



**CITY OF ALPINE**  
**PARKS & RECREATION BOARD MEETING**  
**December 11, 2024 – 5:30 PM**

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*City Council Chambers, 803 W. Holland Avenue, Alpine, Texas 79830*

1. **CALL TO ORDER.**

2. **DETERMINATION OF QUORUM**

3. **PUBLIC COMMENTS.**

*Each person in attendance who desires to speak to the Board on an item on the agenda shall speak during this section. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the Board. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees.*

4. **PUBLIC HEARINGS.**

*At this time, the Chair will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must be physically present in order to address the Board. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.*

5. **APPROVAL OF MINUTES OF PREVIOUS BOARD MEETING**

A. Approval of November 12, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

6. **INFORMATION OR DISCUSSION ITEMS**

A. Discuss the Parks budgets from the 2023-2024 and current 2024-2025 Fiscal Year. (D. Nance, City Council)

B. Discuss and update the Article III - Municipal Pool city ordinance. (D. Nance, City Council)

7. **ACTION ITEMS.**

*Action items are to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 10 per meeting).*

A. Approve a recommendation to the City Council to approve an ordinance amending Chapter 74 – Parks and Recreation, Article I – In General, to the Alpine Code of Ordinances; Amending and establishing rules and regulations for all city parks; Providing for the establishment of a permitting process to be approved by City Council resolution; Providing the establishment of up to a \$500 penalty per occurrence for violations of the ordinance; Providing the establishment of up to a \$2,000, \$4,000, and \$10,000 fine for certain public health and safety violations of the ordinance; Providing for the following: Findings of Fact, Enactment, Repealer, Penalty, Savings, Severability, Proper Notice and Meeting, and Effective Date clauses. (D. Nance, City Council)

8. **BOARD MEMBER COMMENTS**

9. **ADJOURN.**

**CERTIFICATION**

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and on the City website at [www.cityofalpine.com/agenda](http://www.cityofalpine.com/agenda) pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on December 6, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

**WITNESS MY HAND AND SEAL****this 6th day of December, 2024**

  
\_\_\_\_\_  
Geoffrey R. Calderon, TRMC  
*City Secretary & Chief Governance Officer*



**PARKS AND RECREATION BOARD AGENDA ITEM REPORT**  
**December 11, 2024**

Agenda Item No. 5A

Department: Office of the City Secretary

Sponsor: Geoffrey R. Calderon, City Secretary

Memo Prepared By: Geoffrey R. Calderon, City Secretary



Staff Recommendation: Approve

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**AGENDA ITEM**

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Approval of November 12, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

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**EXECUTIVE SUMMARY**

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None

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**SUPPORTING MATERIALS**

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1. 11-13-24 Parks Board Minutes

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**BUDGET CONSIDERATIONS**

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Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024-2025: N/A

Additional Funding: N/A

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**APPROVERS**

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**City of Alpine**  
**PARKS & RECREATION BOARD MEETING**  
**Wednesday, November 13, 2024 – 5:30 PM**  
**Minutes**

1. **CALL TO ORDER.**

2. **DETERMINATION OF QUORUM**

**Board Members Present:**

Place 5, Chair Herman Acosta  
Councilor Darin Nance  
Place 3 Kristal Baca  
Place 7 Luis Gomez  
Place 6 Iris De Leon

**City Staff and Stakeholders Present:**

Geoffrey R. Calderon, City Secretary  
Darrell Losoya, Chief of Police  
David Martinez, Parks Foreman

**Not Present:**

Place 2 Norma Hinojos Olivo

**Others Present:** 3 others.

3. **PUBLIC COMMENTS.**

*Each person in attendance who desires to speak to the Board on an item on the agenda shall speak during this section. Public comments may be made regarding agenda items only. Attendees must be physically present in order to address the Board. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees.*

4. **PUBLIC HEARINGS.**

*At this time, the Chair will invite members of the public to address each item listed in this section. Comments made during this section are limited to the topic of each public hearing. Attendees must be physically present in order to address the Board. Comments by proxy are not allowed. Public Comments are limited to 3 minutes per person. Unused time may not be yielded to other attendees. If more than one public hearing is being held, each person will be allowed to speak during each topic.*

5. **APPROVAL OF MINUTES OF PREVIOUS BOARD MEETING**

A. Approval of January 10, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

*On a motion by Herman Acosta and seconded by Kristal Baca to approve the minutes, the board unanimously voted to adopt the motion.*

B. Approval of September 11, 2024 Regular Meeting Minutes. (G. Calderon, City Secretary)

*On a motion by Luis Gomez and seconded by Kristal Baca to approve the minutes, the board unanimously voted to adopt the motion.*

6. **INFORMATION OR DISCUSSION ITEMS**

A. Parks Update by the Parks Foreman. (D. Nance, City Council)

*David Martinez, Parks Foreman provided an update to the Parks and Recreation Board.*

- B. Discuss any updates on Pueblo Nuevo Park. (D. Nance, City Council)

*David Martinez, Parks Foreman provided an update to the Parks and Recreation Board.*

**Public Comment:** Mesquite Maxwell, Ward 4.

- C. Discuss updates by any Parks Board members concerning assigned tasks. (D. Nance, City Council)
- D. Discuss recommending an ordinance to the City Council amending Chapter 74 – Parks and Recreation, Article I – In General, to the Alpine Code of Ordinances; Amending and Establishing rules and regulations for all city parks; Providing for the establishment of a permitting process to be approved by City Council resolution; Providing the establishment of up to a \$500 penalty per occurrence for violations of the ordinance. (D. Nance, City Council)

