

**AGENDA - COUNCIL MEETING - WEDNESDAY - SEPTEMBER 3, 2003 - 9:00 A. M.**  
**COUNCIL CHAMBER - SECOND FLOOR - CITY HALL**  
**901 BAGBY - HOUSTON, TEXAS**  
with note of action taken

**MOTIONS 2003-1054 to 2003-1083**  
**ORDINANCES 2003-0793 to 2003-0807**  
**RESOLUTION – None**

**2003-1053-1**

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE  
CITY SECRETARY PRIOR TO COMMENCEMENT

**PRAYER AND PLEDGE OF ALLEGIANCE** - Council Member Wiseman

**9:00 A. M. - ROLL CALL**

**ADOPT MINUTES OF PREVIOUS MEETING**

**9:30 A. M. - PUBLIC SPEAKERS** - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

**Motion 2003-1059 – Procedural motion**  
**Motion 2003-1060 – Procedural motion**

**HEARINGS**

**1. Motion 2003-1054 – Close hearing**

**PUBLIC HEARING** - Pursuant to § 42.041(b)(14) of the Texas Human Resources Code, the City Council will conduct a public hearing to consider an ordinance readopting standards of care relating to the City Parks and Recreation Department's Youth Recreation Programs. For further information, see the draft ordinance that has been posted with this Agenda. Persons who desire to make public comments may contact the City Secretary's Office at 713-247-1840 in order to sign up to speak at the hearing. Alternatively, written comments may be delivered to the City Secretary's Office before commencement of the hearing - **9:00 A.M.**

**a. Ordinance 2003-0793**

**ORDINANCE READOPTING ARTICLE XII, CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, regarding standards of care relating to Houston Youth Recreation Programs; containing findings and other provisions related to the subject; containing a repealer; containing a savings clause; providing an effective date; providing for severability

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**MAYOR'S REPORTS** - Recommendations by the Mayor's Accessible Parking Task Force  
Kym King, Mayor's Office for People with Disabilities

**Motion 2003-1055 – Receive financial report after Item 1a**

**Motion 2003-1056 – Receive report**

**REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

**CONSENT AGENDA NUMBERS 2 through 27**

**MISCELLANEOUS** - NUMBERS 2 and 3

**Motion 2003-1057- Suspend rules to consider Item 2 out of order**

**2. Motion 2003-1058**

REQUEST from Mayor for confirmation of the appointment of **MR. BA MAU NGUYEN** to Position Two of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, to complete an unexpired term ending 8/31/2004

**3. Council Members Sekula-Gibbs and Goldberg tagged**

RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2001 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2003 MTFP in map form

**ACCEPT WORK** - NUMBERS 4 and 5

**4. Motion 2003-1080**

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$1,548,650.82 and acceptance of work on contract with **R. HASSELL BUILDERS, INC** for Renovation of Walter Branch Library, GFS E-0026-01-3 - 04.99% over the original contract amount - **DISTRICT F - ELLIS**

**5. Motion 2003-1075**

RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$67,524.00 and acceptance of work on contract with **TEXAS LIQUA TECH SERVICES, INC** for Stanaker Branch Library Roof Replacement, GFS E-0038-16-3 - **DISTRICT I - ALVARADO**

**PROPERTY** - NUMBER 6

**6. Motion 2003-1076**

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Benny Puente, Benchmark Engineering, on behalf of Sunrise Village Apartments, L.P., (Thomas H. Scott, General Partner), for abandonment and sale of two 10-foot-wide utility easements and a 20-foot wide utility easement, out of a 5.42-acre tract, located in the E. R. Hale Survey, Abstract 374 and the C. Goodrich Survey, Abstract 306, Parcels SY3-059A, SY3-059B and SY3-059C - **STAFF APPRAISERS - DISTRICT D - EDWARDS**

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**PURCHASING AND TABULATION OF BIDS** - NUMBERS 7 through 12

**7. Motion 2003-1077**

**AMEND MOTION #1999-2074, 12/8/99 and #2002-1227, 10/23/02, TO EXTEND** expiration date from December 8, 2003 to December 7, 2004, for Audio Control System Replacement Parts for Houston Airport System, awarded to **FORD AUDIO SYSTEMS, INC**

