



AGENDA
FLOWER MOUND PARKS BOARD
REGULAR MEETING
OCTOBER 1, 2020

FLOWER MOUND TOWN HALL
2121 CROSS TIMBERS ROAD
FLOWER MOUND, TEXAS

6:30 P.M.

AN AGENDA INFORMATION PACKET IS AVAILABLE FOR PUBLIC INSPECTION
ONLINE AT WWW.FLOWER-MOUND.COM/AGENDA/AGENDA.PHP

There will be limited seating in Jody Smith Hall to allow for social distancing

Meeting participants may be asked to wait in the lobby until their name is called

Comments regarding any item on this agenda can be sent to the Parks Board by
Emailing: Parks@flower-mound.com or Calling: 972.874.6005

All pagers and cell phones must be turned off in the Council Chambers.

- A. CALL REGULAR MEETING TO ORDER**
- B. INVOCATION**
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND TO THE TEXAS FLAG
*"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."***
- D. ANNUAL ELECTION OF A CHAIR AND VICE-CHAIR FOR THE PARKS BOARD**

E. PUBLIC COMMENTS

To speak to the Parks Board during public comments, please fill out a [comment form](#).

- Turn in form to the Administrative Assistant prior to the time the meeting is scheduled to begin and up to when the public comment portion of the meeting has concluded
- Speakers are limited to 3 minutes; a tone will sound at 30 seconds left and when time has expired
- Please state your name and address when speaking

The purpose of this item is to allow the public an opportunity to address the Parks Board on issues that are not indicated as a "Public Hearing" on this agenda. Issues regarding daily operational or administrative matters should first be dealt with by calling Parks & Recreation at 972-874-6300 during business hours.

F. PRESENTATIONS

- As prescribed in the Youth Sports Facility Agreement, a report will be given by the Flower Mound Youth Sports Association (FMYSA) of the association's operations in regards to youth baseball and youth softball.

G. DIRECTOR'S REPORT

- Update and status report related to Parks and Recreation issues.

H. CONSENT AGENDA

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

1. Consider approval of the minutes from a regular meeting of the Parks Board held on September 3, 2020.

I. REGULAR ITEMS

2. Consider approval of a request from Dallas Athletes Racing, Inc. to hold a sanctioned triathlon event at the Community Activity Center and Gerault Park on Sunday, November 8, 2020.
3. 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.

J. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- The next regular meeting of the Parks Board is scheduled for November 5, 2020.

K. ADJOURN REGULAR MEETING

I do hereby certify that the Notice of Meeting was posted on the bulletin board in Town Hall of the Town of Flower Mound, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: September 28, 2020 at 5:00 P.M. at least 72 hours prior to the scheduled time of said meeting.



Jade Olson, Administrative Assistant



PARK BOARD AGENDA ITEM NO. 1

CONSENT ITEM

DATE: October 1, 2020

FROM: Jade Olson, Administrative Assistant

ITEM: Consider approval of the minutes from a regular meeting of the Parks Board held on September 3, 2020.

BACKGROUND INFORMATION: The Parks Board held a regular meeting September 3, 2020.

BOARD REVIEW/CITIZEN FEEDBACK: N/A

ALTERNATIVES/OPTIONS: N/A

FISCAL IMPACT: N/A

LEGAL REVIEW: N/A

ATTACHMENTS:

1. Draft minutes from the September 3, 2020 Regular Meeting of the Park Board.

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

THE TOWN OF FLOWER MOUND PARKS BOARD REGULAR MEETING HELD ON THE 3rd DAY OF SEPTEMBER 2020, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:30 P.M.

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

Dale Olson	Place 1
Allen Pichon	Place 2
Teresa Thomason	Place 3 – Chair
Jodi Seay	Place 5
Mark Mayer	Place 6
Jennifer Romaszewski	Place 7
Andrew Cummings	Place 8 – Alternate
Scott Langley	Place 9 – Alternate
Holly Royer	Place 10 – Alternate

The following Board members were not in attendance:

Rick Kenyon	Place 4 – Vice-Chair
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The following members of Town Staff were in attendance:

Chuck Jennings	Director of Parks and Recreation
Mark Long	Recreation Superintendent
Clayton Litton	Parks Superintendent
David Powell	CAC Manager
Jaime Jaco – Cooper	Senior Programs Supervisor
Kari Biddix	Park Development Manager
Matt Chutchian	Athletic Supervisor
Jade Olson	Administrative Assistant

- A. CALL REGULAR MEETING TO ORDER – 6:30 P.M.**
- B. INVOCATION – Scott Langley**
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG**
- D. PUBLIC COMMENTS**

Tanner Wilson – 4925 Creekwood Dr., discussed the possibility of bringing an ice rink to the Town of Flower Mound.

E. PRESENTATIONS

Matt Chutchian, Athletics Supervisor, introduced Mark Grommesh, GLASA President, to represent GLASA. The Board was updated with GLASA's operations in regards to youth soccer and adult soccer

Marilyn Lawson of Keep Flower Mound Beautiful provided the Board with an update on beautification projects completed in 2019 and 2020.

