program Employees will spend 100% of their time actively involved with Participants and/or Parents.
 - C. Program Employees will pick up the area used by their group after each activity.
 - D. Prior to beginning work each day, all staff will check in at the appointed location for any messages, instructions, or information.

Operations

- 1. Staff/Participant Ratio
 - A. Pursuant to Texas mandated standards, the maximum ratio of Participants to Program Employees will be 12 to 1. In the event an employee is unable to report to the Program Site, a replacement will be assigned.
 - B. Each Participant shall have a Program Employee who is responsible for him or her and who is aware of the Participant's habits, interests, and any special needs, as identified by the Participant's Parent(s) during the registration process.

2. Discipline

- A. Program Employees will implement discipline and guidance in a consistent manner based on the best interests of the program participants.
- B. There must be no cruel, harsh or corporal punishment used as a method of discipline.
- C. Program Employees may use brief, supervised separation from the group if necessary. Participants will be informed of Youth Program rules.
- D. As necessary, Program Employees will initiate discipline reports to the Parent(s) of Participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the program manual may result in a Participant being suspended or removed from the Youth Program. Parents will be contacted to pick up their Youth immediately.
- F. In instances where there is a danger to Participants or Employees, offending Participants will be removed from the Program Site immediately.
- G. Any person(s) creating a nuisance, causing a disturbance, or creating an unsafe environment at any Program Site will be subject to ejection from the site and possible arrest and legal action.

3. Programming

- A. Program Employees will attempt to provide activities for each group according to the Participant's age, interests, and abilities. The activities must be appropriate to Participants' health, safety, and well-being. The activities also must be flexible and promote the Participants' emotional, social, and mental growth.
- B. Program Employees will attempt to provide indoor and outdoor time periods, weather permitting, that include:
 - (1) Alternating active and passive activities; and
 - (2) Opportunity for individual and group activities.
- C. Program Employees will be attentive and considerate of the Participants' safety on field trips and during any transportation provided by the Youth Programs. Participants

must be counted before leaving the Program Site and before boarding the transportation to return to the Program Site.

- (1) During trips, Program Employees supervising Participants must have immediate access to Participant forms and emergency contact information for each Participant;
- (2) Program Employees must have a written list of the Participants in the group and must check the attendance frequently; and
- (3) Program Employees must have First Aid supplies, a guide to First Aid and emergency care available on field trips.

4. Communication

The Program Site will have a telephone to allow the Program Employees to be contacted by Parks and Recreation personnel or for making emergency calls.

5. Transportation

- A. First Aid supplies and a First Aid and emergency care guide will be available in all Youth Program vehicles that transport Youth.
- B. All Program vehicles used for transporting Participants must have available a 6-BC portable fire extinguisher in the vehicle, which must be accessible to the adult occupants.

Facility Standards

1. Safety

- A. Program Employees will inspect the Program Site daily to detect sanitation and safety concerns that might affect the health and safety of the Participants. A daily inspection report will be completed by Camp Director and kept on file by the Program Coordinator.
- B. Buildings, grounds, and equipment on the Program Site will be inspected, cleaned, repaired, and maintained to protect the health of the Participants.
- C. Program equipment and supplies must be safe for Participant use.
- D. Program Employees must have First Aid supplies available at the Program Site, during transportation, and for the duration of any off-site activity.

- E. Program Employees must have First Aid supplies and a guide to First Aid and emergency care readily available in a designated location.

2. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, Program Employee's first priority is to evacuate the Participants to a designated safe area. Emergency evacuation and relocation plans will be posted within the Program Site.
- B. The Program Site will have an annual fire inspection by the local Fire Marshal, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director or his/her designee who will review and establish deadlines and criteria for compliance.
- C. Each Program Site must have at least one (1) fire extinguisher approved by the Fire Marshal readily available to all Program Employees. The fire extinguisher is to be inspected monthly by the Program Coordinator, and a monthly report will be forwarded to the Program Supervisor who will keep the report on file for a minimum of two (2) years. All Employees will be trained in the proper use of a fire extinguisher.
- D. Fire drills shall be conducted monthly.

3. Health

- A. Illness or Injury
 - (1) Participants shall have and maintain immunizations in accordance with those required by the Texas Department of Health for public school attendance according to age.
 - (2) Illnesses and injuries will be handled in a manner to protect the health of all Participants and employees. Parents will be notified in cases of illness or injury. Paramedics will be notified in the event of an injury that cannot be remedied through basic first aid. An accident report shall be completed for all injuries and forwarded to the Camp Director.
 - (3) An ill Youth will not be allowed to attend or participate if the Youth is suspected of having a temperature and/or accompanied by behavior changes or other signs or symptoms until a medical evaluation indicating that the Youth can return to the Youth Program.

- (4) Employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any Participant after a communicable disease.

B. Program Employees will administer medication only if:

- (1) Parent(s) complete and sign a Medicine Dispensation Form that provides authorization for Employees to dispense medication with details as to time(s) and dosage(s).
- (2) Prescription medications are in original containers labeled with the Youth's name, a date, directions, and the prescribing physician's name. Employees will administer the medication only as stated on the label. Employees will not administer medication after the expiration date.
- (3) Non-prescription medications are labeled with the Youth's name and the date the medication was brought to the Youth Program. Non-prescription medication must be in the original container. The Employees will administer non-prescription medications only according to label direction.
- (4) Medications dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program Employees.
- (5) Program Employees must ensure medications are inaccessible to Participants.