7. **ACTION ITEMS.**

*Action items are to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to 10 per meeting).*

- A. Approve an ordinance recommendation to the City Council amending Chapter 74 – Parks and Recreation, Article I – In General, to the Alpine Code of Ordinances; Amending and Establishing rules and regulations for all city parks; Providing for the establishment of a permitting process to be approved by City Council resolution; Providing the establishment of up to a \$500 penalty per occurrence for violations of the ordinance. (D. Nance, City Council)

***No action was taken on Item A.***

- B. Appoint a Vice-Chair for the Parks and Recreation Board. (D. Nance, City Council)

*On a motion by Kristal Baca and seconded by Iris De Leon to nominate Luis Gomez, the board unanimously voted to adopt the motion.*

- C. Appoint other leadership roles for the Parks and Recreation Board, if necessary. (G. Calderon, City Secretary)

*On a motion by Luis Gomez and seconded by Herman Acosta to nominate Kristal Baca as the Secretary, the board unanimously voted to adopt the motion.*

8. **BOARD MEMBER COMMENTS**

9. **ADJOURN.**

*The Meeting Adjourned at 7:36 P.M.*

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Officer of the Board

\_\_\_\_\_  
Geoffrey R. Calderon, TRMC  
*City Secretary & Chief Governance Officer*

**CERTIFICATION**

I, Geoffrey R. Calderon, do hereby certify that this notice was posted at City Hall, in a convenient and readily accessible place to the general public, and on the City website at [www.cityofalpine.com/agenda](http://www.cityofalpine.com/agenda) pursuant to Section 551.043, Texas Government Code. The said notice was posted by 2:00 P.M. on November 8, 2024, and remained so posted for at least 72 hours preceding the scheduled time of the said meeting.

**WITNESS MY HAND AND SEAL**  
**this 8th day of November, 2024.**

  
\_\_\_\_\_  
Geoffrey R. Calderon, TRMC  
*City Secretary & Chief Governance Officer*



## **PARKS AND RECREATION BOARD AGENDA ITEM REPORT**

**December 11, 2024**

Agenda Item No. 6A

Department: Board

Sponsor: Darin Nance, Councilor

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: None



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### **AGENDA ITEM**

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Discuss the Parks budgets from the 2023-2024 and current 2024-2025 Fiscal Year. (D. Nance, City Council)

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### **EXECUTIVE SUMMARY**

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None

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### **SUPPORTING MATERIALS**

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1. Parks & Pool Budget Fiscal Year 2024-2025

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### **BUDGET CONSIDERATIONS**

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Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024-2025: See Attached

