
Wednesday, September 25, 2024
11:00 AM

City Hall - 141 W. Renfro
Burleson, TX 76028

1. **CALL TO ORDER**

2. **CITIZEN APPEARANCES**

Each person in attendance who desires to speak to the Committee on an item NOT posted on the agenda, shall speak during this section. A speaker card must be filled out and turned in to the City Secretary prior to addressing the Committee. Each speaker will be allowed three minutes to speak.

Each person in attendance who desires to speak on an item posted on the agenda shall speak when the item is called forward for consideration.

3. **GENERAL**

A. Consider approval of the minutes from the April 17, 2024 Community Services Committee meeting. *(Staff Contact: Amanda Campos, City Secretary)*

4. **REPORTS AND PRESENTATIONS**

A. Receive a report, hold a discussion and provide staff feedback regarding the parks and recreation accreditation process *(Staff Contact: Jen Basham, Director of Parks and Recreation)*.

B. Receive a report, hold a discussion and provide staff direction regarding unattended donation boxes. *(Staff Contact: Tony McIlwain, AICP, CFM, Development Services Director)*

5. **BOARD REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS**

6. **EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the Committee may convene in Executive Session in the City Council Workroom at City Hall to conduct a closed meeting to discuss any item listed on this agenda.

A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

7. **ADJOURN**

CERTIFICATE

I hereby certify that the above agenda was posted on this the **18th of September 2024, by 5:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.

Community Services Committee

DEPARTMENT: City Secretary's Office
FROM: Amanda Campos, City Secretary
MEETING: September 25, 2024

SUBJECT:

Consider approval of the minutes from the April 17, 2024 Community Services committee meeting. *(Staff Contact: Amanda Campos, City Secretary)*

SUMMARY:

The Community Services committee duly and legally met on April 17, 2024 for a regular meeting.

OPTIONS:

Committee may approve the minutes as presented or approve with amendments.

RECOMMENDATION:

Approve.

STAFF CONTACT:

Amanda Campos
City Secretary
acampos@burlesontx.com
817-426-9665

COMMUNITY SERVICES COUNCIL COMMITTEE

**April 17, 2024
DRAFT MINUTES**

Council present:

Victoria Johnson
Phil Anderson
Ronnie Johnson

Council Absent:

Staff present

Tommy Ludwig, City Manager
Eric Oscarson, Deputy City Manager
Harlan Jefferson, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary

1. CALL TO ORDER – Time: 9:00 a.m.

Victoria Johnson called the meeting to order at 9:02 a.m.

2. CITIZEN APPEARANCES

- None.

3. GENERAL

A. Minutes from the January 24, 2024 Community Services Committee meeting. (Staff Contact: Amanda Campos, City Secretary)

Motion made by Phil Anderson and seconded by Ronnie Johnson to approve.

Motion passed 3-0.

B. Receive a report, hold a discussion and provide staff feedback regarding homelessness and point-in-time homeless counts. (Staff Presenter: Tony McIlwain, AICP, CFM, Development Services Director)

Tony McIlwain, Development Services Director, reported on homelessness and point-in-time homeless counts to the committee.

Discussion included training opportunities for city departments (Police, Parks, and Public Works), partnerships with local food banks and churches, role of the city, marketing to the community for help with education and prevention. Staff will look into event opportunities, education and other resources and will bring back to the committee.

4. EXECUTIVE SESSION

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A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

- No executive session needed.

5. BOARD REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS

- None.

6. ADJOURN

Motion made by Ronnie Johnson and seconded by Phil Anderson to adjourn.

Chair Victoria Johnson adjourned the meeting.

Time: 10:01 a.m.

Monica Solko
Deputy City Secretary

Community Services Committee

DEPARTMENT: Parks and Recreation
FROM: Jen Basham, Director of Parks and Recreation
MEETING: September 25, 2024

SUBJECT:

Receive a report, hold a discussion and provide staff feedback regarding the parks and recreation accreditation process (*Staff Contact: Jen Basham, Director of Parks and Recreation*).

SUMMARY:

The Parks and Recreation Department has began the process of becoming accredited through the Commission for Accreditation of Parks and Recreation Agencies or CAPRA. The accreditation standards are currently being revised and staff is working towards aligning the department with the new standards.

Currently the department has submitted their initial application and have two years to complete the process or they will need to reapply.

