



## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** 4/13/2021

**PREPARED BY:** Megan Mainer

**AGENDA CONTENT:** Discussion and possible action on an Ordinance No. 20210413-010 amending Chapter 17 – Parks and Recreation, Article 1. – In General of the Code of Ordinances of Angleton, Texas; adding “Section 17-2. – Standards of Care” to Chapter 17 – Parks and Recreation, Article 1. – In General of the code of Ordinances of the City of Angleton, Texas; defining minimum standards of care by which the City of Angleton, Texas, and its Parks and Recreation Department will operate its youth recreational programs; providing for an annual review and adoption date thereafter; providing severability; providing for repeal; and providing an effective date.

**AGENDA ITEM SECTION:** Consent Agenda

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**BUDGETED AMOUNT:** NA

**FUNDS REQUESTED:** NA

**FUND:** NA

**EXECUTIVE SUMMARY:**

The City of Angleton seeks to promote to protect the health, safety, and well-being of the children of the City of Angleton, Texas. Section 42.041 of the Texas Human Resources Code provides that no person may operate a child-care facility or a child-placing agency without a license issued by the Texas Department of Family and Protective Services. The City of Angleton desires to operate a recreation program for elementary-age (ages 5 through 13) children, pursuant to Section 745.115 of the Texas Administrative Code. Section 42.041(b)(14) of the Texas Human Resources Code provides an exception from licensure for an elementary-age (ages 5 through 13) recreation program operated by a municipality, provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs, that such standards are provided to the parents of each program participant, and that the ordinances shall include at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility. The City of Angleton, Texas, wishes to meet the requirements of Human Resources Code Section 42.041(b)(14) and adopt youth program standards of care to provide definitions and serve as the minimum standards of care by which the City of Angleton, Texas, through its Parks and Recreation Department, will operate its youth recreational programs. The City of Angleton, Texas, will each year conduct a public hearing and

adopt the standards of care for its youth recreational programs as required by Texas Human Resources Code Section 42.041(b)(14)

Adoption of the Standards of Care ordinance allows the City to qualify as being exempt from the requirements of the Texas Human Resources Code since the City is not licensed by the State of Texas to offer daycare programs.

On April 12, 2021, the Parks & Recreation Board held a public hearing and approved the Standards of Care ordinance as presented.

**RECOMMENDATION:**

Staff recommends City Council approve Ordinance No. 20210413-010.