

1 **ORDINANCE NO.**

2 **AN ORDINANCE AMENDING CITY CODE CHAPTER 14-1 (DEDICATION OF**
3 **OR NAMING A PUBLIC FACILITY OR PROPERTY) RELATING TO NAMING**
4 **AND RENAMING PUBLIC RECREATION AREAS AND FEATURES, AND**
5 **RECOGNIZING CONTRIBUTIONS AT PUBLIC RECREATION AREAS AD**
6 **FEATURES.**

7 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
8

9 **PART 1.** City Code Section 14-1-31 (*Definitions*) is amended to amend the definition of
10 “Facility” to read:

11 (1) FACILITY includes a City building, structure, or other facility directly used by
12 the public but does not include [excluding] a police facility under Section 14-1-
13 35 (*Procedure for Naming a Police Facility*) or a public recreation area [park
14 facility] under Article 5 [Section 14-1-36] (*Naming or Renaming a Public*
15 *Recreation Area and Park Features; and Recognizing Contributions at Public*
16 *Recreation Areas and on Park Feature [Park Facility]*).

17 **PART 2.** City Code Sections 14-1-36 (*Requirements for Naming or Renaming a Park*
18 *Facility*), 14-1-37 (*Park Naming Policy*), 14-1-38 (*Procedure for Naming a Feature*), and
19 14-1-39 (*Procedure for Naming or Renaming a Facility*) are repealed and replaced with a
20 new Article 5 to read as follows:

21 ***ARTICLE 5. NAMING AND RENAMING PUBLIC RECREATION AREAS AND***
22 ***PARK FEATURES; AND RECOGNIZING CONTRIBUTIONS AT PUBLIC***
23 ***RECREATION AREAS AND ON PARK FEATURES.***

24 **§ 14-1-51 DEFINITIONS.**

25 (A) In this article,

- 26 (1) CONTRIBUTION means a culturally significant contribution, a valuable
27 contribution, or creditable service;
- 28 (2) CREDITABLE SERVICE means a minimum of 10 years dedicated either
29 through employment, volunteerism, or advocacy to the benefit of the
30 department or park system;
- 31 (3) CULTURALLY SIGNIFICANT CONTRIBUTION means a community
32 recognized aesthetic, historical, scientific, or social contribution that

33 meaningfully impact the built environment, programmatic opportunities,
34 sense of community, or positive advocacy for the department;

35 (4) DEPARTMENT means the Parks and Recreation Department;

36 (5) DIRECTOR means the director of the department;

37 (6) LOCAL REFERENCE means a geographic feature, nature-based element,
38 community, cultural or historical reference that is found in proximity to a
39 public recreation area;

40 (7) NOMINEE means an individual, an entity, or group of individuals;

41 (8) PARK FEATURE means a recreational improvement that is a major
42 component of a public recreation area; and

43 (9) VALUABLE CONTRIBUTION means an action or series of actions that
44 resulted in or brought about positive outcomes for the park system or the
45 community.

46 (B) A term defined in Chapter 8-1 (*Parks Administration*) has the same meaning in this
47 article.

48 **§ 14-1-52 APPLICABILITY AND INTENT.**

49 (A) This article applies to the naming and renaming of public recreation areas and park
50 features; and to other actions that recognize contributions at public recreation areas
51 and on park features.

52 (B) The council intends to serve the interests of the community and assure a worthy
53 and enduring legacy when naming and renaming public recreation areas and park
54 features.

55 (C) In support of that intent, council seeks to adopt a process that:

56 (1) is transparent to the public regarding the processes to submit a nomination,
57 to consider a nomination, to hold public meetings about the application, to
58 obtain feedback from the public, and to approve a nomination to name or
59 rename;

60 (2) actively seeks community input with mechanisms in place to receive
61 intentional feedback along with a feedback loop; and

62 (3) considers racial, ethnic, gender, and economic disparities in the naming or
63 renaming of public recreation areas and park features.

64 (D) Nothing in this article limits the council’s authority to establish different criteria
65 and procedures for naming or renaming of a particular public recreation area or
66 park feature. A council-approved resolution that establishes the criteria or
67 procedures to name or rename a particular public recreation area or park feature
68 controls over a conflicting provision of this article.