RECOMMENDATION:

Staff recommends proceeding with working towards accreditation

PRIOR ACTION/INPUT (Council, Boards, Citizens):

NA

REFERENCE:

FISCAL IMPACT:

STAFF CONTACT:

Jen Basham, CPRE
Director of Parks and Recreation
jbasham@burlesontx.com
817-426-9201

CAPRA ACCREDITATION

COMMUNITY SERVICES COMMITTEE

SEPTEMBER 25, 2024

STAFF CONTACT: JEN BASHAMI, DIRECTOR OF PARKS AND RECREATION



What is CAPRA?

- The commission for accreditation of parks and recreation agencies
- Who governs the commission?
National Recreation and Parks Association
- How long are you accredited for?
Agencies must reapply every 5 years



BENEFITS OF ACCREDITATION

For Your Community

- Demonstrates that the department meets national standards of best practice.
- Recognizes the community as a great place to live.
- Helps secure external financial support and reduce costs for the community.
- Holds the park and recreation department accountable to the public and ensures responsiveness to meet their needs.
- Ensures that all staff are providing quality customer service.

For Your Department and Staff

- Proves to decision makers, stakeholders and the public that your department is operating with the best practices of the profession.
- Increases credibility and can improve internal and external funding.
- Improves overall operations and increases efficiency.
- Enhances staff teamwork and pride by engaging all staff in the process.
- Creates an environment for regular review of operations, policies and procedures, and promotes continual improvement.

PROCESS FOR ACCREDITATION



Complete Application



Attend a training



Develop Self-Assessment



Present Self-Assessment to CAPRA Review Team



Host review team onsite for official review of evidence



Attend in-person hearing

WHERE IS BURLESON?





NEW STANDARDS

- 1- Agency Mission and Purpose (4 standards)
- 2- Administration and organizational resources (6 standards)
- 3- Community and Park Planning (6 standards)
- 4- HR planning, workforce development and culture (9 standards)
- 5- Financial management, responsibility and accountability (10 standards)
- 6- Programs and services management (6 standards)



NEW STANDARDS

7- Facilities and land use management (8 standards)

8- Law, risk management, safety & security (10 standards)

9- Marketing, communications, and community engagement (6 standards)

10- Evaluation, assessment and research (3 standards)

Fundamental Standards

All 37 Fundamental Standards Must Be Met
25 of the 31 Non-Fundamental Standards Must Be Met

List of Fundamental Standards

- Standard 1.1: Mission, Vision, and Values
- Standard 1.2: Strategic Plan
- Standard 1.3: Community Involvement in Agency Strategic Planning
- Standard 1.4: Personnel Involvement in Agency Strategic Planning
- Standard 2.1: Advisory Boards and Commissions
- Standard 2.5: Inclusion and Americans with Disabilities Act (ADA) Services Accessibility Compliance
- Standard 3.1: Community and Park Planning Strategy
- Standard 3.3: Parks and Recreation System Master Plan
- Standard 4.1: Human Resource Planning, Workforce Development, and Culture
- Standard 4.2: Personnel Policies and Procedures Manual
- Standard 5.1: Financial Management, Responsibility, and Accountability
- Standard 5.2: Legal Authority and Fiscal Policy
- Standard 5.3: Comprehensive Revenue Policy
- Standard 5.5: Financial Statements
- Standard 5.6: Purchasing Policy
- Standard 5.7: Independent Audit
- Standard 5.8: Annual or Biennial Budget
- Standard 5.10: Capital Asset Management
- Standard 6.1: Recreation Program Responsibility and Accountability
- Standard 6.2: Program and Service Determinants (Components)
- Standard 6.3: Recreation Programming Plan (RPP)
- Standard 6.4: Program Evaluation – Staff Training and Use in Informing Programmatic Decision Making
- Standard 7.1: Facility and Land Use Responsibility and Accountability
- Standard 7.2: Park and Recreation Land Acquisition and Disposal
- Standard 7.3: Park and Recreation Property Development
- Standard 7.4: Maintenance and Operations Management
- Standard 8.1: Risk Management Responsibility and Strategy
- Standard 8.2: Protection of the Public's Health, Safety, and Welfare
- Standard 8.3: General Security Plan
- Standard 8.4: Personnel Safety Training
- Standard 8.7: Accidents/Incidents
- Standard 8.8: Emergency Management Plan
- Standard 9.2: Marketing and Communications – external
- Standard 9.5: Community Engagement
- Standard 9.6: Crisis Communications
- Standard 10.1: Community Needs Assessment and Trends Analysis
- Standard 10.2: Systematic Evaluation Program

Why the master plan update?