Additional Funding: N/A

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### **APPROVERS**

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Alex Tackett, Records Clerk

Geoffrey R. Calderon, City Secretary

Megan Antrim, City Manager

| ACCT<br>NUMBER | ACCOUNT TITLE                      | ACTUAL<br>EXPERIENCE<br>YEAR 2022 | ACTUAL<br>EXPERIENCE<br>YEAR 2023 | ORG BUDGET<br>YEAR 2024 | CURRENT<br>BUDGET<br>YEAR 2024 | ACTUAL<br>EXPERIENCE AS<br>OF 6-30-2024 | PROJECTED<br>YEAR END | ADOPTED<br>YEAR 2025 |
|----------------|------------------------------------|-----------------------------------|-----------------------------------|-------------------------|--------------------------------|-----------------------------------------|-----------------------|----------------------|
| 01-642-0101    | SALARIES                           | \$ 195,263.35                     | \$ 194,172.48                     | \$ 223,858.00           | \$ 223,858.00                  | \$ 132,490.41                           | \$ 176,653.88         | \$ 276,878.00        |
| 01-642-0103    | OVERTIME                           | \$ 3,253.37                       | \$ 4,327.78                       | \$ 12,819.00            | \$ 12,819.00                   | \$ 334.56                               | \$ 446.08             | \$ 15,812.00         |
| 01-642-0201    | SOCIAL SECURITY                    | \$ 15,561.25                      | \$ 14,314.19                      | \$ 18,058.00            | \$ 18,058.00                   | \$ 9,640.80                             | \$ 12,854.40          | \$ 21,569.00         |
| 01-642-0202    | INSURANCE - GROUP                  | \$ 40,569.40                      | \$ 39,492.24                      | \$ 50,364.00            | \$ 50,364.00                   | \$ 37,445.22                            | \$ 49,926.96          | \$ 53,177.00         |
| 01-642-0203    | RETIREMENT                         | \$ 4,098.11                       | \$ 3,089.33                       | \$ 4,958.00             | \$ 4,958.00                    | \$ 2,717.00                             | \$ 3,622.67           | \$ 6,177.00          |
| 01-642-0204    | UNEMPLOYMENT                       | \$ 272.46                         | \$ 78.59                          | \$ 940.00               | \$ 940.00                      | \$ 549.27                               | \$ 732.36             | \$ 702.00            |
| 01-642-0205    | INS - WORKMEN'S COMP               | \$ 7,993.50                       | \$ 2,458.00                       | \$ 4,265.00             | \$ 4,265.00                    | \$ 2,711.94                             | \$ 3,615.92           | \$ 3,037.00          |
| 01-642-0501    | SUPPLIES                           | \$ 1,011.41                       | \$ 2,576.05                       | \$ 2,500.00             | \$ 2,500.00                    | \$ 382.20                               | \$ 1,259.28           | \$ 2,500.00          |
| 01-642-0502    | FIELD SUPPLIES                     | \$ 7,121.61                       | \$ 7,304.21                       | \$ 8,000.00             | \$ 8,000.00                    | \$ 1,865.45                             | \$ 4,303.28           | \$ 8,000.00          |
| 01-642-0510    | UNIFORMS                           | \$ 2,192.80                       | \$ 2,658.64                       | \$ 2,500.00             | \$ 2,500.00                    | \$ 2,674.02                             | \$ 3,565.36           | \$ 5,000.00          |
| 01-642-0700    | MAINT - EQUIPMENT                  | \$ 2,770.14                       | \$ 3,944.34                       | \$ 5,000.00             | \$ 5,000.00                    | \$ 376.25                               | \$ 501.67             | \$ 5,000.00          |
| 01-642-0701    | MAINT - VEHICLES                   | \$ 2,035.73                       | \$ 1,003.67                       | \$ 4,000.00             | \$ 4,000.00                    | \$ 688.74                               | \$ 991.64             | \$ 4,000.00          |
| 01-642-0707    | MAINTENANCE - POOL                 | \$ 11,177.98                      | \$ 10,478.10                      | \$ 12,500.00            | \$ 12,500.00                   | \$ 2,284.91                             | \$ 7,926.01           | \$ 12,500.00         |
| 01-642-0709    | SUPPLIES - CIVIC CENTER            | \$ 2,006.64                       | \$ 4,876.57                       | \$ 5,000.00             | \$ 5,000.00                    | \$ 4,323.37                             | \$ 7,413.81           | \$ 8,500.00          |
| 01-642-0730    | MAINT - ALL PARKS                  | \$ 22,706.17                      | \$ 24,619.44                      | \$ 50,000.00            | \$ 50,000.00                   | \$ 15,326.15                            | \$ 20,504.19          | \$ 45,000.00         |
| 01-642-0731    | RECREATION PROGRAMS                | \$ -                              | \$ -                              | \$ -                    | \$ -                           | \$ -                                    | \$ -                  | \$ 5,000.00          |
| 01-642-0732    | TREE DONATION                      | \$ 2,508.00                       | \$ -                              | \$ -                    | \$ -                           | \$ -                                    | \$ -                  | \$ -                 |
| 01-642-0900    | FUEL & OIL                         | \$ 9,960.61                       | \$ 6,964.69                       | \$ 10,000.00            | \$ 10,000.00                   | \$ 5,242.30                             | \$ 8,323.07           | \$ 10,000.00         |
| 01-642-1101    | Electricity                        | \$ 17,021.00                      | \$ 15,235.60                      | \$ 16,773.00            | \$ 16,773.00                   | \$ 7,228.30                             | \$ 9,637.73           | \$ 16,000.00         |
| 01-642-1301    | LIABILITY/AUTO COVERAGE            | \$ 5,743.00                       | \$ 4,751.00                       | \$ 4,856.00             | \$ 4,856.00                    | \$ 3,947.25                             | \$ 5,263.00           | \$ 5,569.00          |
| 01-642-1500    | TRAINING                           | \$ 1,485.00                       | \$ 2,125.00                       | \$ 3,000.00             | \$ 3,000.00                    | \$ 1,867.50                             | \$ 3,990.00           | \$ 3,000.00          |
| 01-642-1501    | TRAVEL                             | \$ -                              | \$ -                              | \$ 2,500.00             | \$ 2,500.00                    | \$ -                                    | \$ -                  | \$ 2,500.00          |
| 01-642-1700    | IT EQUIPMENT/ SOFTWARE             | \$ -                              | \$ -                              | \$ -                    | \$ -                           | \$ -                                    | \$ -                  | \$ 3,500.00          |
| 01-642-2700    | TELEPHONE EXPENSES                 | \$ 4,983.65                       | \$ 4,469.16                       | \$ 5,500.00             | \$ 5,500.00                    | \$ 3,357.50                             | \$ 4,476.67           | \$ 5,500.00          |
| 01-642-2750    | CELL PHONE EXPENSES                | \$ 1,447.56                       | \$ 1,246.00                       | \$ 1,800.00             | \$ 1,800.00                    | \$ 340.47                               | \$ 453.96             | \$ 1,800.00          |
| 01-642-2800    | DRUG TESTING                       | \$ -                              | \$ -                              | \$ -                    | \$ -                           | \$ -                                    | \$ -                  | \$ -                 |
| 01-642-3500    | MASTER PARK PLAN - ENGINEERING     | \$ -                              | \$ -                              | \$ -                    | \$ -                           | \$ -                                    | \$ -                  | \$ -                 |
| 01-642-8001    | LEASED VEHICLE                     | \$ 9,984.49                       | \$ 11,816.17                      | \$ 12,150.00            | \$ 12,150.00                   | \$ 7,179.46                             | \$ 9,572.61           | \$ 26,629.00         |
| 01-642-8002    | INTEREST - LEASED EQUIPMENT        | \$ 2,090.24                       | \$ -                              | \$ -                    | \$ -                           | \$ -                                    | \$ -                  | \$ -                 |
| 01-642-9000    | PARK SIGNS                         | \$ -                              | \$ -                              | \$ 5,000.00             | \$ 5,000.00                    | \$ -                                    | \$ -                  | \$ 5,000.00          |
| 01-642-9001    | CIP - PUEBLO NUEVO PARK - TPWD MA1 | \$ -                              | \$ 75,000.00                      | \$ -                    | \$ -                           | \$ -                                    | \$ -                  | \$ -                 |
| 01-642-9002    | PUEBLO NUEVO PARK IMPROVEMENTS     | \$ -                              | \$ -                              | \$ 75,000.00            | \$ 75,000.00                   | \$ -                                    | \$ 75,000.00          | \$ -                 |
|                | <b>PARKS &amp; POOL EXPENSES</b>   | <b>\$ 373,257.47</b>              | <b>\$ 437,001.25</b>              | <b>\$ 541,341.00</b>    | <b>\$ 541,341.00</b>           | <b>\$ 242,973.07</b>                    | <b>\$ 411,034.55</b>  | <b>\$ 552,350.00</b> |

