



## MEMORANDUM

TO: Parks and Recreation Board

FROM: Warren W. Struss, Director  
Parks and Recreation Department

DATE: November 20, 2007

SUBJECT: Local Standards of Care – Annual Review

The Austin Parks and Recreation Department, on an annual basis, reviews and/or edits their Local Standards of Care for Youth Programs based on criteria stated by the Texas Department of Protective and Regulatory Services. The Local Standards of Care Ordinance was adopted in the Fall of 2001 to comply with the state standards. The following modifications are attached within the DRAFT proposal. The changes are based on the best business practices for the safe and efficient implementation of youth recreational programming.

For those of you who are unfamiliar with the purpose of the Local Standards of Care Ordinance, I have attached language from the Texas Department of Protective and Regulatory Services, specifically the child care licensing division:

“an elementary-age (ages 5-13) recreation program operated by a municipality provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs, that such standards are provided to the parents of each program participant, and that the ordinances shall include, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility.”

Thank you for your review and consideration for adoption during the November Parks and Recreation Board meeting.

Warren W. Struss, CPRP  
Director, Austin Parks and Recreation

ORDINANCE NO. 20070201-062

**AN ORDINANCE ADOPTING LOCAL STANDARDS OF CARE FOR THE CITY PARKS AND RECREATION DEPARTMENT'S CHILDREN'S RECREATION PROGRAMS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1. AUTHORITY.**

The Council adopts these local standards of care for the Parks and Recreation Department children's recreational programs under Texas Human Resources Code Section 42.041(b)(14) (*Required License and Accreditation*) and its home rule authority.

**PART 2. DEFINITIONS.**

In this ordinance:

- (1) **ACTIVITY LEADER** means a person responsible for the direct care or supervision of participants. The term excludes a person whose primary duties include administration, clerical support, food preparation, or facility maintenance.
- (2) **DEPARTMENT** means the Parks and Recreation Department.
- (3) **DIRECTOR** means the director of the Parks and Recreation Department.
- (4) **FACILITY** means a building or improvement operated or used by the department in conducting a recreational program.
- (5) **PARTICIPANT** means a child under the age of 18 who is enrolled in a recreational program.
- (6) **RECREATIONAL PROGRAM** means a children's program or activity offered and supervised by the department that requires a child to enroll or register to participate. This term excludes playgrounds and other drop-in recreational programs. *traditional practice! Not*
- (7) **STAFF** means a person who is employed by the department to work in a recreational program.
- (8) **VOLUNTEER** means a person assisting without remuneration in the care or supervision of participants.

Deleted: \_\_\_\_\_

*a program  
not child care!*

- (1) one activity leader for each two children four years old or younger;
  - (2) one activity leader for each eight children between the ages of five and seven years old; and
  - (3) one activity leader for each 12 children eight years old or older.
- (B) Except as provided in Subsection (C), the department shall provide activity leaders during a recreational program that includes swimming in a wading pool at a minimum as follows:
- (1) one activity leader for each two children two years old or younger;
  - (2) one activity leader for each five children between the ages of three and five years old; and
  - (3) one activity leader for each 12 children six years old or older.
- (C) The department shall provide activity leaders during a recreational program for children with a disability that includes recreational swimming in a swimming pool or a wading pool at a minimum as follows:
- (1) one activity leader for each child four years old or younger; and
  - (2) one activity leader for each eight children five years old or older.
- (D) The department may not conduct a recreational program at a swimming pool or wading pool outside a City park unless the use of the pool has been approved by the director.

**PART 7. REQUIREMENTS FOR ACTIVITY LEADERS.**

- (A) The department shall provide a minimum of one activity leader for each class or group enrolled in a recreational program.
- (B) An activity leader must be at least:
- (1) 18 years old; or
  - (2) 15 years old if supervised by another activity leader who is at least 18 years old.
- (C) An activity leader must obtain the following certification from a nationally recognized organization:
- (1) basic water rescue, if supervising a recreational program that includes swimming;

- (5) The facility has a disaster and evacuation procedure posted in a visible location.
  - (6) The facility is used and maintained in accordance with the fire prevention requirements of Chapter 25-12 (*Technical Codes*) and the fire chief's directives, including not fewer than four fire drills each year.
  - (7) First aid and infection control kit are kept at the facility, including sufficient additional kits to be taken to other locations at which participants engage in a program activity.
  - (8) First aid guidelines are on file and visibly posted at the facility, including:
    - (a) cardio pulmonary resuscitation and rescue breathing sequence guidelines;
    - (b) first aid review; and
    - (c) medical emergency procedures.
  - (9) The facility has a sufficient number of restrooms that are equipped for independent use by children and that are designed to permit staff supervision if necessary.
- (B) The department shall maintain a campground or primitive facility used for a recreation program in compliance with the requirements of Subsection (A) to the extent possible.
- (C) The department shall maintain equipment used in the programs in good condition. Department staff shall remove a defective tool, machinery, appliance, or other equipment and report the defective item to a supervisor. Unauthorized staff may not repair defective equipment.