Jaime Jaco-Cooper, Senior Programs Supervisor, updated the Board with virtual activities the Senior Center is doing while closed to the public. Staff is still providing lunches on Tuesdays and Thursdays.

F. DIRECTOR'S REPORT

Chuck Jennings, Director of Parks and Recreation had the following announcements:

- The artists have finished Phase 1 of the Gerault Park Mural and will begin Phase 2 in early October. Staff is currently accepting nominations for players to be included in the mural. The deadline to get those in is September 11th. A committee of representatives from the baseball/softball community will choose the players from the nominations that will be included in the artwork. Nomination forms have been sent to the LISD athletic director, baseball and softball coaches, FMYSA, and our local special Olympics chapter. The form has also been shared on various Town social media platforms. So far, we have almost 20 nominations and they are still coming!
- Playground mulch was installed at the Westchester and Northshore Parks.
- Mowing of parks, medians and rights-of-way were cut back to bi-weekly.
- Parks Division installed new grills on the new outdoor patios next to cabins at Twin Coves Park.
- Mark Long and Brady Warner accomplished a milestone in their professional development. Both of them are now officially certified in our field. They both passed a National Parks and Recreation Certification and are Certified Parks and Recreational Professionals. Chuck thanked them for the commitment, hard work and professionalism. There are now four team members that are CPRP's.
- Chuck thanked the Flower Mound Rotary for having a workday out at Heritage Park last weekend. The group laid down 50 bags of mulch, pruned trees, picked up trash and pulled weeds. Additionally, the Flower Mound Rotary reached out to the Town to do a special project as they are a recipient of a matching grant and have \$4,400 to help fund the installation of a Gaga ball pit at Heritage Park. Staff hopes to have this completed in the late fall or early winter. We are grateful to them for thinking of us to use these funds.
- The Town is exploring the possibility of applying for a matching grant through the Texas Parks and Wildlife with the possibility of receiving up to \$750,000 to help fund the construction of Peters Colony Memorial Park. Submissions are due in November and hopefully we'll know if we get funded in early 2021.
- Chuck informed the Board that it was Jade's Birthday.

Mark Long, Recreation Superintendent, had the following announcements:

- The CAC has expanded its modified operations and returned to normal operating hours on Tuesday, September 1st (5am-10pm Mon-Thurs, 5am-9pm Fri, 7am-7pm Sat and 1pm-6pm Sun).
- The CAC has been operating in Phases.
- Phase 1 started on June 1st and included:
 - Gymnasium (Individual basketball play)
 - Fitness Floor

- Indoor Pool
- Virtual Programming-Added mid-summer (art class, karate and STEM)
- Phase 2 started on September 1 and included:
 - Group Ex (Max 10)
 - Tot Drop
 - In-person programs (Adventure Guide Offerings)
- Capacity is still limited to 50%, so the CAC will remain open to members only at this time. No facility rentals, day use purchase, gymnasium game play (Pickleball/badminton), or chill zone will be available
- Registration for fall classes is being accepted at the CAC or online. Staff is working on promotional plans to increase participation numbers. Numbers are lower, but to be expected due to concerns with the virus and school opening.
- The CAC was repainted (indoor pool, fitness floor, gymnasium, MP and tot drop) and working on changing out signage.
- Staff continues to prepare for fall special events and hopefully be able to offer these events. If interested in sponsoring, reach out to Kim Cheek and she can go over the many sponsorship options
- Summer softball and kickball leagues are completed. Fall leagues begin this week
- GLASA and FMYSA have started their fall seasons. As you know from last meeting, the Town and the YMCA have an executed agreement and will partner for basketball and volleyball for the next 5 years. YMCA will start volleyball on Sept. 21.
- New scoreboards were installed last week at Bakersfield Park.
- Lightning detection systems go to council on September 21. There are 6 units at Bakersfield Park, Gerault Park, Jake's Hilltop Park, Glenwick Park and Chinn Chapel Soccer Complex.
- Bad Dawg Tennis is currently in their Fall session which runs through September 19th. 81 participants are registered. Bad Dawg has already exceeded revenue expectations for the year and has exceeded last year's revenue by \$12,000.
- Staff has been in talks with FMYFA for several months and FMYFA have chosen to opt out of the final year of the contract due to low registration numbers.
- All RV, cabins and primitive sites at Twin Coves Park are booked this weekend and have been since March
- Twin Coves Park has exceeded revenue expectations with one month to go.
- The average weekly and occupancy rate of 53% for the cabins and 76% for the RV sites between Memorial Day and Labor Day. Weekend occupancy rates between the same time was 99% for RV sites and 93% for the cabins.
- Valley Creek Church installed river rock in the parking lot, painted a fence and cleaned flower beds and mulch.
- Abigail Milton donated and deliver 23 life jackets to Twin Coves Park. Part of a Girl Scout Troop goal was to supply 50 life jackets by Labor Day weekend.
- 3 more traffic signal boxes will be wrapped in the next fiscal year. Staff will be working on selection criteria based on Flowers of Flower Mound and cultural diversity.

