



## 2024 City of Dallas Charter Review Commission

### Proposed Amendment #85

<b>Submitted by:</b> Chris Luna	<b>Location:</b> Chapter XVII	<b>Category:</b> Policy
<b>CHAPTER XVII. PARK AND RECREATION DEPARTMENT</b> Bring the Parks Department under the management and supervision of the City Manager. [Please see "Notes" column for suggested redline]		
<b>Rationale:</b>  The park and recreation department is the only department that does not report directly to the city manager. I think that it would be efficient and effective to have the park and recreation department directly under the management and supervision of the city manager. The role of the park and recreation is too important to have them in a silo. This would also allow the elected city council representatives to have larger and more important role in the operations of the park and recreation department.		

See attached recommended redline from the submitter.

## **CHAPTER XVII. PARK AND RECREATION DEPARTMENT**

(Renumbered by Amend. of 6-12-73, Prop. No. 43)

### **SEC. 1. PARK AND RECREATION DEPARTMENT.**

There is hereby created a park and recreation department of the City of Dallas which shall be administered by the park and recreation director under the supervision of the ~~city manager~~park and recreation board as hereinafter set out.

### **SEC. 2. ORGANIZATION OF BOARD AND TERMS OF OFFICE OF MEMBERS.**

(a) The city council shall appoint a number of qualified voters of the city equal to the number of members on the city council who shall constitute the park and recreation board of the city. The members shall possess the same qualifications and be subject to the same disqualifications as provided by the Charter for members of the city council, or by general laws of the State of Texas, and shall serve without compensation.

(b) All members of the board shall be appointed by the city council, in accordance with Chapter XXIV, Section 13 of this Charter, as are other boards and shall serve for like terms, as provided by this Charter. The mayor shall appoint the president of the board from among the members appointed by the city council, subject to confirmation by a majority of the city council. (Amend. of 8-12-89, Prop. No. 1)

### **SEC. 3. BOARD VACANCIES; HOW FILLED.**

Any vacancy in the membership of said board shall be filled by the city council for the unexpired term of the member whose place has by removal or otherwise become vacant.

### **SEC. 4. JURISDICTION OF THE PARK AND RECREATION BOARD; SCOPE OF ACTIVITY.**

(a) The park and recreation board shall have jurisdiction over the control, management and maintenance of the public parks of the city, with power to acquire, in the name of the city, land for park purposes, except as herein otherwise provided. The city council must approve:

- (1) any purchase of land;
- (2) any contract requiring council approval under rules established by ordinance; and
- (3) any lease or agreement with a term exceeding one year.

(b) Any purchase of supplies or contracts, including emergency purchases, shall be made in accordance with the rules and regulations adopted by the city council.

(c) The park and recreation board shall have the following general powers, duties and authority which shall be exercised and performed as herein provided and in accordance with the Charter and general ordinances of the city, as follows:

- (1) to the extent required by rules and regulations adopted by the city council, to control and manage all property owned, or that may hereafter be acquired by the city for park purposes; all public properties, on which there is a joint use agreement with other

public or private entities for recreational purposes; all public properties used jointly with other departments of the city for recreational purposes; and all other grounds and properties that may be assigned to them by the city council for control, maintenance or management;

(2) to manage, maintain and repair all buildings and equipment in the park system;

(3) to establish all rules and regulations for the protection of rights and property under the control of the said board for use, care, maintenance and management of all parks and the activities conducted therein;

(4) to conduct playgrounds and recreational facilities on the grounds and in the buildings in charge of the board; to supervise and equip playgrounds and play fields and manage and direct the same; and provide such other means and methods of recreation as it may deem advisable;

(5) to have authority to make such charges for such facilities of amusement, entertainment, refreshment or transportation of the public upon the park properties, and to grant or lease concession rights within the parks on such terms and conditions as it shall deem proper;

(6) to plant, set out, place, protect and care for flowers, vines, shrubs and trees to adorn and improve the public squares, grounds, boulevards, streets, avenues, parkways or other spaces within the city;

(7) to provide for an animal zoo and to exercise supervision and control thereof;

(8) to enforce all ordinances, rules and regulations governing parks and boulevards and such recreation centers, grounds and areas as have been or may hereafter be established, and to provide for the policing of same;

(9) with the approval of the city council, ~~to~~ take and hold by purchase, gift, devise, bequest or otherwise, such real and personal property as may be useful or needful in connection with park purposes and to administer the same according to the provisions of the instrument of conveyance;

(10) with the approval of the city council, ~~in~~ acquiring lands for the use of the park system, to exercise the rights of condemnation available to the city and in the name of the city;

(11) with the approval of the city council, ~~when required by law,~~ to sell and convey or lease lands whenever required in the interest of the city;