69 (E) If the city has financed a public recreation area or park feature with the proceeds of
70 obligations, the interest on which is excludable from gross income for federal
71 income tax purposes, the council may reject a name to preserve the exemption
72 from federal income taxation of the interest on the proceeds of the obligations.

73 (F) Unless the name is related to the Confederacy, a public recreation area or park
74 feature with the same name for 50 or more years is considered an iconic park and
75 is not subject to this article.

76 (G) The director may adopt rules under Chapter 1-2 (*Adoption of Rules*) to implement
77 this article.

78 **§ 14-1-53 RECOGNIZING CONTRIBUTIONS AT PUBLIC RECREATION**
79 **AREAS AND ON PARK FEATURES.**

80 (A) The director may recognize contributions through coordinated displays of plaques
81 or bricks at public recreation areas and on park features.

82 (B) A nominee may be recognized under this section without naming or renaming a
83 public recreation area or park feature.

84 **§ 14-1-54 DEDICATION PLAQUES.**

85 (A) Except as provided in a valid agreement governing the naming of a public
86 recreation area, the City may recognize a nominee’s contribution by dedicating a
87 plaque on park features within a public recreation area.

88 (B) A dedication under this section does not constitute naming or renaming; or require
89 naming or renaming.

90 (C) If the Parks and Recreation Board recommends recognizing a nominee’s
91 contribution by dedicating a plaque under this section, the director is authorized to
92 install a plaque recognizing the nominee.

- 93 (D) One or more plaques dedicated to other nominees may be placed at the same park
94 feature location.
- 95 (E) A plaque installed under this section may be removed only when the park feature is
96 removed and repurposed into another park feature.

97 **§ 14-1-55 NAMING AND RENAMING POLICY.**

98 (A) Subject to the limitations in Subsection (C), a public recreation or park feature may
99 be named or renamed for:

- 100 (1) an individual who made a valuable contribution or provided creditable
101 service to the park system and the city;
- 102 (2) a nominee that made a culturally significant contribution to the area or
103 community surrounding the public recreation area;
- 104 (3) a local reference; or
- 105 (4) a nominee that:
- 106 (a) deeds the land to the City for a public recreation area;
- 107 (b) contributes the estimated cost of at least 75 percent of the
108 development of the public recreation area; and
- 109 (c) provides an endowment for the estimated 20-year maintenance costs
110 of the public recreation area.

111 (B) The director will determine the estimated 20-year maintenance costs.

112 (C) Limitations.

- 113 (1) A public recreation area or park feature may not be named or renamed for an
114 individual unless the individual is deceased for at least two years or is retired
115 from the City for at least three years.
- 116 (2) A public recreation area may not be renamed for a period of 25 years from
117 the date the council approves a naming or renaming under this article unless
118 council approves a resolution initiating a renaming of a public recreation
119 area before the 25-year period ends.

120 **§ 14-1-56 AUTHORITY TO APPROVE NAMING AND RENAMING**
121 **NOMINATIONS.**

122 (A) Except as provided in Subsection (B), the city council approves naming and
123 renaming under this article.

124 (B) The director may name and rename park features.

125 **§ 14-1-57 NOMINATION PROCEDURE FOR NAMING OR RENAMING A**
126 **PUBLIC RECREATION AREA OR A PARK FEATURE.**

127 (A) Submitting Nominations.

128 (1) A person may submit a nomination to name or rename a public recreation
129 area or park feature.

130 (2) When submitting a nomination, a person must pay a non-refundable
131 nomination fee set by separate ordinance.

132 (3) A nomination must be submitted to the director on a form approved by the
133 director.

134 (a) To nominate an individual or a group of individuals, a person must:

135 (i) provide a biographical sketch of the individual;

136 (ii) identify their valuable contribution or creditable service to the
137 park system or the community, including their involvement;
138 and

139 (iii) identify the individual's connection, if any, to the public
140 recreation area or park feature or to the activity for which the
141 public recreation area or park feature will be used.

142 (b) To nominate an entity, a person must:

143 (i) provide the entity's history; and

144 (ii) identify the entity's culturally significant contribution or
145 valuable contribution.

146 (c) To nominate a local reference, a person must:

147 (i) identify the local reference and its location; and

148 (ii) describe the connection between the public recreation area and
149 the local reference.

150 (d) The nomination must include documentation that demonstrates public
151 support for the proposed naming or renaming.

152 (B) Notifications.

153 (1) Existing Public Recreation Areas and Park Features. Within 30 days of
154 receipt of a completed nomination, the director will notify the council, the
155 city manager, and the Parks and Recreation Board that a nomination was
156 submitted.

157 (2) Newly Constructed Public Recreation Areas and Park Features. On or before
158 the day the construction begins for a new public recreation area or park
159 feature, the director will notify the council, the city manager, and the Parks
160 and Recreation Board that a new public recreation area or park feature needs
161 to be named.

162 (C) Community Engagement.

163 (1) Community engagement begins after the director provides notice under
164 Subsection (B).

165 (2) The director will take reasonable steps to inform people who are likely to
166 have an interest in the naming or renaming of the public recreation area or
167 park feature.

168 (3) The director will:

169 (a) consider the nature and location of the public recreation area and
170 whether a particular community is likely to be especially interested in
171 the process;

172 (b) disseminate the information to reach those communities;

173 (c) conduct at least three community engagement activities; and

174 (d) disaggregate engagement feedback to compare district-based feedback
175 to total community feedback and consider racial, ethnic, gender, and
176 economic disparities.

177 (4) The director will complete community engagement within 180 days.

178 (D) For a newly constructed public recreation area or park feature, the deadline to
179 submit nominations must be at least 90 days before the date of the first community
180 engagement activity.

181 (E) Director's Findings.

182 (1) The director may not make a finding of justified or not justified until after
183 community engagement is complete or, if newly constructed, 90 days from
184 the date of the last community engagement activity.

185 (2) If the director finds that a nomination is justified, the director must provide
186 the following information to the chair of the Parks and Recreation Board:

187 (a) the nomination;

188 (b) results of the community engagement; and

189 (c) a written explanation about how the results guided the director's
190 recommendation.

191 (3) If the director finds that a nomination is not justified, the director must
192 provide a written explanation about the finding to the chair of the Parks and
193 Recreation Board. The deadline to provide this explanation is 90 days after
194 the director finds that the nomination is not justified.

195 (F) Justified Nominations.

196 (1) After the director justifies a nomination, the Parks and Recreation Board
197 shall conduct a public hearing on the nomination.

198 (2) The Parks and Recreation Board shall make a written recommendation
199 within 45 days from the date the director submits the nomination to the
200 chair.

201 (3) If the board fails to meet the deadline described in Subdivision (2), the Parks
202 and Recreation Board is deemed to have made no recommendation.

203 (4) Except as provided in Subdivision (6), the city manager shall place an item
204 regarding a justified nomination on the council's agenda as soon as
205 practicable after the earliest of:

206 (a) Parks and Recreation Board makes its recommendation, or

207 (b) the period prescribed by Subdivision (3) expires.

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- (5) The city manager must provide each council member with a copy of the Parks and Recreation Board’s recommendation, if any, and the nominations received by the director.
- (6) If a public recreation area is partially funded by another governmental entity, the city manager will place an item to consider the entity’s nomination on the council’s agenda as soon as practicable.

§ 14-1-58 APPROVED NOMINATION FEES FOR PLAQUE, BRICK, OR SIGN.

- (A) Before a plaque or brick can be installed, the person who submitted the nomination must pay a fee for the plaque or brick.
- (B) Before a sign can be fabricated, the person who submitted the nomination must pay a fee for the sign.

PART 3. This ordinance takes effect on _____, 2023.

PASSED AND APPROVED

_____ §
 _____ §
 _____, 2023 § _____
 _____ Kirk Watson
 Mayor

APPROVED: _____ **ATTEST:** _____
 Anne L. Morgan Myrna Rios
 City Attorney City Clerk