- The is a Twin Coves Park pay station wrap contest. Staff is currently accepting submission through September 18t. Must be a photo or artwork inspired by Twin Coves Park. Go to the cultural arts web page to submit your art.
- Staff is currently working with individuals who have come before the board to get permission to run special events (Dallas Athletes/Caveman and Humane Tomorrow/Fido Fest). No special Event Permits and limited to no more than 10.
- David Powell has been promoted to CAC Manager. He brings with him tremendous leadership, business, and financial knowledge which will greatly benefit the operation of the CAC.

Kari Biddix, Park Development Manager gave an update on CIP Projects:

- The Capital Improvement projects in design and construction are Canyon Falls Park, Rheudasil Park, Peters Colony Memorial Park, and The Hound Mound parking lot and restrooms.
- Chinn Chapel Soccer Complex and Pecan Orchard Park are getting new playground improvements.

G. CONSENT AGENDA

1. **Consider approval of minutes from a regular meeting of the Parks Board held on August 6, 2020.**

Board Deliberation

Board Member Pichon moved to approve as presented in the agenda caption. Board Member Seay seconded the motion.

VOTE ON THE MOTION

AYES: Olson, Pichon, Langley, Seay, Mayer, Romaszewski,
NAYS: None

H. REGULAR ITEMS

2. **Consider recommending approval for Town Council consideration the sale and consumption of alcoholic beverages (beer and wine) at Bakersfield Park during the 2021 Indolence Fest.**

Staff Presentation

Mark Long – Recreation Superintendent

Board Deliberation

Board Member Mayer moved to approve as presented in the agenda caption. Board Member Olson seconded the motion.

VOTE ON THE MOTION

AYES: Romaszewski, Mayer, Seay, Langley, Pichon, Olson
NAYS: None

I. COORDINATION OF CALENDARS AND FUTURE AGENDAS/MEETINGS

- The next regular meeting is scheduled for October 1, 2020.

J. ADJOURNMENT

Board Member Pichon made a motion to adjourn the meeting. Board Member Seay seconded the motion.

Chair Thomason adjourned the Regular Meeting at 8:14pm.

TOWN OF FLOWER MOUND, TEXAS

Teresa Thomason, Chair

ATTEST:

Jade Olson, Administrative Assistant



PARKS BOARD MEETING AGENDA ITEM NO: 2

DATE: October 1, 2020

FROM: David Powell, Community Activity Center Manager

ITEM: **Consider approval of a request from Dallas Athletes Racing, Inc. to hold a sanctioned triathlon event at the Community Activity Center and Gerault Park on Sunday, November 8, 2020.**

BACKGROUND INFORMATION: Dan Jones with Dallas Athletes Racing, Inc. (DAR) has requested permission to host the *Best of the Best* triathlon at the CAC on Sunday, November 8, 2020. The CAC (Gerault Park) is a revenue generating center that has the necessary facilities and parking to accommodate a race of this size. The natatorium is designed as a competitive pool with the ability to rent out space to local groups and swim teams to assist the Town in reaching its revenue goals. The triathlon would occur prior to the CAC opening and will not interfere or affect members or guests.

DAR began in March 2001 and hosts more than 30 triathlons and events across north Texas each year. DAR has hosted their Caveman Triathlon at the CAC for more than 10 years (2009 - 2019) with approximately 650 participants each year. The *Best of the Best* event will consist of a 275-yard swim, 13-mile bike ride, and 3.1-mile run.

DAR will work with the Flower Mound Police Department concerning the run/bike routes and will be required to secure all necessary permits prior to the event. DAR will limit this year's event to 250 participants based on COVID-19 limitations. DAR has provided the Town with an extensive list of procedures and protocols that will be followed to safely offer the event. The event organizers have also submitted the necessary paperwork to the Mayor's committee on outdoor gatherings and anticipate approval in the coming week. A Certificate of Liability Insurance from DAR, listing the Town as additional insured, will be required before the event can take place.

FISCAL IMPACT: **\$1,105.00**

The Town will receive revenue from Dallas Athletes, Inc. in accordance with the rental policy which outlines CAC rental and staff fees.

