



## Legislation Details (With Text)

**File #:** ID 17-435      **Version:** 1      **Name:**

**Type:** Ordinance

**File created:** 3/27/2017      **In control:** City Council

**On agenda:** 4/18/2017      **Final action:**

**Title:** Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, adopting Standards of Care for Youth/Teen Programs administered by Denton's Parks and Recreation Department pursuant to Texas Human Resources Code Section 42.041 (b) (14); and providing an effective date. The Parks, Recreation and Beautification Board recommends approval (5-0).

**Sponsors:** Legistar System

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Excerpt of Park Board Minutes, March 6, 2017, 2. Exhibit 2 - Ordinance with 2017-18 Standards of Care incorporated

Date	Ver.	Action By	Action	Result
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## AGENDA INFORMATION SHEET

**AGENDA DATE:** April 18, 2017

**DEPARTMENT:** Parks and Recreation

**DCM:** Brian Langley

### SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, adopting Standards of Care for Youth/Teen Programs administered by Denton's Parks and Recreation Department pursuant to Texas Human Resources Code Section 42.041 (b) (14); and providing an effective date. The Parks, Recreation and Beautification Board recommends approval (5-0).

### BACKGROUND

The Parks and Recreation Department has been directed by Texas Department of Regulatory Services to adopt an ordinance approving the Standards of Care, which are requirements that either meet or exceed the current State Day Care requirements. The Standards of Care are intended to be minimum standards by which the City of Denton Parks and Recreation Department will operate the City's Youth/Teen Programs. The programs operated by the City under the Standards of Care are recreational in nature and are not day care programs.

Senate Bill 212 was approved by the Texas Legislature during the 74<sup>th</sup> Legislative Session exempting recreation programs from day care licensing as long as a Standards of Care is adopted. In order to be exempt, an elementary-age (ages 5-13) recreation program may be operated by the 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.

The initial Public Hearing was held on October 5, 1999, and the first Standards of Care was adopted by the City Council through Ordinance 99-365. The State changed the exemption certification to include the adoption of a new ordinance each year for the Standards of Care in order to continue the exemption status. The Youth/Teen Services division of the Parks and Recreation Department made revisions/updates to the original Standards of Care, held a public hearing, and presented them to Council for consideration. The revisions/updates of the original Standards of Care were adopted by the City Council through Ordinance 2010-272, on October 19, 2010.

Additional revisions/updates were approved by the Park Board on April 4, 2012, and adopted by Council after a Public Hearing on April 17, 2012. The following changes were made to the 2017-18 Standards of Care and are listed below:

1. Due to the City Compensation Study in 2016, job names/descriptions were changed and amended in the Standards of Care to reflect this change (i.e., Coordinator and Recreation Specialist were re-categorized).
2. Specific names of programs are now listed that operate under the Standards of Care.

The Parks, Recreation and Beautification Board reviewed and unanimously recommended the City Council adopt the Standards of Care on March 6, 2017.

## **RECOMMENDATIONS**

Staff recommends the City Council approve the proposed ordinance as presented.

## **PRIOR ACTION/REVIEW:**

The Parks, Recreation and Beautification Board reviewed the proposed Standards of Care on March 6, 2017, and recommended approval with a vote of 5-0.

## **FISCAL INFORMATION**

This ordinance and Standards of Care require no additional City funding.

## **STRATEGIC PLAN RELATIONSHIP**

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area: Safe, Livable & Family-Friendly Community**

**Related Goal: 4.1 Enhance public safety in the community**

## **EXHIBITS**

1. Excerpt of Minutes dated March 6, 2017 - Park, Recreation and Beautification Board
2. Proposed Ordinance with incorporated 2017/2018 Standards of Care

Respectfully submitted:  
Emerson Vorel, Director  
Parks and Recreation Department

Prepared by:  
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