



Meeting Minutes

Parks and Recreation Advisory Committee

Wednesday, July 12, 2023

5:30 PM

City Hall, Basement Training Room

A. Call To Order/Roll Call

The meeting was called to order and a quorum was established with Duke Canchola and Chris Ardueser absent.

B. Public Comment

Rukmini Surnedi at 7829 Lovain Drive, student at Veteran's Memorial High School, addressed the Committee and spoke to the health risks and environmental damage caused by smoking/vaping; the effects of second hand smoke. She supports the prohibition of smoking in all City parks.

Jonathan Martinez, Coalition Coordinator for Project HOPE at the Coastal Bend Wellness Foundation spoke to a proposal of a City ordinance that would prohibit smoking/vaping in all City parks. He also mentioned the health risks associated with smoking, specifically for young adults. He believes it is beneficial to enact this type of ordinance as it would help deter young adults from smoking. The proposed ordinance would be environmentally beneficial and aid in park beautification efforts by reducing litter to ensure a cleaner experience for residents/visitors.

C. Approval of Absences: Twila Stevens & Kellie Summers

A motion was made by Linda Lindsey to approve the absences listed above and it was seconded by Howard Schauer. The motion passed

D. Approval of Minutes

1. [23-1101](#) Regular Meeting Minutes of June 14, 2023

A motion was made by Thomas Cronnon to approve the minutes listed above and it was seconded by Howard Schauer. The motion passed.

E. Director's Report

Robert Dodd, Director of Parks & Recreation Department, gave the following updates:

- Budget Priorities for FY 24
- Water Sport Launching Sites
- Maximo

- Surface Transportation Block Grant Set-Aside (STBG-SA) - Highway Safety Improvement Projects
- PARD City Council Items for July 18, 2023
- Upcoming Events - "Beat the Heat"
- Good News

Discussion took place regarding budget priorities (two funding sources). It was clarified that PARD priorities are associated with the Operating (maintenance) Budget. PRAC priorities are more associated with the Capital Budget and may need more planning. The Operational Budget can include routine maintenance items or special, one-time cost items. The FY 24 budget process is ongoing and the City Manager will present a recommended budget to City Council this month along with Budget Workshops in August. The PRAC Budget Priority memo has been forwarded to the City Manager and will be taken into consideration during Capital Budget discussions.

F. New Business for Discussion or Possible Action

3. [23-1145](#) Discussion Regarding a Proposal to Prohibit Smoking in all City Parks.

As part of the Director's report (Item 1), Mr. Dodd, along with City Attorney, Adelita Cavada, gave some background information and an initial response from the City Legal Department regarding the proposed ordinance. On May 23, 2023, PARD received a formal request from the Coastal Bend Wellness Foundation(CBWF)/Project HOPE proposing an ordinance for a city-wide, smoking ban in City parks. A representative, Jonathan Martinez, from CBWF attended the June 14, 2023, PRAC meeting to speak to this request during Public Comment. Mr. Dodd informed the Committee that Blucher Park is currently the only City park in which smoking/vaping is prohibited by City ordinance in 2019. Other cities that have enacted no smoking ordinances include Dallas, Houston and San Antonio.

A city-wide, smoking ban for parks may be preempted by the recent HB2121 bill signed by the Governor, also known as the "Death Star Bill", for home-rule municipalities. This Bill is expansive and vague, severely limiting cities to be able to enact local ordinances/policies and overturns laws that conflict with the Bill. More research is needed to fully comprehend which of our local ordinances are preempted & now illegal. Ms. Cavada stated that parks/beaches are within the scope of the Texas Local Government Code and the Natural Resources Code. With direction/consideration from City Council/City Manager, the Legal Department will perform research to ensure this type of ordinance is not initially preempted. PRAC may choose to recommend a Resolution for City Council consideration regarding a smoking ban in all City parks.

The floor was opened for Committee comments/questions. Discussion took place regarding who would enforce the ordinance and how the ordinance would be enforced. Would it be enforced in the same way as alcohol violations in City parks are handled? Also, once adopted, how would the public be informed of the ordinance. If adopted,

signage is recommended throughout all parks, informing the public of violation fees. PRAC also inquired on statistics regarding violations/citations issued by the Police Department regarding juvenile smoking/litter/alcohol violations. PRAC requested that an officer/representative attend the meeting in August to provide insight.

Some PRAC members felt that more time is needed to make an informed decision. A motion was made by Howard Schauer to table this item to the August 9, 2023 PRAC meeting. Tabling this item would allow PRAC to make a more informed decision to possibility act on a Resolution recommending an ordinance for City Council consideration. The motion was seconded by Linda Lindsey and the motion passed. In the meantime, Chair Mejia would like to draft a Resolution to be prepared for the August 9th PRAC meeting.

G. Subcommittee & Committee Liaison Reports

Pedestrian/Bicycle Subcommittee: Adam Rios expressed interest in joining this subcommittee as Chair Mejia will no longer be able to serve. A motion was made by Thomas Cronnon nominating Adam Rios to the subcommittee and it was seconded by Twila Stevens. The motion passed.

Adopt-A-Park: Linda Lindsey gave an update on QR code signage for adopt-a-park and park improvements. Initial signs informing of park improvements have been placed at key locations such as Sherwood Park (dog park), Cricket Field at Greenwood, Bill Witt Aquatic Center, and North Beach Restroom Facility. At the August 15, 2023 City Council meeting, current Adopt-A-Park partners will be recognized for their contributions.

Bayside Area Development Plan/Strategic Action Plan: Chair Mejia stated that committee/community engagement for the Bayside ADP has been slated for August. Chair Mejia gave an update on the PRAC website; recommended that the Strategic Action Plan may need minor updates the following year regarding new goals/priorities as new members come on board.

H. Future Agenda Items

- Chair Elections (Vice-Chair in September)
- Possible Schedule Change for Day of PRAC Meeting
- Foresight Golf - Gabe Lozano Update
- No Smoking Ordinance (with PD representative)

I. Adjournment

There being no further business to discuss, the meeting adjourned at 6:40 p.m.