**8. Motion 2003-1078**

**AMEND MOTION #2000-1399, 11/1/00, TO EXTEND** expiration date from November 2, 2003 to November 1, 2004, for Waterous Pump Replacement Parts for Fire Department, awarded to **FIRE APPARATUS SPECIALIST, INC**

**9. Council Member Robinson tagged**

**ACUSHNET COMPANY** for Resale Items for Golf Course Pro Shops for Parks and Recreation Department - \$70,000.00 - Park Special Revenue Fund

**10. Motion 2003-1079**

**AMEND MOTION #2000-1160, 9/20/00, TO EXTEND** expiration date from December 11, 2003 to December 10, 2004, for Butterfly Valves and Fittings Contract for Department of Public Works & Engineering, awarded to **SOUTHWEST STAINLESS, L.P. d/b/a HUGHES SUPPLY, INC (formerly HUGHES SUPPLY INC d/b/a INDUSTRIAL INTERNATIONAL, INC)**

**11. Motion 2003-1081**

**AMEND MOTION #2000-1267, 10/18/00, TO EXTEND** expiration date from October 19, 2003 to October 18, 2004, for Process Instrumentation and Parts for Department of Public Works & Engineering, awarded to **ROSEMOUNT, INC**

**12. Council Members Robinson and Keller tagged**

**HOUSTON-GALVESTON AREA COUNCIL (H-GAC)** for Automated Refuse Carts through the interlocal agreement for Cooperative Purchasing for Solid Waste Management Department \$299,980.44 - Equipment Acquisition Consolidated Fund

**RESOLUTIONS AND ORDINANCES** - NUMBERS 13 through 27

**13. Council Members Berry, Ellis and Keller tagged**

RESOLUTION expressing the intent of the City Council to order the next Special Election to consider amendments to the Charter of the City of Houston in November 2004

**14. Ordinance 2003-0795**

ORDINANCE establishing the north and south sides of the 500, 600 and 700 blocks of Ridge Street, the north and south sides of the 600 block of Teetshorn Avenue, and the south side of the 500 block of Teetshorn Avenue, within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas  
**DISTRICT H - VASQUEZ**

**15. Ordinance 2003-0798**

ORDINANCE approving and authorizing the Mayor to execute and the City Secretary to attest an amendment to the lease agreement between the City of Houston as landlord, and **GILLUM/STINSON PROPERTIES, INC d/b/a FAMILY CAFE**, as tenant, for Restaurant space on the ground floor of the building located at 1219 Milam, Houston, Harris County, Texas;  
**DISTRICT I - ALVARADO**

**RESOLUTIONS AND ORDINANCES** - continued

**16. Council Member Sekula-Gibbs tagged**

ORDINANCE approving and authorizing the Mayor to execute and the City Secretary to attest a lease agreement between **W. P. INC, a California Corporation**, as landlord, and the City of Houston, Texas, as tenant, for space at 2931 West 12th Street, Houston, Texas, for use by the Fire Department - **DISTRICT A - TATRO**

**17. Ordinance 2003-0799**

ORDINANCE authorizing acceptance of a grant from the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)** and approving and authorizing a grant agreement between the City and the TCEQ for the purchase of Ultra Low Sulfur Diesel Fuel; declaring the City's eligibility for such grant; authorizing the Director of the Mayor's Office of Environmental Policy to act as the City's representative and to accept such grant funds and all subsequent awards, if any, pertaining to the project - \$512,140.11 - Grant Fund

**18. Council Member Goldberg tagged**

ORDINANCE approving and authorizing second amendment to contract for Concession Services between the City and **LOPEZ MANAGEMENT GROUP, INC** for Extension of the contract term at Glenbrook Golf Course - **DISTRICT I - ALVARADO**

**19. Pulled - Not Considered**

ORDINANCE approving and authorizing interlocal agreement between the City and **HARRIS COUNTY FLOOD CONTROL DISTRICT (HCFCD)** for Development of Park Land around HCFCD's Willow Waterhole Detention Basin - \$750,000.00 - Grant Fund - **DISTRICT C - GOLDBERG**