(12) to make all contracts necessary to carry out the objects and purposes of the park system as herein provided, the same to be approved by the city council as herein set out;

(13) when deemed advisable, to provide for park and recreation facilities on all public lands adjacent and recreational activities conducted on, the municipal water reservoirs of the city, and to provide for the maintenance, control and policing of same where not otherwise provided for, whether located within or without the city limits of the city;

(14) to enter into agreements with other park and recreation departments of other municipalities, school districts, the county or other governmental bodies, for joint administration and control and supervision of facilities jointly administered;

(15) to the extent required by rules and regulations adopted by the city council, to contract for the use of Fair Park, acquired and now owned by the city, heretofore known as State Fair Grounds, or any portion of or addition thereto, for public affairs, public recreation, sports events, or other public events when conducted thereon, and also to provide for public entertainments of all kinds that may be lawfully conducted upon the premises, and to charge admission fees therefor. All contracts and agreements heretofore made with the city in relation to said grounds shall be binding upon and shall be observed by, said park and recreation board to provide for the direction and control by the board of the improvement and maintenance of said grounds and appurtenances subject to existing and future contract rights;

(16) to provide for, or to conduct public affairs, public recreation, sports events or other public events on any of the lands under the control and management of the park and recreation board;

(17) to maintain and manage any and all abandoned cemeteries as park properties when requested to do so by resolution of the city council, and after funds are appropriated by the council; and

(18) to contract with civic, historical, educational, improvement or other nonprofit organizations whose main objective is the aesthetic, cultural, educational or scenic improvement of the community. (Amend. of 4-2-83, Prop. No. 1; Amend. of 8-12-89, Prop. No. 12)

## **SEC. 5. APPOINTMENT OF EMPLOYEES; RULES AND REGULATIONS OF GOVERNMENT OF SAME.**

The park and recreation department shall be composed of a director and the positions of assistants and such other employees as the council may provide upon the recommendation of the ~~city manager~~city manager~~park and recreation board~~. The compensation to be paid to the employees of this department and the personnel rules and regulations to be followed shall be those established by the city council in conformity with standard schedules of compensation and personnel policies for all city employees.

## **SEC. 6. POLICE AUTHORITY.**

The ~~city manager~~city manager~~park and recreation board~~ may select such security personnel as it may deem necessary to protect the parks and property administered by the park and recreation board, either within or without the city limits. Such security personnel shall be commissioned as police officers, after clearance as to qualifications, by proper municipal authorities at the request of the ~~city manager~~city manager~~park and recreation board~~. Such persons shall be under the control of the ~~city manager~~city manager~~park and recreation board~~ and their compensation shall be fixed by the ~~city manager~~city manager~~park and recreation board~~. They shall be subject to removal or dismissal at the pleasure, and without cause, by the ~~city manager~~city manager~~park and recreation board~~. None of these provisions, however, shall be deemed to limit in any manner the authority of the police department of the city, or other peace officers, but shall be cumulative thereof. (Amend. of 5-3-97, Prop. No. 6)

## **SEC. 7. CONFLICTS BETWEEN PARK AND RECREATION BOARD AND OTHER BOARDS TO BE DETERMINED BY THE CITY MANAGER~~COUNCIL~~.**

In the event of any conflict of jurisdiction arising between the park department and any other department of the city, or in regard to any administrative detail thereof, the same shall be referred to the city managereouncil and his or her~~its~~ decision thereon shall be final.

## **SEC. 8. REPORTS.**

The park and recreation board shall render to the city council such reports as may be required by the city council.

## **SEC. 9. DISBURSEMENTS OF FUNDS.**

All ad valorem tax funds and other funds appropriated by the city council for park purposes, and all sums received from other sources for park purposes, shall be held in the city treasury subject to the order and disbursement of the city council~~park and recreation board~~, and shall be paid out upon warrants issued by the city manager~~park and recreation board~~ signed by either the city manager~~president of the board~~ or the individual designated by the city manager~~board~~ and countersigned by the city controller. (Amend. of 4-2-83, Prop. No. 6; Amend. of 11-8-05, Prop. No. 8)

## **SEC. 10. TITLES AND SIGNATURES.**

All property purchased, acquired or given to the city, shall be taken in the name of the city, and if given, deeded or devised to the park and recreation department of the city, or to the park and recreation board of the city, shall be deemed to be the property of the city to be used for park purposes. All deeds, leases, conveyances and contracts on behalf of the park and recreation board of the city shall be signed by the city manager~~president of the park and recreation board~~ (or his or her designee)~~ion board~~ and attested by the city~~its~~ secretary, in addition to the signatures necessary on behalf of the city as herein otherwise provided.