## PARKS AND RECREATION BOARD AGENDA ITEM REPORT

December 11, 2024

Agenda Item No. 6B

Department: Board

Sponsor: Darin Nance, CouncilorMemo Prepared By:

Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024- N/A  
2025:

Additional Funding: N/A



Staff Recommendation: None

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### AGENDA ITEM

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Discuss and update the Article III - Municipal Pool city ordinance. (D. Nance, City Council)

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### EXECUTIVE SUMMARY

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None

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### SUPPORTING MATERIALS

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1. Municipal Pool - Alpine, TX Code of Ordinances

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### BUDGET CONSIDERATIONS

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Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024-2025: N/A

Additional Funding: N/A

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### APPROVERS

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Alex Tackett, Records Clerk

Geoffrey R. Calderon, City Secretary

Megan Antrim, City Manager

## ARTICLE III. - MUNICIPAL SWIMMING POOL

*Footnotes:*

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**State Law reference**— Authority to provide swimming pools, Vernon's Ann. Civ. St. art. 1015c-2.

### DIVISION 1. - GENERALLY

#### Sec. 74-76. - Council designated administrator.

The council is designated as the administrator of the municipal swimming pool under rules, regulations and directives that it may, from time to time, promulgate.

(Code 1978, § 19-19)

#### Sec. 74-77. - Admission charges.

Charges to be made for admission to the municipal pool shall be set by the council, by resolution, annually.

(Code 1978, § 19-20)

#### Sec. 74-78. - Additional rules.

Such other rules, regulations and administrative policies that, from time to time, are adopted by the council, shall be and become a part of this article as supplementary rules and regulations to this article, and violations thereof shall be subject to the penalties provided for violation of this Code.

(Code 1978, § 19-39)

#### Secs. 74-79—74-100. - Reserved.

### DIVISION 2. - CONDUCT IN POOL AREA

#### Sec. 74-101. - Applicability of regulations.

This division shall govern all persons using the municipal pool or pool property, or present at such municipal pool or pool property. Failure to comply with this division shall constitute a misdemeanor.

(Code 1978, § 19-21)

Sec. 74-102. - Running prohibited.

There shall be no running in the pool area.

(Code 1978, § 19-22)

Sec. 74-103. - Drinks prohibited.

No drinks or containers of drinks of any kind shall be permitted in the fenced-in pool area.

(Code 1978, § 19-23)

Sec. 74-104. - Number of divers on diving board.

There may be only one diver on the diving board at any given time.

(Code 1978, § 19-24)

Sec. 74-105. - Swimming in diving area.

No swimming shall be permitted in the diving area, or under any diving board, except upon returning to the pool surface from a dive.

(Code 1978, § 19-25)

Sec. 74-106. - Use of safety ropes.

Swimmers shall not use safety ropes except for emergency safety, and there shall be no playing upon or with such ropes.

(Code 1978, § 19-26)

Sec. 74-107. - Rough play.

No dunking of others or rough play shall be allowed in the pool or pool area.

(Code 1978, § 19-27)

Sec. 74-108. - Toys, floats, etc.

Inflatable toys, floats or other paraphernalia shall be permitted in the pool area only at the discretion of the pool manager.

(Code 1978, § 19-28)

Sec. 74-109. - Number of swimmers.

The pool manager shall have the authority to determine the number of swimmers in the pool at any given time.

(Code 1978, § 19-29)

Sec. 74-110. - Playing with pool equipment.

No playing shall be permitted upon ladders or boards, or upon or with other pool equipment.

(Code 1978, § 19-30)

Sec. 74-111. - Talking to lifeguard.

There shall be no talking to the lifeguard on duty, except to call for assistance or instructions regarding pool safety or etiquette.

(Code 1978, § 19-31)

Sec. 74-112. - Alcoholic beverages.

No alcoholic beverages in any form shall be permitted in the pool area or in the parking area adjacent to the pool area.

(Code 1978, § 19-32)

Sec. 74-113. - Shower required.

All swimmers must take showers before entering the pool area.

(Code 1978, § 19-33)

Sec. 74-114. - Bathing caps required.

Swimmers with long hair must wear bathing caps in the pool.

(Code 1978, § 19-34)

Sec. 74-115. - Accompaniment of small children.

All children under six years of age in the pool area must be accompanied by a parent or other responsible adult person who is 18 years of age or older.

(Code 1978, § 19-35)

Sec. 74-116. - Smoking.

No smoking in the pool area shall be permitted.

(Code 1978, § 19-36)

Sec. 74-117. - Refuse disposal.

No refuse of any kind or nature shall be deposited, or permitted to be deposited, in any manner, in the swimming or wading pool, or in any other portion of the pool area, other than in designated receptacles.

(Code 1978, § 19-37)

**Cross reference**— Solid waste, ch. 82.

Sec. 74-118. - Trespassing.

No one, except authorized pool personnel, or other city employees engaged in their respective duties relative to city business, garbage collection or other designated duties, shall be permitted within the pool area except when the pool is open for business and regular attendants are on duty. Any violation of this section shall be declared a trespass, per se.