**20. Ordinance 2003-0796**

ORDINANCE appropriating \$2,763,993.19 out of Convention & Entertainment Facilities Operating Fund; amending Ordinance Number 99-994 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **SIEMENS BUILDING TECHNOLOGIES, INC** for Maintenance of properties managed by the Convention & Entertainment Facilities Department - **DISTRICTS D - EDWARDS and I - ALVARADO**

**21. Ordinance 2003-0797**

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HIGHWAY PAVEMENT SPECIALTIES, INC** for Parking Meter Pole/Pipe Installation Services for Municipal Courts Administration (as approved by Ordinance No. 00-0454) **DISTRICT I - ALVARADO**

**22. Ordinance 2003-0800**

ORDINANCE approving and authorizing contract between the City and **GRANT ROAD ANIMAL CLINIC** for Professional Canine Veterinary Services to the Houston Police Department and Fire Department; providing a maximum contract amount - 2 Years with three one-year options \$225,000.00 - General Fund

**23. Ordinance 2003-0801**

ORDINANCE awarding contract to **PUMPS OF HOUSTON, INC** for Pump, Submersible-Large Repair Services for Public Works & Engineering Department; providing a maximum contract amount - 3 Years with a one-year option - \$3,000,000.00 - Enterprise Fund

**RESOLUTIONS AND ORDINANCES** - continued

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**24. Ordinance 2003-0802**

ORDINANCE awarding contract to **TOTAL POWER SYSTEMS, INC** for Pump, Submersible-Large Repair Services for Public Works & Engineering Department; providing a maximum contract amount - 3 Years with a one-year option - \$4,000,000.00 - Enterprise Fund

**25. Ordinance 2003-0803**

ORDINANCE awarding contract to **SOUTH TEXAS UTILITIES, LLC.**, for construction of Water, Sanitary Sewer and Drainage Systems for Greenpark Section 6, Phase A; approving and authorizing assignment of construction contract to **LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD**, CIP S-0800-85-03 and R-0800-85-03 - **DISTRICT D - EDWARDS**

**26. Ordinance 2003-0804**

ORDINANCE awarding contract to **SOUTH TEXAS UTILITIES, LLC.**, for construction of Water, Sanitary Sewer and Drainage Systems for Greenpark Section 6, Phase B; approving and authorizing assignment of construction contract to **LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD**, CIP S-0800-86-03 and R-0800-86-03 - **DISTRICT D - EDWARDS**

**27. Ordinance 2003-0805**

ORDINANCE appropriating \$289,900.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing first amendment to professional engineering services contract between the City of Houston and **BOVAY ENGINEERS, INC** for Repair/Replacement of Five Wastewater Facilities, CIP R-0268-37-2; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; C - GOLDBERG; H - VASQUEZ and I - ALVARADO**

**END OF CONSENT AGENDA**

**CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA**

**MATTERS HELD** - NUMBERS 28 through 33A

**28. Motion 2003-1082 – Adopt**

MOTION by Council Member Quan/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Finance & Administration Department to award to **BEASLEY TIRE SERVICE** - \$70,169.00, **GOODYEAR TIRE AND RUBBER COMPANY** \$813,233.46 and **REMINGTON TIRE DISTRIBUTORS, INC, DBA GRAY'S WHOLESALE TIRE** \$3,760,618.67 for Automotive Tires and Tubes for Various Departments - \$4,644,021.13, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$139,320.63 for a net award amount not to exceed \$4,504,700.50 - General, Enterprise and Fleet Management Funds **TAGGED BY COUNCIL MEMBER TATRO**  
This was Item 9 on Agenda of August 27, 2003

**MATTERS HELD** - continued

**29. Motion 2003-1083 – Adopt**

MOTION by Council Member Quan/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Finance & Administration Department to award to **ENNIS PAINT, INC** for Paint, Airfield Marking for Various Departments - \$314,138.46, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$9,424.16 for a net award amount not to exceed \$304,714.30 - General and Enterprise Funds