- With the updated standards agencies are required to have a master plan that has been updated within the past 10 years.
- Plans are required to be adopted and include your mission, vision and strategic plan
- Our current master plan that was adopted in 2019 does not include the required statements or plan to be compliant with the standard
- The updated master plan is currently finalizing public input and will be ready to be adopted late winter/early spring 2025
- This plan will provide guidance into multiple other required standards such as:
 - 1.1 Mission, Vision, Values
 - 1.2 Strategic Plan
 - 1.3 Community Involvement in Agency Strategic Planning
 - 1.4 Personnel Involvement in Agency Strategic Planning
 - 3.1 Community and Park Planning Strategy
 - 6.3 Recreation Program Plan
 - 7.7 Natural Resource Management
 - 10.1 Community Needs Assessment and Trends Analysis

Standard 3.3: Parks and Recreation System Master Plan

Description

The agency shall adopt and periodically review and update a Parks and Recreation System Master Plan in alignment with its Mission, Vision and Strategic Plan that creates a basis for strategic investment in assets, property, facilities, and improvements.

Suggested Evidence of Compliance

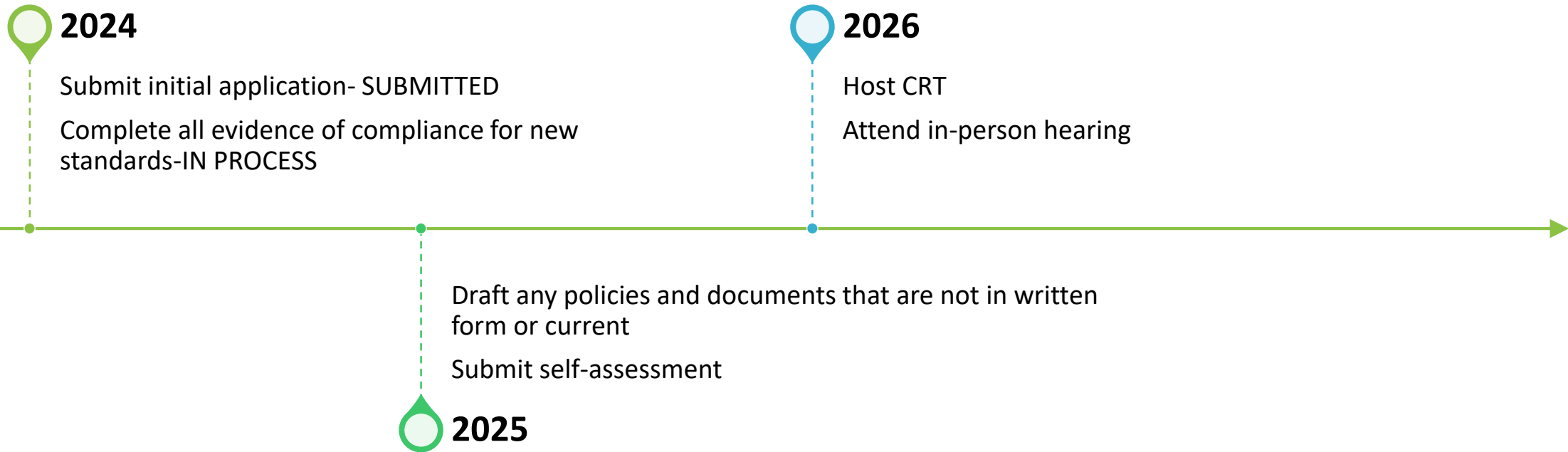
Provide the plan which shall include an analysis of current conditions through community needs assessment, community inventory, level of service analysis, and current trends. As appropriate, the plan shall incorporate historical and/or cultural aspects of the community. Evidence of review and update within the last 10 years is required. The narrative shall describe how plan findings and recommendations are tied to Mission, Vision and Strategic Plan objectives to formulate a progression strategy from existing conditions to desired conditions. Additionally, the agency shall describe input/feedback efforts used that reach and/or include members of the community, users and non-users, to attempt to achieve statistically valid results that can be applied community wide. This may include how collected community input was used to inform planning objectives.