(Code 1978, § 19-38)

Secs. 74-119—74-125. - Reserved.

## **PARKS AND RECREATION BOARD AGENDA ITEM REPORT**

**December 11, 2024**

Agenda Item No. 7A

Department: Board

Sponsor: Darin Nance, Councilor

Memo Prepared By: Geoffrey R. Calderon, City Secretary

Staff Recommendation: None



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### **AGENDA ITEM**

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Approve a recommendation to the City Council to approve an ordinance amending Chapter 74 – Parks and Recreation, Article I – In General, to the Alpine Code of Ordinances; Amending and establishing rules and regulations for all city parks; Providing for the establishment of a permitting process to be approved by City Council resolution; Providing the establishment of up to a \$500 penalty per occurrence for violations of the ordinance; Providing the establishment of up to a \$2,000, \$4,000, and \$10,000 fine for certain public health and safety violations of the ordinance; Providing for the following: Findings of Fact, Enactment, Repealer, Penalty, Savings, Severability, Proper Notice and Meeting, and Effective Date clauses. (D. Nance, City Council)

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### **EXECUTIVE SUMMARY**

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On September 13, 2023, the Parks and Recreation Board (PRB) voted to make a recommendation to the City Council to update Chapter 74 - Parks and Recreation to the Alpine Code of Ordinances. The changes included in the recommended update included the establishment of streamlined rules and updated regulations for City parks. On September 26, 2024, the City Council considered the recommendations and voted to postpone the item and send the ordinance back to the PRB. The PRB held a discussion on January 10, 2024, and discussed amendments to the ordinance. City Administration worked on the proposed updates and the amendments were given to board members on August 14, 2024, to review and provide feedback. On September 11, 2024, the PRB reviewed the ordinance and recommended proposed updates to the ordinance. The requested updates were sent to the board on September 12, 2024, and the item was tabled until the next meeting. The meeting in October was canceled due to the annual Texas Municipal League Conference and the updates were discussed at the November 13, 2024 meeting. The board requested changes and the City Secretary made the changes and is providing the updated version in this packet.

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### **SUPPORTING MATERIALS**

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1. 2025-01-01 Parks Rules and Regulations

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### **BUDGET CONSIDERATIONS**

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Expenditure Required: N/A

Savings Anticipation: N/A

Current Budget FY 2024-2025: N/A

Additional Funding: N/A

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## APPROVERS

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**ORDINANCE 2025-01-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING CHAPTER 74 – PARKS AND RECREATION, ARTICLE I – IN GENERAL, TO THE ALPINE CODE OF ORDINANCES; AMENDING AND ESTABLISHING RULES AND REGULATIONS FOR ALL CITY PARKS; PROVIDING FOR THE ESTABLISHMENT OF A PERMITTING PROCESS TO BE APPROVED BY CITY COUNCIL RESOLUTION; PROVIDING THE ESTABLISHMENT OF UP TO A \$500 PENALTY PER OCCURRENCE FOR VIOLATIONS OF THE ORDINANCE; PROVIDING THE ESTABLISHMENT OF UP TO A \$2,000, \$4,000, AND \$10,000 FINE FOR CERTAIN PUBLIC HEALTH AND SAFETY VIOLATIONS OF THE ORDINANCE; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ENACTMENT, REPEALER, PENALTY, SAVINGS, SEVERABILITY, PROPER NOTICE AND MEETING, AND EFFECTIVE DATE CLAUSES.**

**WHEREAS**, the Parks and Recreation Board is composed of community members who advise the City Council on policy decisions that affect Parks and Recreation programs of the city; and

**WHEREAS**, the Parks and Recreation Board has recommended changes to the City Council that would implement streamlined rules and regulations for all city parks; and

**WHEREAS**, the amendments recommended by the Parks and Recreation Board will provide clarification and enhancements to the existing rules, and ensure that city parks are properly taken care of, managed, and regulated to the benefit of all park users; and

**WHEREAS**, in addition to the updated rules and regulations, the Parks and Recreation Board recommends that the City Council implement event permitting processes by City Council resolution; and

**WHEREAS**, Chapter 331 of the Texas Local Government Code provides that municipal parkland is under the operation, maintenance, control, and management of the City; and

**WHEREAS**, the City of Alpine is a home-rule municipality that owns and operates city parks for the use and enjoyment of the general public; and

**WHEREAS**, the city endeavors to assert its rights as a property owner by implementing rules and regulations that will benefit the general public as recommended by the Parks Board.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ALPINE, TEXAS THAT:**

**SECTION I  
FINDINGS OF FACT**

The Alpine Code of Ordinances is hereby amended to reflect the changes hereto attached as Exhibit “A.” The premises attached as Exhibit “A” are found to be true and correct legislative and factual findings of the City Council of the City of Alpine and are hereby approved and incorporated herein as findings of fact.

**SECTION II**  
**INCLUSION IN THE CODE OF ORDINANCES**

The provisions of this ordinance shall become and be made a part of the Code of Ordinances of Alpine, Texas. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “article,” or any other appropriate word. The codifier of the City is empowered to make amendments to match the style of the existing code.

**SECTION III**  
**CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of the City of Alpine, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**SECTION IV**  
**PENALTY CLAUSE**

Any person, corporation, or entity who intentionally, knowingly, recklessly, or with criminal negligence violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$4,000.00. Each day in which any violation occurs, or each occurrence of any violation, shall constitute a separate offense.

**SECTION V**  
**SAVINGS CLAUSE**

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinances at the time of passage of this ordinance.