**TAGGED BY COUNCIL MEMBER TATRO**

This was Item 11 on Agenda of August 27, 2003

**Motion 2003-1062 – Suspend rules to consider Items 30 and 30a first**

**Motion 2003-1063 – Postpone Item 30 until rate ordinance is before Council**

**Motion 2003-1064 – Defer Item 38 for further consideration**

**Motion 2003-1065 – Divide the question on Item 30b(1) and (2) and withdraw (c)**

**Motion 2003-1067 – Suspend rules to hear Ms. Debbie Jones on Item 30b(2)**

**Motion 2003-1068 – Call the question on Item 30b(2) – “FAILED”**

**Motion 2003- 1069 –Call the question on Item 30b(2)**

**Motion 2003-1070 – Suspend rules to remain in session beyond the scheduled 12 o'clock noon recess to complete the Agenda**

30. WRITTEN Motion by Council Member Wiseman to amend Item 30C below, to require that sewer fees be adjusted to reflect actual usage.

**TAGGED BY COUNCIL MEMBERS ROBINSON and TATRO**

a. WRITTEN Motion by Council Member Sekula-Gibbs to amend Item 30C below, to mandate a minimum of \$50 million per year for drainage CIP from the combined Water, Sewer and Drainage Utility System. - **TAGGED BY COUNCIL MEMBER ROBINSON**

b. WRITTEN Motion by Council Member Robinson to amend Item 30C below as follows:

**Motion 2003-1066 - Adopt**

(1) Amend Item 14 to prohibit payment of a “Franchise Fee” to the General Fund from the combined Water, Sewer & Drainage Utility System.

**Motion 2003-1070 – “FAILED”**

(2) Amend Item 14 to prohibit automatic rate increases without a vote of Council.

**Motion 2003-1072 – “TABLED”**

(3) Amend Item 14 to exempt from the Drainage Utility Fee religious property actually used as a house of worship.

**TAGGED BY COUNCIL MEMBER ROBINSON**

c. **Ordinance 2003-0794 – Adopt as amended**

ORDINANCE authorizing the combination of the City's Water and Sewer System and Drainage Utility System into a combined System; **AMENDING CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the operation of the Water, Sewer and Drainage Utility Systems

**TAGGED BY COUNCIL MEMBER ROBINSON**

This was Item 14 on Agenda of August 27, 2003

**MATTERS HELD** - continued

**31. Ordinance 2003-0806**

ORDINANCE awarding contract to **SKE SUPPORT SERVICES, INC** for Fleet/Vehicle & Equipment Maintenance Services for Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$15,455,992.65 - Enterprise Fund

**TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 27 on Agenda of August 27, 2003

**32. Ordinance 2003-0807**

ORDINANCE appropriating \$11,967,442.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund CIP A-0483 and \$990,770.00 out of Houston System Consolidated 2001 AMT Construction Fund CIP A-0354 and \$200,680.00 out of Houston Airports Improvement Fund CIP A-0422; awarding construction contract to **SPAWGLASS CONSTRUCTION CORPORATION** for Terminal D Remodeling and Upgrades/Vertical Circulation Upgrades in APM Stations at George Bush Intercontinental Airport/Houston (Project 500G); providing funding for engineering testing and for contingencies and the Civic Art Program relating to the construction of facilities financed by such funds - **DISTRICT B - GALLOWAY**

**TAGGED BY COUNCIL MEMBERS WISEMAN and KELLER**

This was Item 28 on Agenda of August 27, 2003

**Motion 2003-1061 – Suspend rules to consider Items 33, 33a, 30a, 30b and 30c out of order**

**33. Motion 2003-1073 – “FAILED”**

WRITTEN Motion by Council Member Tatro to amend Item 33A below, for Removal of the Combined Utility Fund section of proposed CIP for FY2004-2008.