2024 CAPRA National Accreditation Standards – Beta Test Version

Scoring Rubric Questions

Does the agency have an updated up-to-date Parks and Recreation System Master Plan that includes all required elements listed in the EOC? Has the agency demonstrated that the Master Plan is a designed set of progressive steps that are in alignment with mission and strategic direction from the vision and strategic plan? Has the agency demonstrated that it engaged in a diverse, equitable, and inclusive community engagement and input collection process? Has the agency demonstrated that community input collected was used to inform planning objectives?

Timeline



COST

- Submitting your application-\$130
- Required training-\$175
- CRT Review Fee-\$3,000
- CRT Hosting-\$7,000-\$10,000
 - Hosting the team requires the agency to pay for all travel and lodging related expenses.
 - The hosting agency is also responsible for all meals, outings, and swag while the team is here
 - The agency hosts the team between 2-3 days
- Annual Fee-\$800



DIRECTION



Community Services Committee

DEPARTMENT: Development Services
FROM: Tony D. McIlwain, Development Services Director
MEETING: September 25, 2024

SUBJECT:

Receive a report, hold a discussion and provide staff direction regarding unattended donation containers. (*Staff Contact: Tony McIlwain, AICP, CFM, Development Services Director*)

SUMMARY:

The purpose of this item is to discuss with the Community Services Committee the need to update Code of Ordinances, Chapter 34, Article VIII, *Unattended Clothing Donation Containers*. The current ordinance regulating this type of use was last updated in 2004 and needs to be amended. There has been a legal case (*Planet Aid v. City of St. Johns, MI, 2015*) that provides for certain First Amendment Rights protection for these types of uses. Additionally, staff has received a citizen complaint and questions regarding the city's administrative oversight and permitting authority of "blessing boxes" on municipal property.

RECOMMENDATION:

Staff recommends that the Committee discuss updates to the Code and consideration of the "blessing boxes".

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

[City of Burleson, TX UNATTENDED CLOTHING DONATION CONTAINERS \(ecode360.com\)](https://www.ecode360.com/city-of-burleson-tx-unattended-clothing-donation-containers)

FISCAL IMPACT:

N/A

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817-426-9684



Unattended Donation Containers

COMMUNITY SERVICES COMMITTEE: SEPTEMBER 25, 2024

Background

- Chapter 34, Article VIII, contains the city's regulating language relating to unattended donation containers.
- The current ordinance specifically prohibits unattended *clothing* donation containers.
- Initiated to prevent dumping and protect the aesthetic well-being of the community and promote the tidy and ordered appearance of properties.
- Ordinance is twenty years old and staff has seen a rise in the use of unattended donation containers for non-clothing items (e.g. books, food, etc.).

Legal Ruling

On April 6, 2015, the Sixth Circuit Court of Appeals issued a decision, addressing the issue of whether a city ordinance banning outdoor, unattended charitable donation bins is constitutional the Court held that:

- charitable donation bins were charitable solicitations entitled to First Amendment protection;
- that an ordinance banning charitable donation bins was content-based, so that strict scrutiny applied to a First Amendment challenge; and
- that the ordinance violated the First Amendment right to free speech.

Staff believes the ordinance should be updated to account for changes in the legal landscape and the incorporation of practical regulations to address charitable activities within the city.

Comparison Cities

CITIES THAT PROHIBIT	
•Burleson	▲ Coppel
•Seagoville	▲ Grapevine
	▲ Granbury
	▲ Hurst

▲ No specific regulations

CITIES THAT REQUIRE A PERMIT	
•Cedar Hill	* Arlington
•Cleburne	* Azle
•DeSoto	* Bedford
•Flower Mound	* Forest Hill
•Grand Prairie	* Houston
•The Colony	* Killeen
	* Murphy
	* Wylie

* non-peer city

Comparison Cities

Requires SUP	Permits as Accessory Structure	Enforces Using Outside Storage Code	Only Non-profit Organizations
Flower Mound	Mansfield	Hurst	Bedford
FT. Worth (Special Exception ZBA)	North Richland Hills	Grapevine	Cleburne
	The Colony		DeSoto
			Forest Hill
			Killeen
			Murphy

Defining Donation Containers

City of Burleson: Unattended clothing donation container means any box, building, trailer or other receptacle that is intended for use as a collection point for donated clothing or other household materials at times when no employee or representative of the sponsoring company or organization is present to accept donations.