#### **PART 11. PHYSICAL HEALTH STANDARDS.**

- (A) A staff member shall supervise a child who is ill or injured until a parent or other authorized adult removes the child from the facility.
- (B) Staff shall keep a child whose illness or medical condition that would compromise the health or safety of the other participants separate from the other participants until the child is removed from the facility.
- (C) Staff may not admit or readmit a child whose illness or medical condition prevents the child from comfortably participating in program activities or

**PART 16. EXPIRATION.**

This ordinance expires one year after its effective date.

**PART 17.** This ordinance takes effect on \_\_\_\_\_.

**PASSED AND APPROVED**

\_\_\_\_\_ February 1 \_\_\_\_\_, 2007

§  
§  
§

\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk



## MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, CPRP  
Director, Parks and Recreation Department

Date: November 27, 2007

Subject: Boat Docks at 1204 Rockcliff  
Case Number SP-2007-0381D

A request has been received from Bruce Aupperle on behalf of Philip and Bea Sanger to construct three boat docks at 1204 Rockcliff.

The Parks and Recreation Department staff has reviewed plans for the proposed project and finds they do not meet the requirements of Article XIII, Section 25-2-1173, (Dock Construction) of the Land Development Code. The proposed plan exceeds the number of docks allowed on a single lot.

Parks and Recreation Board approval is required for more than two docks to be constructed on a single lot.

Warren W. Struss, CPRP  
Director, Parks and Recreation Department



MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, CPRP  
Director, Parks and Recreation Department

Date: November 27, 2007

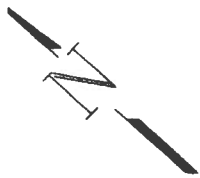
Subject: Single-slip Boat Dock at 2706 Rivercrest Dr.  
Case Number SP-2007-0598DS

A request has been received from Bruce Aupperle on behalf of Craig and Sarah Swindell to construct a single-slip boat dock at 2706 Rivercrest Dr.

The Parks and Recreation Department staff has reviewed plans for the proposed project and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Boat Dock Regulations) of the Land Development Code. The proposed dock is greater than 20 percent of the shoreline width of the lot on which the structure is to be constructed.

Parks and Recreation Board approval is required for structures greater than 20 percent of the shoreline width of the lot on which the structure is to be constructed.

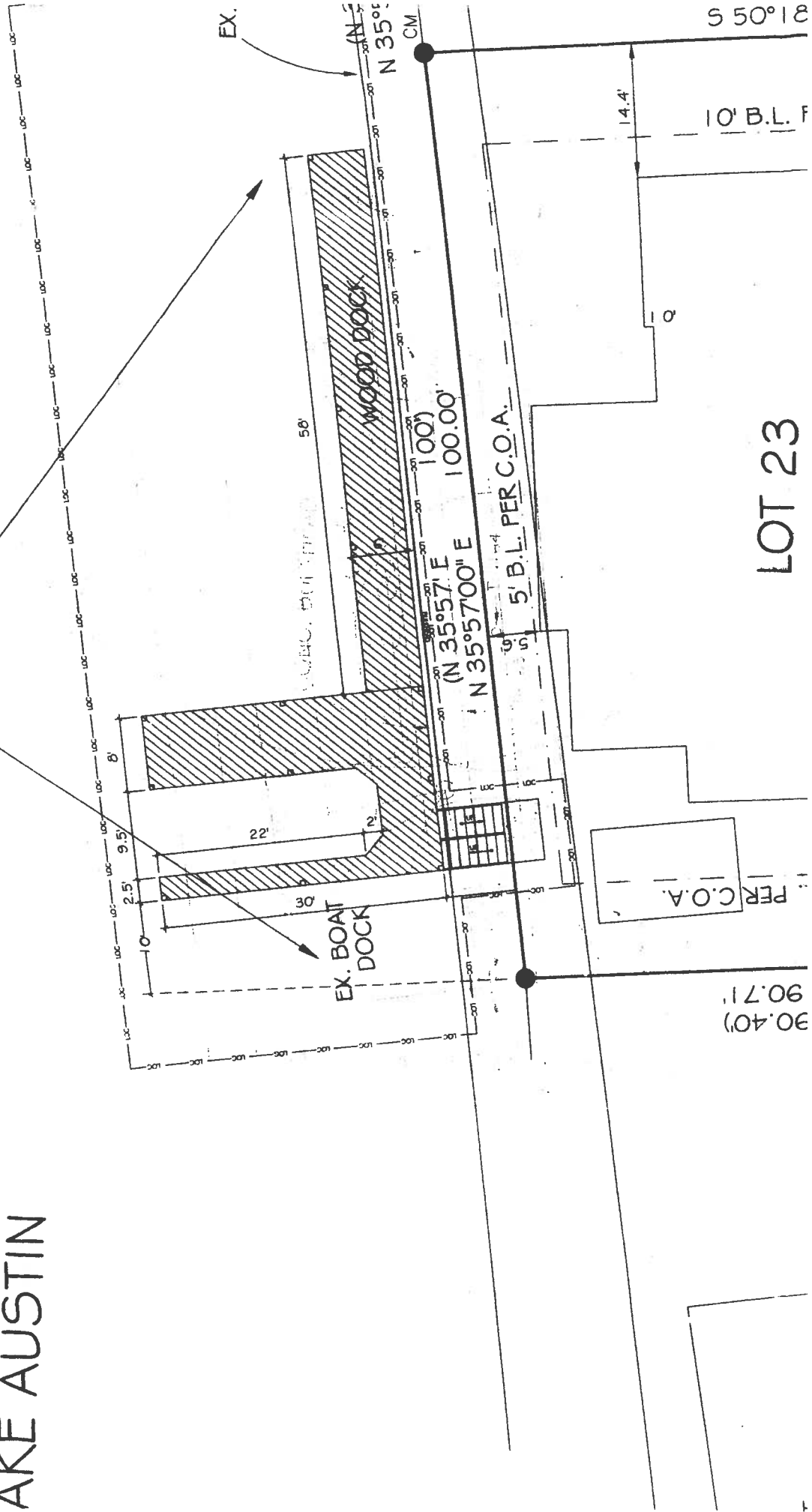
Warren W. Struss, CPRP  
Director, Parks and Recreation Department