LEGAL ISSUES: According to Chapter 54 of the Town's Code of Ordinances, the Parks Board has the sole authority to approve the charging of fees or to solicit donations or contributions for any activity on park property. Article II titled Park Regulations states:

Sec. 54-72. Enumeration of prohibited acts

(e) *Fees charges or solicitation of donations.* It shall be unlawful for any person to charge fees or solicit donations or contributions for any activity; to sell or offer for sale any food, drinks, confections, merchandise or commercial services; to conduct any commercial business activities of any kind; and/or to post, place or erect on any public park or recreation

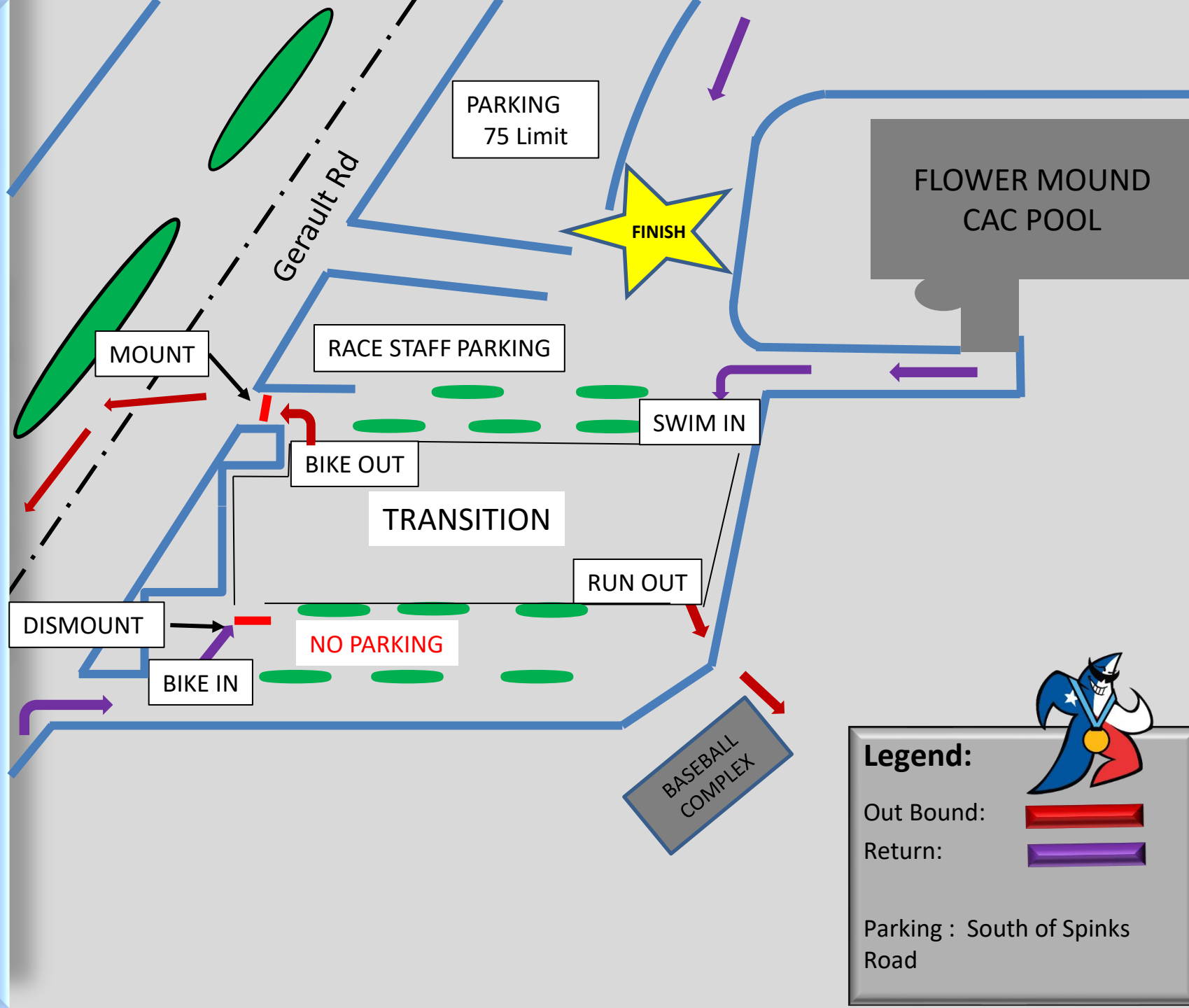
facility any advertising, notice, billboard, paper or other advertising device without the written consent and approval of the town's park board; provided, however, that the prohibitions contained in this subsection shall not apply to town officials, employees or agents performing authorized activities or providing notice of official town meetings or functions.

ATTACHMENTS:

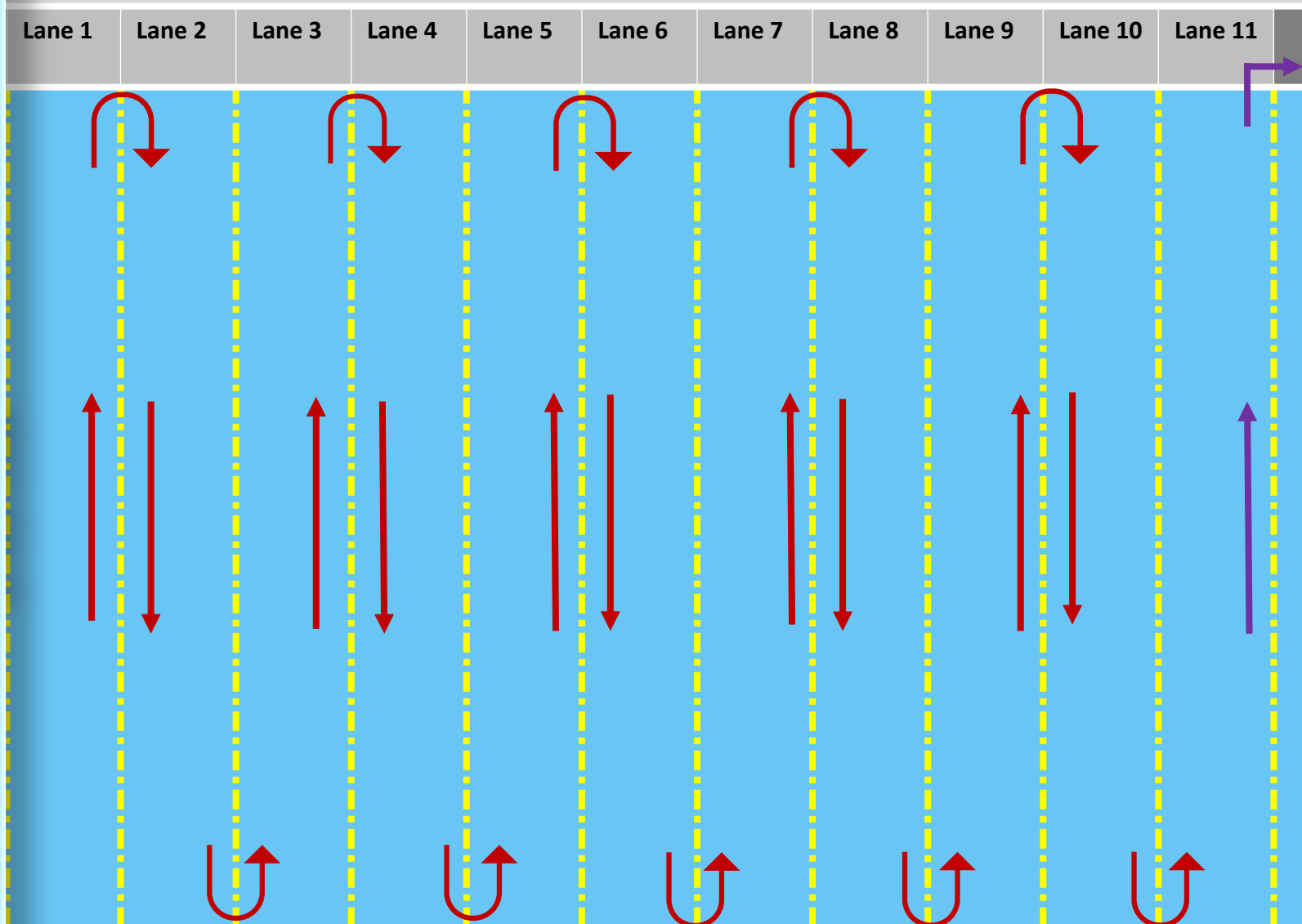
1. Course maps
2. DAR COVID safety protocols

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

BEST of the BEST TRANSITION



BEST of the BEST SWIM



Enter pool from
staging area in
gym



Legend:

Pool Length: 25 Yards – 275 yd. swim

Enter pool in numerical order – **NO DIVING**

Swim on right Pass on left

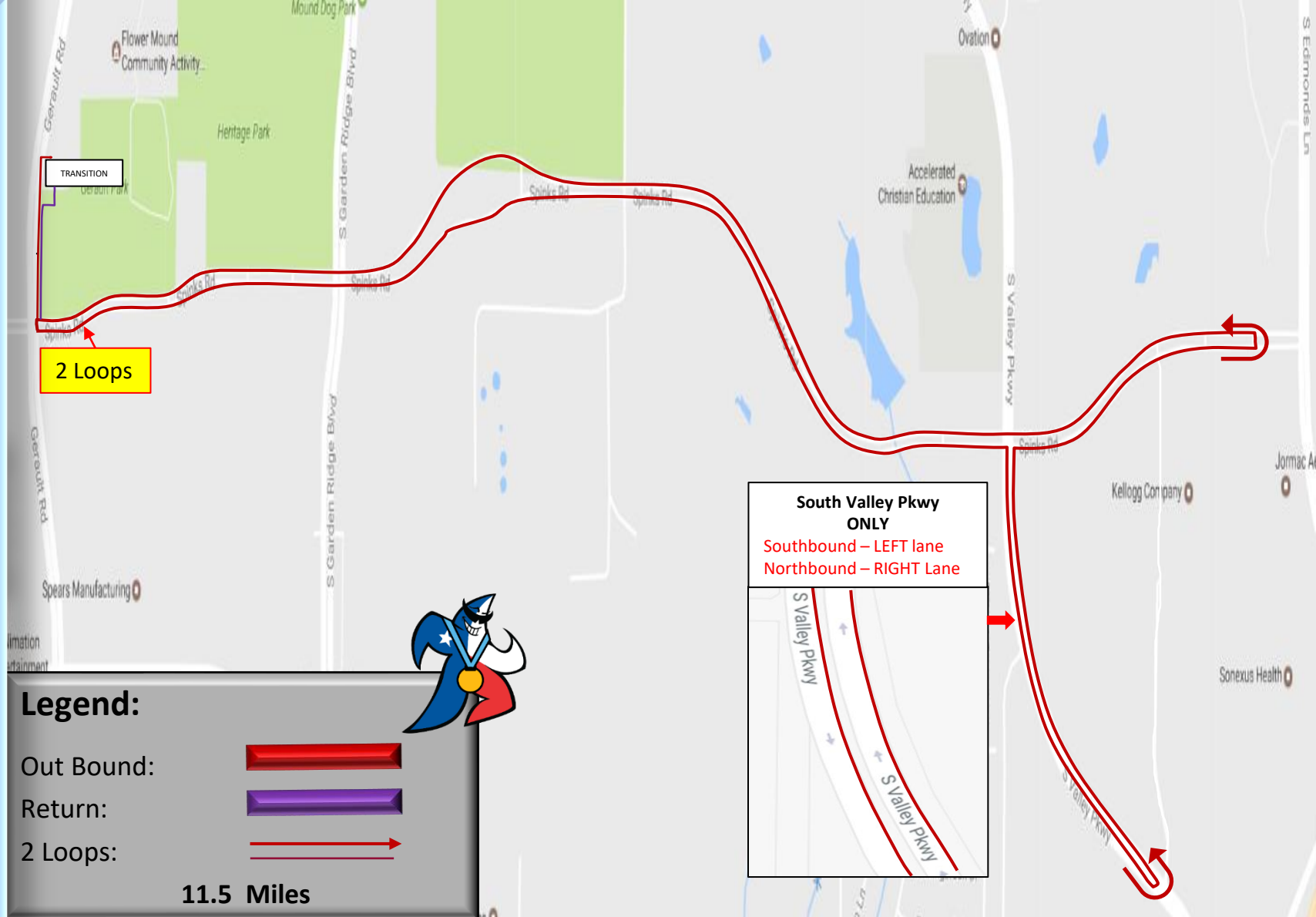
Lane lines:



EXIT to
Transition

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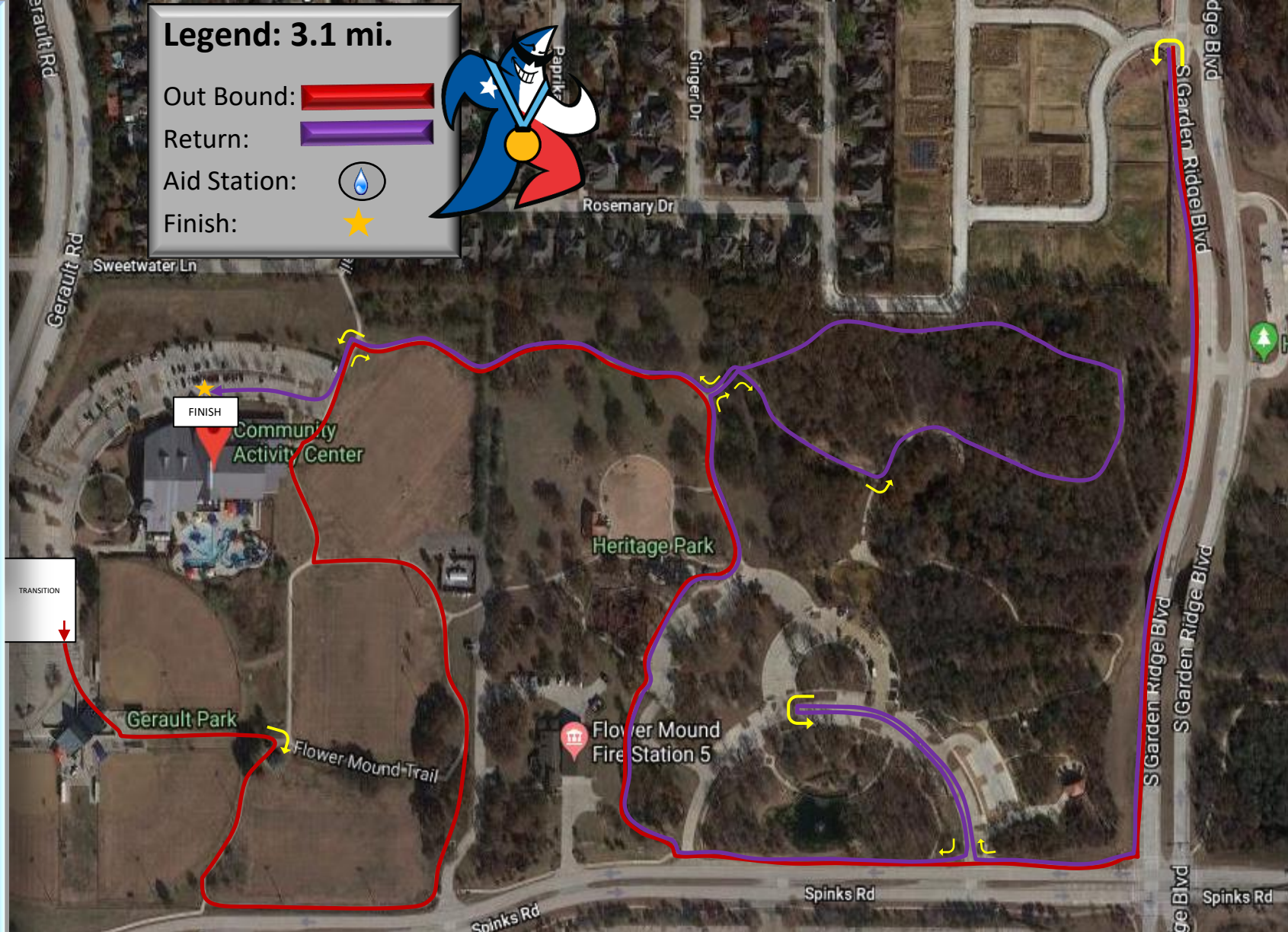
BEST of the BEST BIKE