**SECTION VI**  
**SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council of the City of Alpine 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 should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

**SECTION VII**  
**PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. A public hearing was held on **January 21, 2025**, where interested parties had the opportunity to make public comments on this ordinance prior to approval. Notice of the date and time of the hearing and notice

of how to obtain copies of the proposed ordinance was published in the Alpine Avalanche, the official newspaper of the City of Alpine on January 16, 2025.

**SECTION VIII  
EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by State and Local law.

**PASSED AND ADOPTED THIS 21<sup>st</sup> DAY OF JANUARY 2025 BY THE CITY COUNCIL  
OF THE CITY OF ALPINE, TEXAS.**

**INTRODUCTION AND FIRST READING**

JANUARY 7, 2025

**SECOND AND FINAL READING**

JANUARY 21, 2025

**APPROVED:**

\_\_\_\_\_  
Catherine Eaves, Mayor

**ATTEST:**

\_\_\_\_\_  
Geoffrey R. Calderon, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

**EXHIBIT “A”**

**EDITOR’S NOTE:**

Additions are Underlined. ~~Omissions appear in Strikethrough Text.~~

**Chapter 74 PARKS AND RECREATION**

***ARTICLE I. IN GENERAL***

**Sec. 74-1. Alcoholic beverages generally.**

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

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*Alcoholic beverages* means spirits, wine, beer, ale or other liquid containing more than one-half of one percent of alcohol by volume, excluding non-alcoholic beer, non-alcoholic wine, or kombucha which is fit for beverage purposes or intended for beverage purposes.

- (b) *Consumption prohibited in certain areas.* No person shall consume any alcoholic beverage while in or upon prohibitive areas defined in this section.
- (c) *Sale.* It shall be unlawful for any person, firm or corporation to sell alcoholic beverages within the boundaries of ~~Kokernot and Centennial Parks, including the Kokernot Park athletic complex, within the city.~~ all designated city parks, except as authorized by City Council.
- (d) *Possession and consumption.*
  - (1) ~~It shall be unlawful for any person to consume alcoholic beverages, or to have in his possession an alcoholic beverage, within the parking lots, baseball fields, walking and jogging track and soccer field located in Kokernot Park, within the city~~
  - (2) ~~It shall be unlawful for any person to consume, or to have in his possession, an alcoholic beverage within the boundary of Centennial Park, in the city.~~
  - (3)(1) It shall be unlawful for any person to consume, or to have in his possession, an alcoholic beverage within the boundaries of any City Park. It shall be unlawful for any person to consume, or to have in his possession, an alcoholic beverage within the parking lots, baseball fields, walking and jogging track and soccer field located in Kokernot Park.
- (e) *Signs and notices.* Signs shall be posted in appropriate locations stating substantially "No alcoholic beverage may be brought into this park or consumed in this park in violation of city ordinances which are strictly enforced." The signs shall be placed in locations to be visible on entering areas where possession or consumption of alcoholic beverages are prohibited.

(Code 1978, § 19-8(a)—(d))

#### **Sec. 74-2. Playing of golf and other dangerous sports in ~~certain~~ city parks.**

- (a) *Application.* This section shall not apply to the Alpine Municipal Golf Course operated by the Alpine Country Club.
- (b) *Prohibited; signs to be posted.* It shall be unlawful for any person to practice, hit golf balls or play golf in ~~the Kokernot Park and Centennial Park as well as the Kokernot Park Athletic Complex~~ any park located within the city. It shall further be unlawful for any person to carry on any activity for which the park was not specifically designed and the performance of which would constitute a hazard to the health and safety of those lawfully using the park facilities. Signs shall be posted in appropriate locations determined by the city council or the city manager advising citizens of the restricted activities permitted in ~~Kokernot Park and Centennial Park as well as the Kokernot Park Athletic Complex.~~ any city park.

(Code 1978, § 19-9(a), (b))

#### **Sec. 74-3. Medina Hours of Operation for City Parks.**

- (a) *Hours of operation.* ~~Medina City Parks~~ Medina City Parks will be open for the public's use and enjoyment only between the hours of 5:00 a.m. ~~8:00 a.m.~~ and 11:00 p.m. ~~9:00 p.m.~~ daily, and closed to the

public between the hours of 11:00 p.m. 9:00 p.m. and 8:00 a.m. 5:00 a.m. daily. No one, except with specific city authorization, shall be permitted to be on the premises of Medina a city Park during the hours that such park is closed, without prior authorization from the city.

- (b) ~~*Alcoholic beverages.* No person shall, at any time, transport to and/or carry upon such park, any alcoholic beverage, whether any of the alcoholic beverage is consumed upon such park or not. It is a violation of this section, and constitutes an illegal association, for any person to knowingly be in the company of any person who are in obvious violation of this section.~~
- (e) *Violation; penalty.* Any person in violation of the mandates of this section will be prosecuted as criminal trespassers and if found guilty may be assessed the maximum fine that, by law, may be assessed by the municipal court.