**POSTPONED BY MOTION #2003-1037, 8/27/03**

This was Item 38B on Agenda of August 27, 2003

**a. Motion 2003-1074 – Adopt**

MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Finance & Administration to approve proposed Fiscal Year 2004-2008 Capital Improvement Plan as amended by Motion Nos. 2003-1035 and 2003-1040 and establish a charge of \$50.00 plus tax and postage for the approved CIP documents - **POSTPONED BY MOTION #2003-1041, 8/27/03**

This was Item 38E on Agenda of August 27, 2003

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Keller first

**ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER**

**NOTE** - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**9/3/2003 – All Present**



**AN ORDINANCE READOPTING ARTICLE XII, CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, REGARDING STANDARDS OF CARE RELATING TO HOUSTON YOUTH RECREATION PROGRAMS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; CONTAINING A REPEALER; CONTAINING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, the City of Houston has a long history of providing youth recreation programs that contribute to the overall well-being of youth and families in the City; and

**WHEREAS**, City Council held a public hearing regarding youth recreation programs; and

**WHEREAS**, the City desires to readopt Standards of Care that fulfill the requirements of Section 42.041(b)(14) of the Texas Human Resources Code; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

**Section 2.** That Article XII, Chapter 32 of the Code of Ordinances, Houston, Texas, is hereby readopted, to read as follows:

**"ARTICLE XII. HOUSTON YOUTH RECREATION PROGRAMS  
STANDARDS OF CARE**

**DIVISION 1. GENERALLY**

**Sec. 32-261. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Deputy director* means a deputy director of the parks and recreation department of the city, or the deputy director's designee.

*Parent* means a parent or guardian who has legal custody and authority to enroll a child in a youth recreation program.

*Participant* means a youth (ages 5 – 13) whose parent or guardian has completed all required registration procedures and has been determined to be eligible for a youth recreation program.

*Program manual* means the notebook of policies, procedures, forms, and organizational and programming information relevant to a youth recreation program.

*Program site* means the area or facilities where a youth recreation program is held.

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*Program staff* means the person or persons who have been hired or have volunteered to work for the city and have been assigned responsibility for managing, administering, or implementing some or all portions of a youth recreation program. This definition includes recreation facility managers, program managers, recreation supervisors, senior recreation specialists, recreation specialists, and recreation assistants.

*Site manager* means a recreation facility manager, program manager, or recreation supervisor.

*Youth recreation programs* mean the department programs consisting of the after school enrichment program, the summer enrichment program, the holiday enrichment program, and other non-school day programs.

### **Sec. 32-262. Organization.**

- (a) The governing body of the youth recreation programs is the city council.
- (b) Implementation of the youth recreation program standards of care is the responsibility of the deputy director and program staff.
- (c) The standards of care, as provided in this division, shall apply to the department's after school enrichment program, the summer enrichment program, the holiday enrichment program, and other non-school day programs.
- (d) Each program site will have a current copy of the standards of care available for the public and the staff.
- (e) Parents of participants will be provided a copy of the standards of care prior to the start of a youth recreation program, preferably during the registration process. Parents will be informed that a youth recreation program is not licensed by the state and that the youth recreation program is not a child-care facility.
- (f) Criminal background checks will be conducted on prospective program staff. If results of a criminal check indicate that an applicant has been convicted of any of the following offenses, the applicant will not be considered for employment in a youth recreation program:
  - (1) A felony or a misdemeanor classified as an offense against a person or family;
  - (2) A felony or a misdemeanor classified as public indecency;
  - (3) A felony or a misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
  - (4) Any offense involving moral turpitude; or
  - (5) Any offense that would potentially put the city at risk.

### **Sec. 32-263. Inspection, monitoring, and enforcement.**

- (a) A site manager of a program site will ensure compliance with the standards of care and will prepare a monthly inspection report.
- (b) Inspection reports will be sent to the deputy director for review.
- (c) The deputy director will review the report and establish deadlines and criteria for compliance with the standards of care.

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(d) The deputy director will make visual inspections of youth recreation programs based on the following schedule:

- (1) An after school enrichment program site will be inspected monthly. This may be scheduled or unscheduled.
- (2) The summer enrichment program will be inspected twice during its summer schedule.

(e) A complaint regarding enforcement of the standards of care will be directed to the site manager. The site manager will be responsible for taking the necessary steps to resolve the complaint. The site manager will record complaints regarding enforcement of the standards of care and their resolution. Serious complaints regarding enforcement of the standards of care will be forwarded to the deputy director for review and resolution.

(f) The deputy director will make an annual report to the director on the overall status of the youth recreation programs and their operation relative to compliance with the adopted standards of care.