ELEVATION (ft)



BEST of the BEST RUN



ELEVATION (ft)



David Powell

Subject: FW: Best of the Best Covid 19 Questionnaire

From: Dan Jones <dan@dallasathletesracing.com>
Sent: Thursday, September 24, 2020 4:00 PM
To: Brady Warner <brady.warner@flower-mound.com>
Cc: Russ (<russ@dallasathletesracing.com>) <russ@dallasathletesracing.com>
Subject: Re: Best of the Best Covid 19 Questionnaire

Hi again,

More information: Also see attachment....

RACE PROTOCOLS

1. Wear face coverings at all times except when actually competing.
2. Must maintain social distancing at all times.
3. Body Marking: Encourage athletes to body mark themselves before coming to the event. DAR will send instructions to triathlete by e-mail race week.
4. Transition: Will have bikes spread out on a rack and will be wiped down with sanitation towels.
5. Triathletes will stay at by their bike in transition until their number is called to go into the swim.
6. Sanitizing station outside portable toilets
7. Hand sanitizers will be available and ample trash receptacles placed around race venue
8. Aid stations will be set up on the run course. They will be unmanned. 5K will hit an aid station 2 times
9. Volunteers and staff will wear face covering masks
10. Post party food will be snacks that triathletes can take with them.
11. Finisher medals can be picked up at a safe distance from the finish line
12. Announcer will make several announcements during the event to remind everyone to follow safety guidelines.
13. No warm up in pool will be available
14. Temperature screening available prior to the race.
15. Finish Line will be expanded so that finisher triathletes can spread out as they recover but minimize contact with staff and volunteers
16. COVID 19 Event Screening Questionnaire must be filled out and turned in race morning prior to entering transition.

Looking forward to a FUN and SAFE event. We will have a limit of 500 triathletes for this event. Sign up today to reserve a spot.....

RACE DAY SCHEDULE

6:00 am – Turn off alarm
7:00 am – Transition Opens/Body Marking Begins
8:15 am – Transition closes/Line up in pool according to your number
8:30 am – Race Starts
11:00am - Event Concludes

Best of Best Triathlon

COVID-19 Event Screening Questionnaire

.....

Printed First Name _____ Printed Last Name _____

1. Have you been experiencing any of the following symptoms*?

- ☐ New and persistent cough
- ☐ Shortness of breath or any difficulty breathing

Or at least 2 of any of the following symptoms*?

- ☐ Fever
- ☐ Chills
- ☐ New loss of smell
- ☐ Vomiting
- ☐ Sore throat

2. Have you been in contact with anyone in the last 14 days who is experiencing these symptoms*?

- ☐ Yes
- ☐ No

3. Have you been in contact with anyone who has tested positive for Covid-19 in the past 14 days?

- ☐ Yes
- ☐ No

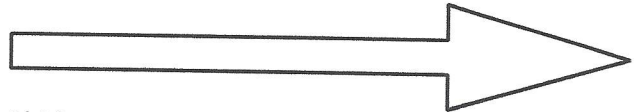
4. Have you returned from any of these countries within the last 14 days: China, Italy, South Korea?

- ☐ Yes
- ☐ No

If an athlete **reports 'yes'** to any of the presented questions, they will be immediately **escorted to the Medical Unit on site** for additional screening.

If an athlete is **deemed 'risk'** by the EMS Professionals, they will be asked **to leave** the venue.