(Code 1978, §§ 19-51—19-53)

#### **Sec. 74-4. Baines Park. Use of Park Facilities Generally.**

~~*Hours of operation.* Baines Park will be open for the public's use and enjoyment only between the hours of 8:00 a.m. and 10:30 p.m. daily. No one, except with specific city authorization, shall be permitted to be on the premises of Baines Park during the hours that such park is closed.~~

(Ord. No. 2002-5-4, 7-9-02)

- (a) A park facility is generally available for public use on a first-come, first-served basis, subject to:
  - 1. A requirement, if any, for a permit;
  - 2. A requirement, if any, to pay an entrance fee, reservation fee, or other fee.
  - 3. A previous reservation.
- (b) A person shall comply with city signs and markers in a park.
- (c) Entrance or Use Fees.
  - 1. A person may not enter or use a park facility for which an entrance or use fee has been established, unless the person has first paid the fee or is otherwise authorized to enter.
  - 2. A person must display an entrance permit or receipt to a city employee on request.
- (d) Reservations.
  - 1. A person may not use or occupy a facility or area for which another person has paid a reservation fee when the person's use conflicts with the use of the facility or area by the person who has made a reservation.
  - 2. A person must make a reservation in accordance with the established reservation policies by the city.
  - 3. A person must display documentation of a confirmed reservation on request to a City employee charged with the supervision or patrolling of parks.
- (e) Permits.

1. When the city code or approved city council rule requires a person to obtain a permit or written authorization for a use or prohibits a use without a permit or written authorization, a person is required to obtain the permit or authorization prior to use. A person who wishes to apply for a permit or authorization may contact city hall to reach the designated parks and recreation staff member.

(f) Restricted Uses.

1. A person may not use a court or field designed for a specific sport for another sport, unless the alternative use is permitted by the city manager or the city manager designee. For example, a person may not use a tennis court for lacrosse, or a baseball field for soccer.

(g) Occupancy Limit.

1. The city may establish and post a maximum occupancy for any park area or facility.
2. A person may not enter, or remain in, an area or facility for which the city has established an occupancy limit when the person's entrance will have the effect of exceeding the established occupancy limit. Compliance with this rule does not eliminate any additional requirements that may be imposed by the city code or city rules regarding an event on City property.

(h) Closed Areas.

1. The city manager or the city manager designee may close a park area or facility to public entry or otherwise restrict use until the area or facility can be made available for public use.
2. If practicable, the designee shall post notice of a closed area. A person may not enter a closed or restricted area.
3. A person may not enter an area closed due to flooding, toppled trees, or debris, or which is otherwise closed due to health or safety issues.

(i) Special Rules for Specific Parks Facilities or Events.

1. The city manager or city manager designee may develop special rules and regulations that address problems specific to a facility or event.
2. Special rules shall be in writing, approved by the city manager or city manager designee, and posted at the facility or provided to a person holding or attending an event.
3. A person shall comply with all special rules and regulations posted at a facility or provided to the person.

(j) Smoking.

1. A person may not smoke in a park, except in a temporary designated smoking area for a special event. Smoking outside the indicated temporary location for an event or not during an event is a violation and any person found to be in violation of this section shall be fined, upon conviction, an amount not to exceed \$500.00.

2. Disposing of a cigarette or cigar butt outside of a trashcan or dumpster is considered littering

(k) Littering, Illegal Dumping, and Public Health and Safety Violations.

1. It shall be unlawful for a person to throw, place or deposit, or cause to be thrown, placed or deposited, or suffer or permit his servant or any other person in his family to throw or deposit in any street, alley, gutter, ditch, lot or other place in this city, the carcass of any dead animal or fowl or any meat, fish, hides, skins, bones, offal, manure, fruit, vegetables, litter, debris, melon rinds, fruit peelings, slop, trash or other unsound or offensive matter or matter liable to become offensive or injurious to the health of those who reside in the vicinity or owned or controlled by him, or to throw, place or deposit, or cause to be thrown, place or deposit in any street, alley, gutter, ditch or other public place, or upon any lot or other premises not owned or controlled by him, tires, bottles, cans, loose paper, rags, scrapes of leather, shavings, dishwater, chips, debris, litter or trash.

Any individual group of individuals, business, or corporation who illegally disposes of litter, solid waste, tires, hazardous materials, bulky wastes, or other such materials can be charged with the following offenses and penalties.

- (1) Class C misdemeanor: 5lbs/5gals or less: Fine up to \$500.00
- (2) Class B misdemeanor – 6lbs-499lbs/6gals-99c.f: Fine up to \$2,000.00 and /or not more than 180 days in county jail
- (3) Class A misdemeanor – 500-999lbs/100c.f.-199c.f: Fine up to \$4,000.00 and/or not more than one year in county jail
- (4) State jail felony: Over 1,000lbs/200c.f., any amount of waste in a closed drum or barrel: Fine up to \$10,000.00 and/or 180 days to two years in a state jail.

**Sec. 74-5. Assembly.**

- (a) A person organizing an event in a park that the person reasonably should know will be attended by more than 50 people must provide notice, at least one week before the event begins, to the City by calling city hall. Subject to compliance with all other applicable rules and ordinances, the event may be allowed upon approval of the city manager and the chief of police.

**Sec. 74-6. Festival Permitting, Event Permitting, and other Permitting Requirements.**

- (a) The city council may implement permitting processes and procedures for festivals, large gatherings, events, and other permitting requirements by city council resolution.

**Sec. 74-7. Costs and Fees associated with City Parks.**

- (a) All costs and fees associated with city parks, including reservation fees, may be approved by City Council resolution.

#### **Sec. 74-8. Disruptive Behavior; Ejection from Facilities.**

- (a) If a person's conduct violates these rules, or is unlawful, disruptive, destructive, or hazardous, the person may be warned and asked to stop the conduct immediately by any city police officer.
- (b) If a person persists in the conduct after a warning, a city police officer may eject the person from the park. If a person's conduct is criminal, poses an imminent threat of injury or property damage, or prevents the public enjoyment of the premises, a city police officer may eject the person from the park.