PLAT NORTH  
SCALE: 1" = 10'

# AKE AUSTIN

Existing boat dock to be removed prior to construction of new boat dock.



LOT 23





## MEMORANDUM

**To:** Parks and Recreation Board

**From:** Warren W. Struss, CPRP  
Director, Parks and Recreation Department

**Date:** November 27, 2007

**Subject:** Single-Slip Boat Dock and Bulkhead at 7904 Big View  
Case Number SP-06-0646D

A request has been received from Bruce Aupperle on the behalf of Jeffrey and Carriel Arsenault to construct a single-slip boat dock and bulkhead at 7908 Big View Dr.

The Parks and Recreation Department staff has reviewed plans for the proposed boat dock and finds they do not meet the requirements of Article XIII, Section 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The proposed single-slip boat dock extends further than 30 feet from the existing shoreline.

Approval of the Parks and Recreation Board is required for structures that extend further than 30 feet from the shoreline.

Warren W. Struss, CPRP  
Director, Parks and Recreation Department

**PARD's Recommended Mitigation Chart  
for ACWP Projects on Parkland  
27-Nov-07**

<b>Mitigation</b>		
<b>Project Name</b>	<b>Duration of the project</b>	<b>Grand Total Owed for Mitigation</b>
Travis Heights	3 months	\$26,277
Metz Recreation Site	8 months	\$28,824 or the site improvements recommended by PARD
N. Dawson Park	3 months	\$58,731
38 <sup>th</sup> @ Red River	6 months	\$25,725
Shoal Creek (Near Pease Park)	7 months	\$100,000
Raul Alvarez Disc Golf Course Site	7 months	\$83,583 or the site improvements recommended by PARD
Evergreen Cemetery Site	4 months	\$9,696
<b>TOTAL:</b>		<b>\$332,836</b>