**Sec. 32-264. Enrollment.**

Before a child can become a youth recreation program participant, a parent must sign a registration form that contains:

- (1) The child's name, age, address, and home telephone number;
- (2) Emergency contact names and telephone numbers;
- (3) The child's doctor's name and telephone number; and
- (4) A liability waiver.

**Sec. 32-265. Suspected child abuse.**

(a) Program staff will report suspected child abuse in accordance with the Texas Family Code.

(b) Program staff will receive basic training related to child abuse prevention and reporting.

**Secs. 32-266 - 32.270.** Reserved.

DIVISION 2. STAFFING QUALIFICATIONS AND TRAINING

**Sec. 32-271. Recreation facility manager qualifications.**

(a) Recreation facility managers will be employees of the department and will be required to have the minimum qualifications outlined in this section.

(b) Recreation facility managers should possess the following combination of experience and training:

- (1) Two years of experience in recreation facility operations.
- (2) An associate's degree in physical education, art or a related field.

**Sec. 32-272. Program manager qualifications.**

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(a) Program managers will be employees of the department and will be required to have the minimum qualifications outlined in this section.

(b) Program managers should possess the following combination of experience and training:

- (1) Two years of experience coordinating and managing community programs and activities.
- (2) An associate's degree in business administration, management, physical education, art or a related field.

**Sec. 32-273. Recreation supervisor qualifications.**

(a) Recreation supervisors will be employees of the department and will be required to have the minimum qualifications outlined in this section.

(b) Recreation supervisors should possess the following combination of experience and training:

- (1) An associate's degree in education, recreation, physical education, art or a related field.
- (2) Two years of experience in recreation or education.

**Sec. 32-274. Senior recreation specialist qualifications.**

(a) Senior recreation specialists will be employees of the department and will be required to have the minimum qualifications outlined in this section.

(b) Senior recreation specialists should possess the following combination of experience and training:

- (1) One year of experience in recreation, education or a related field.
- (2) An associate's degree in physical education, art or a related field.

**Sec. 32-275. Recreation specialist qualifications.**

(a) Recreation specialists will be employees of the department and will be required to have the minimum qualifications outlined in this section.

(b) Recreation specialists should possess the following combination of experience and training:

- (1) Three months of experience in recreation, or education or a related field.
- (2) An associate's degree in physical education, art or a related field.

**Sec. 32-276. Recreation assistant qualifications.**

(a) Recreation assistants will be employees of the department and will be required to have the minimum qualifications outlined in this section.

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(b) Recreation assistants should possess the following combination of experience and training:

- (1) Three months of experience in recreation, education or a related field.
- (2) A high school diploma or GED certificate.

**Sec. 32-277. Training and orientation.**

(a) The department is responsible to provide training and orientation to program staff in working with participants and for specific job responsibilities. The deputy director will provide each program site with a program manual.

(b) Program staff should be familiar with the standards of care for youth recreation programs as adopted by city council.

(c) Program staff should be familiar with a youth recreation program's policies including discipline, guidance, and release of participants.

(d) Program staff will be trained in appropriate procedures to handle emergencies.

(e) Program staff will be trained in areas including city, department, and youth recreation program policies and procedures, recreation activities organization, safety issues, program organization, and other areas as required by an assigned youth recreation program.

(f) Program staff will be required to sign an acknowledgment that they have received the required training.

**Secs. 32-278 - 32-280.** Reserved.

DIVISION 3. OPERATIONS

**Sec. 32-281. Staff-participant ratio.**

In a youth recreation program, the standard ratio of participants to staff is 35 to 1, based on average daily attendance. For a field trip, the standard ratio of participants to staff is 10 to 1, based on average daily attendance.

**Sec. 32-282. Discipline.**

(a) Program staff will implement discipline and guidance in a consistent manner based on the best interests of participants.

(b) There will be no cruel treatment or harsh punishment.

(c) Program staff will use brief, supervised, separation (time out) from the group if necessary.

(d) As necessary, program staff will initiate discipline reports to the parent(s) of participants. A parent will be asked to sign participant discipline reports to indicate they have been advised about specific problems or incidents.

(e) A sufficient number and/or severe nature of discipline reports may result in a participant being suspended from a youth recreation program.