C. Toilet Facilities

- (1) The Program Site will have adequate indoor toilets and lavatories located and equipped so Youth can use them independently and Program Employees can supervise as needed.
- (2) There must be one (1) flush toilet for every thirty (30) Participants. Urinals may be counted in the ratio of toilets to Participants but must not exceed fifty percent (50%) of the total number of toilets.

D. Sanitation

- (1) The Program Site must have adequate light, ventilation, and heat.
- (2) The Program Site must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and

ensure that it will be supplied to the Participants in a safe and sanitary manner.

- (3) Program Employees must see that garbage is removed from buildings daily.

Participants

1. General

- A. Participants must wear tennis shoes daily. Sandals or thongs are not permitted unless approved by Program Employees on certain occasions.
- B. Shoes must be worn at all times, unless the Youth is in the swimming pool or participating in an activity that requires shoes to not be worn.
- C. Youth must respect the Employees, the Program Site, Program Rules, and each other.
- D. Youth may not use the Youth Programs telephone unless it is an emergency with the permission of a Program Employee.
- E. Cati's Act requires childcare organizations to get written notice from parents/guardians stating whether their child can swim and requires camp staff to put U.S. Coast Guard-approved lifejackets on those children at risk of injury or death when swimming or otherwise accessing a body of water. Camp registration forms have been updated to reflect this new law and parents/guardians will be required to provide this information.

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, TOWN OF FLOWER MOUND, TEXAS; AMENDING CHAPTER 54, "PARKS AND RECREATION," SECTION 54-202, "ADOPTION;" ADOPTING UPDATED STANDARDS OF CARE FOR YOUTH RECREATION PROGRAMS; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound, Texas ("Town") is a home rule municipal corporation organized and existing by virtue of the Constitution and laws of the State of Texas and by its Home Rule Charter, adopted November 3, 1981; and

WHEREAS, the Town operates a recreation program for elementary age children as a service to residents of the Town, and surrounding communities; and

WHEREAS, the State of Texas has adopted licensing requirements and regulations under Chapter 42 of the Texas Human Resources Code for facilities providing care to children, with which all facilities must comply, unless an exemption under Section 42.041(b) applies; and

WHEREAS, Section 42.041(b)(14) of the Texas Human Resources Code provides an exemption from the requirements of Chapter 42 to a municipality operating a recreation program for elementary age children (5-13 years); and

WHEREAS, on February 11, 2011, the Town received an exemption from the requirements of Chapter 42 of the Texas Human Resources Code from the Texas Department of Family and Protective Services ("TDFPS"); and

WHEREAS, the TDFPS will not monitor the Town's Parks and Recreation's youth recreation programs because the exempt status has been granted, and the TDFPS will not be responsible for investigating complaints regarding the Town's Parks and Recreation's youth recreation programs, so that any complaints shall be made to the Town Parks and Recreation Department; and

WHEREAS, the Town adopted Ordinance No. 58-22 on December 5, 2022 setting forth the standards of care for the Town Parks and Recreation's youth recreation programs; and

WHEREAS, the Town's standards of care for the Town Parks and Recreation's youth recreation programs must be adopted annually by the Town of Flower Mound Town Council, after public hearing, in order to maintain the exemption under Section 42.041(b)(14) of the Texas Human Resources Code; and

WHEREAS, the Director of the Town Parks and Recreation Services Department has recommended changes be made to the standards of care adopted on December 5, 2022, in reference to the new Cati's Act adopted by the State in 2023, and in accordance with Section 42.041(b)(14) of the Texas Human Resources Code and Section 54-206 of the Code of Ordinances, Town of Flower Mound, Texas; and

WHEREAS, a public hearing was held on November 2, 2023, by the Parks Board regarding the revised standards of care, and the adoption of such revised standards of care by the Town Council of the Town of Flower Mound ("Town Council") has been recommended by the Parks Board; and

WHEREAS, the Town Council finds that it is in the best interest of the Town of Flower Mound and will promote the health, safety and general welfare of the citizens of the Town of Flower Mound and the general public to adopt the revised standards of care as recommended by the Parks Board.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

All the above premises are found to be true and correct legislative and factual determinations of the Town of Flower Mound, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

The Town Council hereby adopts local standards of care for the Parks and Recreation Services Department ("Department") youth recreation programs in compliance with the requirements of Texas Human Resources Code Section 42.041(b)(14) and pursuant to Section 54-206 of the Code of Ordinances of the Town of Flower Mound. The standards of care adopted by this Ordinance are available for inspection in the office of the Town Secretary and in the Town Parks and Recreation Services Department office.

SECTION 3

That Section 54-202, "Adoption," of the Code of Ordinances, Town of Flower Mound, Texas, is hereby amended to read as follows:

"Sec. 54-202. Adoption.

The local standards of care ("Standards of Care"), as set forth in Exhibit "A" which is attached to the ordinance adopting the Standards of Care are incorporated by reference for all purposes as if written word for word herein, and are hereby adopted by the Town Council as the Standards of Care for the Parks and Recreation Services Department of the Town of Flower Mound. The Standards of Care are available for inspection in the office of the Town Secretary and in the Town Parks and Recreation Services Department office."

SECTION 4

This Ordinance shall be cumulative of all provisions of ordinances of the Town of Flower Mound, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section, and said remaining portions shall remain in full force and effect.

SECTION 6

This Ordinance shall take effect and be in full force on and after its passage.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF
FLOWER MOUND, TEXAS, BY A VOTE OF _____ TO _____, ON THIS THE ____ DAY
OF _____, 20____.**

Derek France, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY