

ORDINANCE NO. 20160324-021

AN ORDINANCE AMENDING CITY CODE CHAPTER 14-1 (*DEDICATION OF OR NAMING A PUBLIC FACILITY OR PROPERTY*) AND RELATING TO THE NAMING OR RENAMING OF PARK FACILITIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 14-1-31 (*Definitions*) of the City Code and Section 14-1-32 (*Naming Policy*) are amended to read:

§ 14-1-31 DEFINITIONS.

In this article:

- (1) FACILITY includes a City building, structure, or other facility directly used by the public, excluding a police facility under Section 14-1-35 (*Procedure for Naming a Police Facility*) and a park facility under Section 14-1-36 (*Requirement for Naming or Renaming a Park Facility*).
- (2) DIRECTOR means
 - ~~[(a)]~~ the director of the Public Works Department~~[-or~~
 - ~~(b) if a duty relates to the naming or renaming of a park, pool, playground, or park facility, the director of the Parks and Recreation Department].~~

§ 14-1-32 NAMING POLICY.

- (A) A feature in a facility may be dedicated to a person to recognize a valuable contribution to the community without naming or renaming the facility in which the feature is located. A plaque recognizing a deserving person may be placed in a facility without naming or renaming the facility in which the plaque is placed.
- (B) A facility may be named for an individual, living or dead, or something other than an individual. A facility may be named for an individual only if the individual has provided creditable service to the community and to the City.
- (C) A facility named for an individual may not be renamed.

(D) Naming or renaming a facility must follow the procedure set forth in this article. The renaming of a facility must be initiated by the council or the city manager.

(E) If the city has financed the facility with the proceeds of obligations, the interest on which is excludable from gross income for federal income tax purposes, the city may reject a name to preserve the exemption from federal income taxation of the interest on the proceeds of the obligations.

PART 2. Chapter 14-1 (*Dedication of or Naming of a Public Facility or Property*) of the City Code is amended to add new Sections 14-1-36, 14-1-37, 14-1-38, and 14-1-39 to read:

§ 14-1-36 REQUIREMENTS FOR NAMING OR RENAMING A PARK FACILITY.

DEFINITIONS.

In this article:

- (1) PARK FACILITY means a park, significant building, sports complex, pool facility, or trail owned by the City and dedicated or used for park purposes. Significant building includes recreation, senior, cultural centers and other significant facilities used for parks and recreational purposes.
- (2) PARK FEATURE means a recreational improvement that is not considered a park facility and is a major component in the park facility.
- (3) DIRECTOR means the director of the Parks and Recreation Department.

§ 14-1-37 PARK NAMING POLICY.

- (A) Subject to a valid agreement governing the naming of a park facility or park feature, a park feature in a park facility may be dedicated to an individual or group to recognize a culturally significant contribution, other valuable contribution, or creditable service to the park system or the community without naming or renaming the park facility in which the feature is located. A plaque recognizing a deserving individual or group may be placed by the park feature without naming or renaming the park facility in which the plaque is placed. Additional plaques recognizing other individuals or groups may be placed at the same feature location. Each plaque may be removed only when the park feature is removed and repurposed into another park

feature. Naming a park feature can be done administratively without City Council approval.

(B) A park facility may be named for:

- (1) an individual who has provided a valuable contribution and creditable service to the park system and the City;
- (2) an individual or entity that deeds the land to the City for a park facility, contributes the estimated cost of at least 50% of the development of the park facility, and provides an endowment for the estimated 20-year maintenance costs of the park facility as estimated by the director; or
- (3) an individual or entity that has provided a culturally significant contribution to the surrounding area or community in which the facility exists.

(C) A non-refundable application fee must be paid at the time of submission of the application for naming or renaming a feature or facility.

(D) If a name is approved by council or the director, a sign fabrication, plaque and installation fee must be paid prior to fabrication.

(E) The application must contain documentation of public support for the proposed name. Public support materials must be provided to the Parks and Recreation Department.

(F) If the city has financed the park facility or feature with the proceeds of obligations, the interest on which is excludable from gross income for federal income tax purposes, the city may reject a name to preserve the exemption from federal income taxation of the interest on the proceeds of the obligations.

§ 14-1-38 - PROCEDURE FOR NAMING A FEATURE.