City of Grand Prairie: Donation box means any box, container, building, or other receptacle that is intended for use as a collection point for donated clothing or other household materials. Trailers or other portable receptacles are not considered donation boxes.

City of Cedar Hill: Donation collection container or donation bin means any attended or unattended receptacle made of metal, plastic, wood or other material for permanent or temporary use, designed or intended for the collection of unwanted or salvageable textiles, clothing, shoes, books, household goods, or other items of personal property.

City of Mansfield: Donation Box means any drop-off box, bin, container, receptacle, trailer or similar facility that accepts donated textiles, clothing, shoes, books, toys, household items and/or other salvageable personal property items to be used by the operator for distribution, resale or recycling.

City of Cleburne: Donation Box means any box, container, building, trailer, or other receptacle that is intended for use as a collection point for donated clothing or other household materials.

Defining Donation Containers

City of Bedford: Clothing Donation Container means any structure contained which has four walls, a roof and a floor, not exceed the dimensions of six feet (6') in width or depth, nor shall exceed seven feet (7') in height, which is used for the donation of clothing. Said structure or container shall be of adequate weight to withstand typical weather conditions as to not be moved within a parking lot by wind. The structure or container must be built substantially enough, as to not pose any public threat, and be painted or finished of earth tones and in a way that is visually coherent and conducive to its environment. For the purpose of this Section, earth tones shall be understood to consist of darker and pastel shades of the color spectrum, which may generally be found in the natural environment. These colors shall not generally consist of the vibrants or fluorescents of the color spectrum.

City of Desoto: Donation Collection Container (Donation Bin, Charity Boxes). A container, trailer, accessory structure or other similar structure located outside of an enclosed building and located in a parking lot or other place accessible to the public for the primary purpose of receiving donated items, but not limited to household goods and clothing; which are provided by any person, organization, collection center or other entity to receive donated items.

Blessing Boxes

- Blessing Boxes locations are listed on the City's webpage
- Not defined in Code of Ordinances and no process exists for these type of use
- Citizen voiced concerns on their presence on public property

Centennial Park
1100 Scarlet Sage



Warren Park
301 SW Johnson



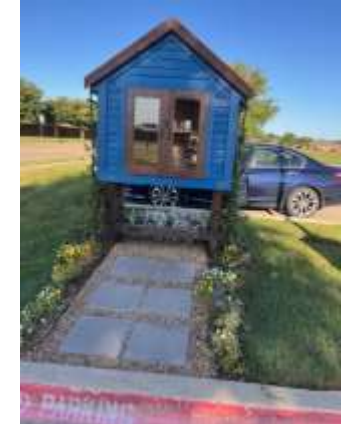
Impact Life Church
601 SW Alsbury



Renfro One Stop
1465 E Renfro



Victory Family Church
455 NW John Jones



Suggested Requirements

- Require a Permit (Fees \$45 - \$200)
- Allow only non-profit organizations
- Property Owner Written permission
- Allow in certain zoning
- Allow similar to accessory structures
- Posting contact information on container
- Setback requirements
- Require a site plan
- Impoundment ability
- Maintenance requirements
- No advertising on container
- Size restrictions (25 sq. ft. - 150 cubic feet)
- Appearance (neutral or earth tone colors only)
- Screening requirements
- Require liability insurance
- Enforcement and abatement procedures
- Appeal process

Suggested Requirements

- No donation container box shall be permitted within any public right-of-way.
- A donation container box must be placed upon a paved surface and not block any code required parking stalls.
- One parking space shall be allocated for any persons wishing to access the donation container box.
- No donation box shall be permitted in a required landscape buffer or building setback, drainage easement, floodplain, driveway, utility easement, visibility triangle, or fire lane.
- A donation box shall not impede traffic, pedestrian travel, nor materially impair any motor vehicle operation within a parking lot, driveway, or street.

Staff Recommendations

- Staff recommends consideration of text amendments to Chapter 34, Article VIII, which will update the requirements to allow unattended donation containers.
- Staff will move forward based on the Committee's direction to the City Manager.