(f) A participant will be removed from the program site as soon as possible in instances of danger to other participants or program staff.

**Sec. 32-283. Programming.**

(a) Program staff will provide cultural, educational, and recreational programs for participants according to their ages, interests, and abilities. The activities will be appropriate to the health, safety, and well-being of participants. The activities also will be flexible and promote the emotional, social, and mental growth of participants.

(b) Program staff will attempt to provide indoor and outdoor time periods to include:

- (1) Alternating active and passive activities;
- (2) Opportunity for individual, small, and large group activities; and
- (3) Outdoor time each day, as weather permits, based upon room availability and weather conditions.

(c) Program staff will be attentive and considerate of the participant's safety on field trips and during any transportation provided by a youth recreation program.

(d) During field trips, program staff will have emergency contact information for each participant.

(e) Program staff will have a written list of the participants in the group and should check the roll before departure to and from the destination.

(f) Program staff will have first aid supplies available on field trips.

**Sec. 32-284. Communication.**

A program site will have a pager to allow a program site to be contacted by program staff. A program site will have access to a telephone for use in contacting program staff or making emergency telephone calls. At a program site, the site manager will post the following telephone numbers adjacent to a telephone accessible to program staff:

- (1) City ambulance or emergency medical services;
- (2) Houston Police Department;
- (3) Houston Fire Department;
- (4) Department administrative office; and
- (5) Telephone numbers and address of the program site.

**Sec. 32-285. Transportation.**

(a) Before a participant can be transported to and from city sponsored activities, a registration/waiver form, completed and signed by a parent of the participant, will be filed with the department.

(b) First aid supplies will be available in a youth recreation program vehicle used to transport participants.

(c) Seatbelts will be worn, if provided.

(d) Participants will be oriented to expected behavior and safety rules.

Secs. 32-286 - 32-290. Reserved.

DIVISION 4. FACILITY STANDARDS

**Sec. 32-291. Safety.**

(a) Program staff will inspect program sites weekly checking for sanitation and safety concerns that might affect the health and safety of participants.

(b) Buildings, grounds and equipment on a program site will be inspected, cleaned, repaired and maintained to protect the health and safety of participants.

(c) Program site equipment and supplies will be safe for use of participants

(d) Program staff will have first aid supplies available at a program site in a designated location, during transportation, and for the duration of any off-site activity.

**Sec. 32-292. Fire.**

(a) In case of fire, danger of fire, explosion or other emergency, program staff's first priority is to evacuate participants to a pre-designated safe area.

(b) A program site will have an annual fire inspection, and the resulting report will detail any safety concerns observed and recommend deadlines and criterion for compliance.

(c) A program site will have at least one fire extinguisher readily available to all program staff. The fire extinguisher will be inspected monthly by the site manager. Program staff will be trained in the proper use of a fire extinguisher.

(d) Fire drills will be initiated at program sites based on the following schedule:

(1) After school enrichment program - once every three months; and

(2) Summer enrichment program - once during each program.

**Sec. 32-293. Health.**

(a) Illness or injury.

(1) A participant who is considered to be a health or safety concern to other participants or program staff will not be admitted to a youth recreation program.

(2) Illnesses and injuries will be handled in a manner to protect the health of all participants and program staff.

(3) Program staff will follow emergency procedures for injured participants or for participants with symptoms of an acute illness.

(b) Toilet facilities.

(1) A program site will have toilets located and equipped so participants can use them independently and program staff can monitor as needed.

(2) An adequate number of lavatories will be provided.

(c) Sanitation.

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- (1) An indoor program site will have adequate light, ventilation, air conditioning, and heat.
- (2) A program site will have an adequate supply of water, and water will be supplied to the participants in a safe and sanitary manner.”

**Section 3.** All ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

**Section 4.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.



**Section 5.** That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 6.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect upon the date of its passage and adoption.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Mayor of the City of Houston

(Prepared by Legal Department \_\_\_\_\_)  
(KO 08-28-03 Assistant City Attorney)  
(Requested by Director, Parks and Recreation Dept.)  
(L.D. No. 0490300088001)

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August 29, 2003 (11:53AM)