(A) A person may submit a nomination for naming a park feature or endorse a previously submitted nomination. A nomination or endorsement must be submitted to the director as provided by this section. The director may promulgate forms for this purpose.

(B) A nomination for naming a feature must include:

- (1) if the nomination is an individual's name, a biographical sketch of the individual whose name is nominated, their valuable contribution or creditable service to the park system or the community, including their involvement, and the individual's connection, if any, to the park feature or to the activity for which the park feature will be used;
 - (2) if the nomination is not an individual's name, justification for the suggested name; or
 - (3) if the basis of the nomination is a culturally significant contribution, a description of the cultural, geographic, or historic significance to the surrounding area or community in which the feature exists.
- (C) the director may notify the Parks and Recreation Board that the director finds that the nomination has appropriate justification to name the park feature for the person or for the entity.

§ 14-1-39 - PROCEDURE FOR NAMING OR RENAMING A FACILITY.

- (A) A person may submit a nomination for naming or renaming a facility or endorse a previously submitted nomination. A nomination or endorsement must be submitted to the director as provided by this section. The director may promulgate forms for this purpose.
- (B) A nomination for naming or renaming a facility must include:
- (1) if the nomination is an individual's name, a biographical sketch of the individual whose name is suggested, their valuable contribution or creditable service to the park system or the community. This sketch should include the person's involvement, and connection, if any, to the park facility or to the activity for which the park facility will be used;
 - (2) if the suggestion is not an individual's name, justification for the suggested name; or
 - (3) if the basis of the nomination is a culturally significant contribution, a description of the cultural, geographic, or historic significance to the surrounding area or community in which the facility exists.
- (C) Not later than the date construction of a new facility begins, the director shall notify the council, the city manager, the Parks and Recreation Board, and the City's public information officer that a new facility is to be named.

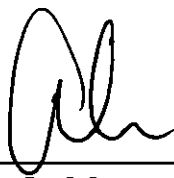
- (D) To promote community engagement and input from the stakeholders in the geographic area surrounding the facility prior to referral to the Parks and Recreation Board, immediately on receipt of notice from the director, the City's public information officer shall take reasonable steps to inform persons who are likely to have an interest in the naming of the facility. The public information officer shall consider the nature and location of the facility and whether a particular community is likely to be especially interested in the process, and disseminate the information to reach those communities. Information disseminated under this subsection shall include a statement of the deadline for submitting nominations.
- (E) A nomination or endorsement must be received by the director not later than the 90th day after date of the director's notice under Subsection (C).
- (F) As soon as practicable after the deadline for receiving nominations and endorsements, the director shall submit completed nominations and endorsements to the chair of the Parks and Recreation Board that the director finds to have appropriate justification.
- (G) On receipt of the nominations and endorsements, the Parks and Recreation Board shall schedule and conduct a public hearing on naming or renaming the facility. The Parks and Recreation Board shall make a written recommendation to the Council not later than the 45th day after the date the chair receives the nominations and endorsements, and shall provide a copy of the recommendation to the city manager. If the Parks and Recreation Board fails to meet the deadline prescribed in this section, the board is deemed to have made no recommendation.
- (H) The city manager shall provide each council member a copy of the Parks and Recreation Board's recommendation, if any, and the nominations and endorsements received by the director. The city manager shall place an item regarding the naming or renaming of the facility on the council's agenda as soon as practicable after the Parks and Recreation Board makes its recommendation, or after the period prescribed by Subsection (G) expires, whichever is earlier.
- (I) The council may establish different criteria and procedures for the naming or renaming of a particular facility. If a facility is partially funded by another entity the council shall consider that entity's nomination for naming or renaming the facility.

PART 3. This ordinance takes effect on April 4, 2016.

PASSED AND APPROVED

March 24, 2016

APPROVED:



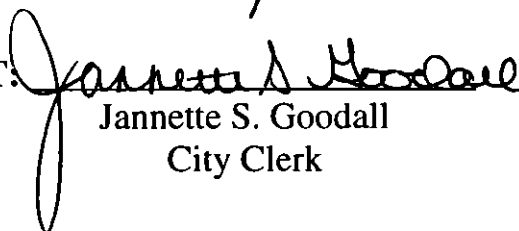
Anne L. Morgan
City Attorney

§
§
§



Steve Adler
Mayor

ATTEST:



Jannette S. Goodall
City Clerk