Please remember read and sign the waiver on the back



Participant s Compliance with COVID-19 Restrictions: A) I have truthfully answered COVID-19 Event Screening Questionnaire questions, and specifically confirm that in the previous 14 days I have had no contact with someone with a confirmed diagnosis of COVID-19, is under investigation for COVID-19, or is ill with a respiratory illness. I confirm that I do not presently have any of the commonly recognized symptoms of COVID-19, including loss of taste or smell, diarrhea, muscle pain, headache, chills or repeated shaking within the last 48 hours, or fever in the last 72 hours. B) At any time while present at the event, its agents and officers, staff and volunteers, facility or activity, if I begin to experience ANY of the symptoms described above, I will notify event staff, leave the event, facility or activity. C) While present at the event, facility or activity, I will comply with all event guidelines and specific COVID-19 policies and instructions from event staff, and I acknowledge and agree that I may be asked to leave a facility or activity, without refund, if I fail to do so.

Participant s Assumption of Risk: A I represent that I am at least eighteen years of age or older, or, if I am not 18 years of age, that this Supplemental Release has been countersigned on my behalf by my legal guardian. I hereby further state that I currently suffer from no physical or mental condition that would impair my ability to fully participate in the event. B) I further understand and agree that participation at the event is voluntary, and that such participation at this time carries with it certain inherent and unavoidable risks, including (in addition to those risks specified in the Original Release) the risk of exposure to or infection with COVID-19, and the potential increased risk of injury caused by racing with certain COVID-19 precautions, such as sanitizing and washing hands often.

Indemnification: I hereby indemnify, release and discharge the event, its owners, directors, officers, employees and agents from any liability, claims, losses, judgments, costs, or expenses arising directly or indirectly from my exposure to or infection with COVID-19 at the event including claims or damages resulting from death, personal injury, partial or permanent disability or property damage, medical or economic losses, including attorney s fees, whether caused in whole or in part from any instruction or training hereunder and whether based upon the breach of any express or implied warranty, negligence or under any other legal theories. I further indemnify, release, and forever discharge the event from any liability, claims, losses, costs or expenses arising directly or indirectly from my use of any event services.

Acknowledgement of Supplemental Release Terms and Conditions: I acknowledge that this Supplemental Release shall be binding upon me and my respective heirs, executors, administrators and legal representatives As used herein, the terms Participant, I, and me or my shall also refer to and include my legal guardian or other authorized representative that signs this Supplemental Release on behalf of me. In the event that Participant is a minor, any person signing this Supplemental Release on behalf of Participant hereby represents and warrants to the event that he or she is in fact duly qualified at law to act for and bind Participant and is authorized to do so. As used herein, the term event shall include Dallas Athletes Racing as warranted by the context, and their respective duly authorized directors, officers, employees and agents. This Supplemental Release commences in effect as of the date shown below and shall continue in effect not only for the event referenced above, but for any and all future activities that I may engage under the supervision of the event, or the supervision of the event authorized third party, regardless of whether such activities are

conducted at the event location or elsewhere, such that it shall not be necessary for me to execute a separate Supplemental Release each time I engage the services of the event.

Best of the Best Triathlon COVID-19 Waiver Supplement - By signing my name below, I agree to the above Best of the Best COVID-19 Waiver Supplement.

Printed Full Name _____

Signature _____ Date: _____



PARKS BOARD MEETING AGENDA ITEM NO: 3

DATE: October 1, 2020

FROM: David Powell, CAC Manager

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 Information: 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 youth 6 – 14 years of age.

At the November 7, 2019 meeting, the Parks Board recommended for Town Council approval the proposed Standards of Care. On December 2, 2019, the Town Council enacted Ordinance No. 62-19, 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 reflect no changes from last year 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.

FISCAL IMPACT: N/A

LEGAL REVIEW: No alterations to the legal content of this ordinance, which was originally approved by Taylor, Olson, Adkins, Sralla, Elam, LLP were made.

ATTACHMENTS:

1. Proposed Ordinance

RECOMMENDATION: Move to approve as presented in the agenda caption.

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. 62-19 on December 2, 2019 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 no changes be made to the standards of care adopted on December 2, 2019, 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 October 1, 2020, 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 7TH DAY OF DECEMBER, 2020.

Steve Dixon, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY

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. Confidential reports 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 Programs. 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 Participants 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.
- (5) Employees will follow and enforce any minimum recommended health protocols mandated by the Office of the State Governor for any communicable disease in accordance with CDC guidelines.

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. To be admitted into youth programs, participants must be entering into first through eighth grades for Summer Camp, or currently in first through eighth grades for all other camps.
- B. Participants must wear tennis shoes daily. Sandals or thongs are not permitted unless approved by Program Employees on certain occasions.
- C. 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.
- D. Youth must respect the Employees, the Program Site, Program Rules, and each other.
- E. Youth may not use the Youth Programs telephone unless it is an emergency with the permission of a Program Employee.