#### **Sec. 74-9. Peace and Quiet.**

- (a) A person shall preserve the peace and quiet enjoyment of a park by observing the applicable laws and ordinances governing noise and amplified sound, unless a specific exception is approved by the City Manager.
- (b) A person may not use offensive language, make unreasonable noise, discharge weapons or fireworks, or engage in gestures or conduct in a park that would be offensive to a person of ordinary sensibility. Fireworks are allowed only with explicit authorization from the city.
- (c) A person may not operate a noise-making device in a park in violation of applicable law.

#### **Sec. 74-10. Weapons and Firearms.**

- (a) A person may not carry or possess a weapon or firearm while in a park, except where explicitly authorized by state and federal law.
- (b) The use of a firearm, air gun, paintball gun, pellet or B.B. gun, bow and arrow, or projectile device capable of inflicting personal injury is prohibited unless conducted under permit or in a park facility where the city manager or city manager designee has authorized the use.
- (c) A person may not display a firearm or other weapon in a park in a manner that the person should reasonably know will alarm or threaten another person, except where explicitly allowed by state and federal law.

#### **Sec. 74-11. Abandoned or Unattended Property.**

- (a) A person may not abandon a vehicle or other personal property in a park. The city may remove, impound, and dispose of abandoned property under applicable law.
- (b) A person may not leave a vehicle or other property unattended at any park in such a manner as to create a hazardous or unsafe condition. The city may impound the unattended property or move the unattended property to a safe place at expense of owner.

#### **Sec. 74-12. Parking.**

- (a) Unless parking is otherwise prohibited, a person may park a motor vehicle in a park only in a designated area.
- (b) A person may not park, store, or leave a vehicle or trailer in an area posted "restricted" or with "no parking" signs.

- (c) Unless specifically authorized by the City Manager, overnight parking in city parks is strictly prohibited.
- (d) The city may impound a parked vehicle or trailer that creates a hazardous or unsafe condition.

#### **Sec. 74-13. Commercial Activity.**

##### **(a) Generally.**

- 1. Unless a person is specifically authorized to do so by a permit or contract, or is acting in conjunction with a specifically permitted use of a reserved park facility; a person may not:
  - i. sell or rent a good or service in a park;
  - ii. place a stand, cart, or vehicle in a park for a commercial purpose;
  - iii. affix an advertisement to park property.

##### **(b) Providing Commercial Classes and Instruction.**

- 1. A person may not conduct classes or instructional activities for compensation in a park unless the person obtains a permit from the city and completes a waiver of liability.
- 2. A person may not provide a free class or instruction as an inducement or advertisement for a paid class or instruction unless the person has a permit from the city to conduct classes for compensation.

##### **(c) Performing Artists.**

- 1. A person may perform as an artist or entertainer in a park, but the person:
  - i. may not block a sidewalk or trail, or impede pedestrian or vehicular traffic;
  - ii. may not block or impede access to a park;
  - iii. may not perform at a restricted-access event without the written permission of the event organizer;
  - iv. may not juggle potentially hazardous materials or items such as knives or fire; and
  - v. must comply with all otherwise applicable laws, ordinances, and rules.

#### **Sec. 74-14. Animals.**

- (a) A person bringing a pet or other animal into a park shall keep the animal under confinement or direct control. Leads or leashes used to control animals may not be more than six feet long. A person who brings a dog into a park may allow the dog to be without a leash in a designated off-leash area; provided that the dog must at all times remain under the person's immediate personal supervision and command. A person who brings a dog into a designated off-leash area must carry a leash in order to restrain the dog should the need arise.

- (b) A person shall remove waste left by an animal under the person's care and control and shall dispose of the waste only in an appropriate waste receptacle.
- (c) A person who brings an animal into a park may not permit the animal to remain unattended or create a disturbance or a hazard.
- (d) A person may not bring livestock into a park, or permit livestock to range at a park, except with the written approval of the city manager or city manager designee.
- (e) A person may not ride, drive, lead, or keep a horse at a park except as authorized under a contract, or permit.
- (f) A person may not ride a horse in a park in a dangerous manner. A person may not hitch a horse to a tree, shrub, or structure in a manner that causes damage, or that the person should reasonably know will cause damage.

#### **Sec. 74-15. Cremation Remains.**

- (a) A person may not disperse or dispose of cremation remains in a park.

#### **Sec. 74-16. Fires, Firewood, and Fireworks.**

- (a) A person may not light, build, or maintain a fire in a park, except in a device provided, maintained, and designated for that purpose, or as authorized by the city.
- (b) A portable camp stove or portable barbecue grill of metal construction may be used in a designated picnic area.
- (c) During a period of extreme fire hazard, the city manager or city manager designee may prohibit or restrict fires in designated areas.
- (d) A person may not cut, gather, or collect wood or other combustible material at a park, for use as firewood or fuel.
- (e) A person may not possess or use any kind of fireworks in a city park, unless explicitly authorized by the city.

#### **Sec. 74-17. Camping and Overnight Use.**

- (a) Camping and overnight use of city parks and parking areas is strictly prohibited in accordance with Texas Penal Code, Sec. 48.05.

#### **Sec. 74-18. Enforcement.**

- (a) Any person, firm, or organization violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed five hundred dollars (\$500.00).
- (b) Any person, firm, or organization violating public health and safety provisions described in Sec. 74-4(k) shall be deemed guilty of the offenses listed within that section and upon conviction thereof shall be fined up to \$2,000, \$4,000, AND \$10,000 for the relevant violations listed in that section.

#### **Secs. 74-5—74-19 – 74-35. Reserved.**

