**COUNCIL COMMITTEE REPORT**
**OPEN SPACE, ENVIRONMENT AND SUSTAINABILITY COMMITTEE**

**Date**: January 27, 2016

**Agenda Item #**: 3

**Agenda Item**:

**Vote 3-1** Recommendation to include CM Garza's amendment and Ms. Seely's amendment along with the proposed ordinance and submit to Council was approved on CM Garza's motion and on MPT Tovo's second. CM Zimmerman abstained.

**Sponsors/Department**: Parks and Recreation Department

**Summary of Discussion**

Greg Montes, the Parks & Recreation Department (PARD) described the request to propose four code amendments to Austin Code Title 14 pertaining to the naming and renaming of the City's park facilities. These proposed amendments will aim to establish a separate naming section, define which facilities can be named, add policy to change the naming requirements, and establish a procedure section for namings. The four proposed amendments were approved by the Land, Facilities and Programs Committee of the Parks & Recreation Board and the full Parks & Recreation Board (PARB). Chair of the PARB, Jane Rivera, added that the PARB spend a lot of time discussing specific guidelines and scenarios before bringing anything to Council.

- *Facility versus feature*

CM Garza asked if there's a difference between a facility and a feature. Montes noted that there are some examples of a feature include a soccer field, basketball court, and tennis court.

- *Deceased and living*

CM Garza asked about the delineation of deceased versus living based on significant contributions made such as donated land or monetary donations towards the cost of the park. CM Garza spoke on concerns about the equity of the proposed amendment that implies naming will be done partly based on monetary and wealth donations. Montes further clarified that the proposed ordinance provides the opportunities to name features after a living individual but the only way a facility would be named after a living individual is if they deeded the land. The policy states that the land must be deeded to the City in order for it to be named after someone; therefore no one would be allowed to donate money and the request a naming.

MPT Tovo asked about the possibility of allowing namings for deceased individuals versus both deceased and living. Sara Hensley explained that naming possibilities would be at a loss if the living could not have their name placed on a feature or facility. From a staff perspective, as long as the City Council has the final authority good decisions will be made.

CM Garza suggested that the rule should be consistent. That you've either made a significant contribution or have deeded the land and are deceased. Also, there should be a clause that allows Council to change the name of a facility or feature if it's been named after a living person and the

living person does something dishonorable, for example the Lance Armstrong trail. Montes explained that the code no longer states that a facility or feature cannot be renamed; therefore the option to rename a facility or feature in the future is an option.

- *Money and deeds*

CM Pool asked about the possibility of someone making a donation in order to then name a facility or feature after someone else. Montes explained that the proposed amendments do not prohibit that but City Council would have the final authority over any naming decision.

CM Pool then asked about the possibility of a feature or facility being named after a corporation that makes a contribution. Montes explained that the ordinance allows a person or entity to proceed through the naming application; however Council will ultimately weigh in and make the decision.

- *Entities, individuals, and corporations*

CM Garza asked if there have been any problems in the past that led to the addition of the word "entity" in the amendments rather than individual or corporation. PARB Chair, Jane Rivera, responded by saying that the PARB and City staff intended to include organizations or groups who perhaps raised funds to purchase lands and donate to the City, not necessarily big corporations.

CM Pool asked if there is any way to determine the intent of the PARB while making that recommendation to the language during the last PARB meeting. Staff explained that they would provide the audio recording of the meeting to the Council Member.

- *Public Support and materials*

CM Zimmerman asked about proposed Amendment 3 Section E which speaks on the type of public support material required to suggest a name to City staff for approval. Jane Rivera explained that PARB was concerned that by recommending an objective type of public support, such as the type of material or the quality or quantity of the material, the naming possibilities that would be otherwise be brought forward may end up being stifled by strict perimeters.

- *Amendments from the Committee*

CM Garza proposed an amendment to change Section B to read as "a person who has made a valuable contribution to the park system and the City or an individual or entity that" in order to removed "deceased" in Section B Article 1 and remove "living".

Nina Seely, Director of the UMLAUF Sculpture Garden, spoke on the intent of the proposed ordinance wanted to confirm that it is the City's understanding that the UMLAUF Sculpture Garden & Museum, a public/private partnership operating with a current parkland improvement M&O agreement which was approved by the Mayor and City Council on September 30, 2014, is not subject to the new policy changes within the proposed ordinance. Provision 14-1-33(i ) within the current city code and 14-1-39(i) within the proposed ordinance applies to the UMLAUF Sculpture Garden & Museum, as well as other third party entities with parkland improvement agreements.

Seely requested an amendment to add language to 14-1-39(i) providing clarification that the provision applies to third party entities with public/private parkland agreements. Language to be considered could simply be revised to "If a facility is partially funded by another entity, including entities with public/private partnership agreements, the council shall consider that entity's concerns in naming the facility"

**Public Comments**

Nina Seely

**Direction**

**Recommendation**
Recommendation to include CM Garza's amendment and Ms. Seely's amendment along with the proposed ordinance and submit to Council was approved on CM Garza's motion and on MPT Tovo's second.