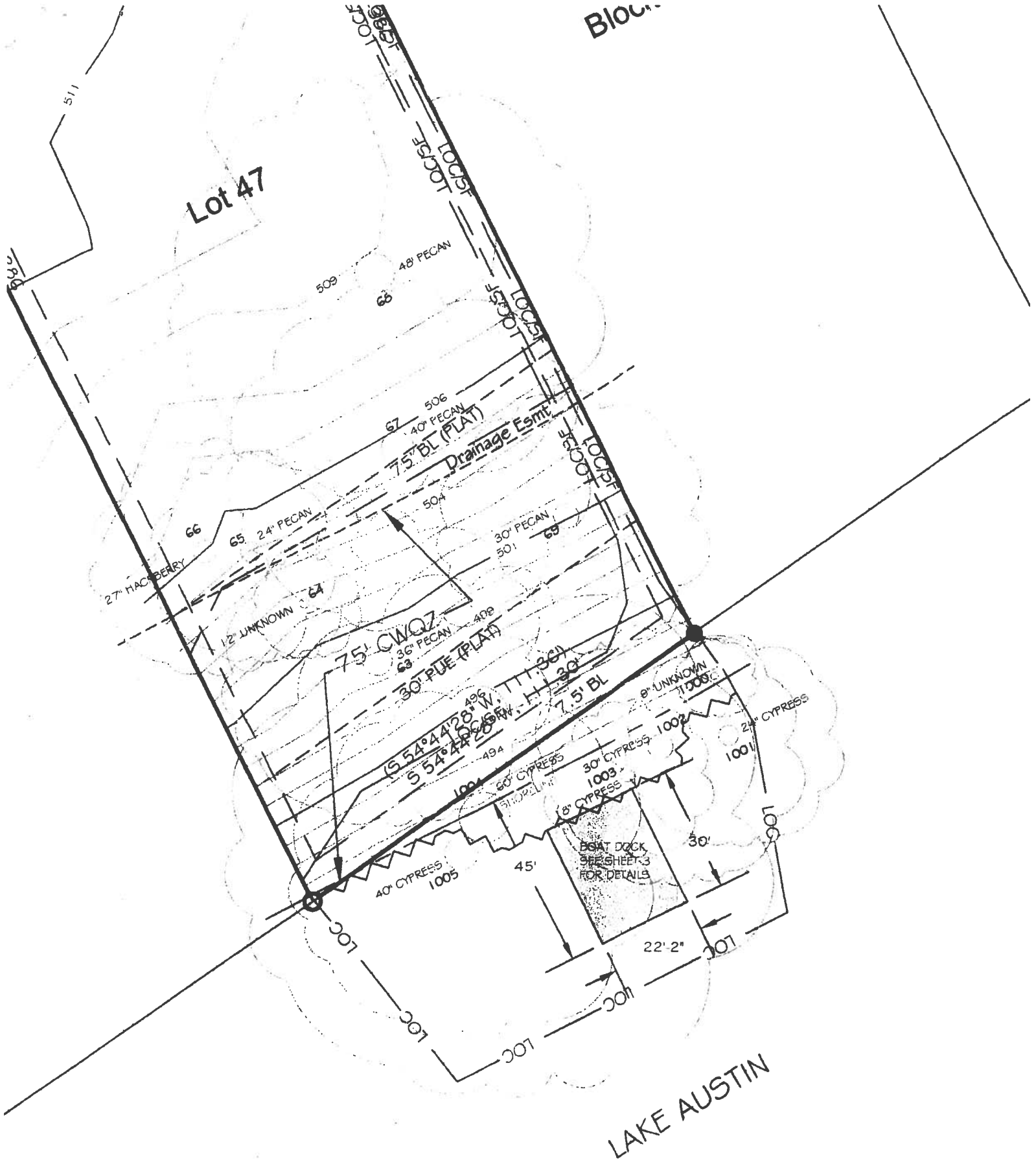
**Waller Creek Feedback**  
**Jeb Boyt, Park users**  
**November 14, 2007**

1. As a heavily urbanized watershed, it is difficult for Waller Creek to be truly natural. Still, the creek should reflect the natural environment while encouraging pedestrian and bicycle travel along the creek and adjacent surface streets in combination with retail and other uses. But, it should not be an artificial, “Disneyfied” version of a natural creek.
2. Entertainment can be compatible with residential uses. As we increase residential uses, we should maintain the current character of the Red River entertainment district. As entertainment, office, and residential uses exist or are in development along the creek, retail uses should be provided for.
3. The balance between Waller Creek as a destination versus a linear corridor, or neighborhood, will likely need to be determined for each planning segment, if not on a block-by-block basis.
4. The redevelopment of Waller Creek should be an attraction for people who are already living in or visiting Austin.
5. A unified corridor would be the best definition for Waller Creek, one that linked restaurants, shops, and public spaces with a trail that runs from the lake north, through the University, to Speedway. Building upon the existing Red River entertainment district would be a good start.
6. Waller Creek’s “personality” should be a mix of the urban/commercial with the natural, emphasized with its connection of Waterloo Park to the lake. Waller Creek should also compliment the development of the Second Street Corridor, which runs from Waller Creek to Seaholm.
7. The best public benefit for the project would be a fiscally sound project that results in a vibrant neighborhood corridor with a mix of uses.
8. I would not want to visit a crowded, commercial tourist destination that was filled with chain restaurants and stores that I could visit anywhere.
9. Given the extremely low use of the existing lake amphitheater at Fiesta Gardens, I’m not sure of the merits of this proposal. In addition, the citizens have recently been very clear and direct in their preference for a natural lakeshore.
10. The current design is okay. It should, however, have a low profile as seen from the park or Red River.

11. I do not have a set opinion on the streamflow. The flow should not be so fast that it would contribute to erosion along the creek. The flow should be dependent on our decisions as to the uses along the creek.
12. Ranking of features in order of priority:
  - i. Trail
  - ii. Child Play Features
  - iii. Park Improvements
  - iv. Art in Public Places
  - v. Historic Restoration of Heritage Development

Block

Lot 47



LAKE AUSTIN