

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Parks and Recreation
AGENDA DATE: July 19, 2011 (Introduction) July 26, 2011 (Hearing and Action)
CONTACT PERSON/PHONE: Nanette Smejkal, Parks and Recreation Director (915) 541-4331
DISTRICT(S) AFFECTED: All Districts

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

AN ORDINANCE AMENDING TITLE 13 (STREETS SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.24 (CITY PARKS AND RECREATION AREAS), SECTION 13.24.050 (USE OF ATHLETIC FIELDS), TO BROADEN THE SCOPE TO INCLUDE OTHER TYPES OF ATHLETIC FIELDS AND TO ALLOW FOR DESIGNATION BY CITY COUNCIL OF APPLICABLE ATHLETIC FIELDS, AND TO CREATE SECTION 13.24.210 (ENFORCEMENT); THE PENALTY AS PROVIDED IN CITY CODE SECTION 13.24.050(C) OF THE CITY CODE

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this Action? What are the citizen concerns?

In order to provide game and tournament quality athletic fields, certain fields are designated on Schedule C as game fields, permit required, and not available to rent for practice activities. Currently this includes; Marty Robbins four plex fields, Blackie Chesher five plex fields, Alex Gutierrez baseball field, and Blackie Chesher soccer fields #1 and #2, Northeast Regional four plex fields, and Westside Sports Complex all flat fields.

Staff recommends amending the code to update the wording to encompass various types of athletic fields and to add enforcement. Many fields have experienced degradation due to unpermitted overuse. This change will allow the Parks and Recreation Department to provide higher quality facilities and to allow Code Enforcement of the required permits. During the FY12 budget process, staff will propose additional fields for designation as game fields.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

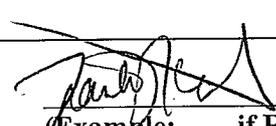
BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____
(Example:  if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 13 (STREETS SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.24 (CITY PARKS AND RECREATION AREAS), SECTION 13.24.050 (USE OF ATHLETIC FIELDS), TO BROADEN THE SCOPE TO INCLUDE OTHER TYPES OF ATHLETIC FIELDS AND TO ALLOW FOR DESIGNATION BY CITY COUNCIL OF APPLICABLE ATHLETIC FIELDS; AND TO CREATE SECTION 13.24.210 (ENFORCEMENT); THE PENALTY AS PROVIDED IN CITY CODE SECTION 13.24.050(C) OF THE CITY CODE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF EL PASO:

1. That El Paso City Code Section 13.24.050 is amended to read as follows:

13.24.050. Use of athletic fields.

A. No person shall play any game on, or otherwise make use of, any athletic field belonging to the city that is designated as a game field for which fees are assessed by listing its use on schedule C of the city's annual budget resolution or by other applicable resolution of city council and being posted with one or more signs giving notice of the restricted use, unless written permission for using the field at the designated time is first obtained from the director of parks and recreation, or his designee.

B. In granting or refusing such permission the director shall be guided by the following standards: whether the field has already been reserved or applied for by someone else for approximately the same time, whether the person applying for the field is of sufficient age and responsibility to exercise reasonable care in its use, whether the proposed use and the hours requested are such that other users of the park or residents of the neighborhood will not be subjected to undue inconvenience, and any other factor which may reasonably bear upon the matter. Any person interested may appeal to the city council from the decision of the director, or his/her designee.

C. Any person violating subsection A of this section shall be deemed guilty of a misdemeanor and punished by a fine not exceeding five hundred dollars.

D. This section shall not apply to persons using an athletic field under a lease, concession, or other contract authorized by the city council.

2. That El Paso City Code Section 13.24.210 is created to read as follows:

13.24.210. Enforcement.

The employees assigned to the code enforcement division are authorized to enforce the provisions of this chapter and shall have the power to issue misdemeanor citations to any persons violating the provisions of this chapter.

3. Except as herein amended, the El Paso City Code remains in full force and effect.

ADOPTED this ____ day of July 2011.

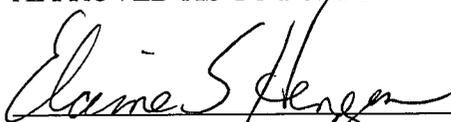
CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

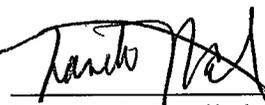
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Kristen L. Hamilton
Assistant City Attorney

APPROVED AS TO CONTENT:



Nanette L. Smejkal, Director
Department Parks and Recreation

ORDINANCE NO. _____

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NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF EL PASO:

1. That El Paso City Code Section 13.24.050 is amended to read as follows:

13.24.050. Use of athletic ~~baseball~~ fields.

A. No person shall play any game on, or otherwise make use of, any ~~baseball~~ athletic field belonging to the city that is designated as a game field for which fees are assessed by listing its use on schedule C of the city's annual budget resolution or by other applicable resolution of city council and being posted with one or more signs giving notice of the restricted use and provided with equipment for artificial lighting (whether such lighting equipment is to be used or not), unless written permission for using the field at the designated time is first obtained from the director of parks and recreation, or his/~~her~~ designee.

B. In granting or refusing such permission the director shall be guided by the following standards: whether the field has already been reserved or applied for by someone else for approximately the same time, whether the person applying for the field is of sufficient age and responsibility to exercise reasonable care in its use, whether the proposed use and the hours requested are such that other users of the park or residents of the neighborhood will not be subjected to undue inconvenience, and any other factor which may reasonably bear upon the matter. Any person interested may appeal to the city council from the decision of the director, or his/her designee.

C. Any person violating subsection A of this section shall be deemed guilty of a misdemeanor and punished by a fine not exceeding five hundred dollars.

D. This section shall not apply to persons using an athletic ~~baseball~~ field under a lease, concession, or other contract authorized by the city council.

2. That El Paso City Code Section 13.24.210 is created to read as follows:

13.24.210. Enforcement.

The employees assigned to the code enforcement division are authorized to enforce the provisions of this chapter and shall have the power to issue misdemeanor citations to any persons violating the provisions of this chapter.

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ADOPTED this ____ day of July 2011.

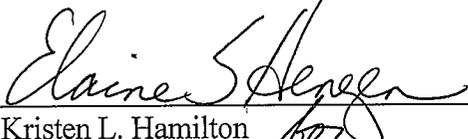
CITY OF EL PASO

John F. Cook, Mayor

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Kristen L. Hamilton
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