

ORDINANCE NO. 2024-16

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE I “IN GENERAL,” SECTION 2-2 “NAMING OF CITY PROGRAMS, EVENTS, AND FACILITIES” TO PROVIDE ADDITIONAL CRITERIA FOR THE NAMING OR RENAMING OF PROGRAMS, EVENTS, AND FACILITIES IN RECOGNITION OF SIGNIFICANT MATERIAL AND FINANCIAL CONTRIBUTIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Greenacres, Florida (the “City”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City Council adopted Ordinance No. 2022-42, which established a uniform method and procedure for the naming of City programs, events, and facilities; and

WHEREAS, Ordinance No. 2022-42 provided for the naming or renaming of programs, events, and facilities in recognition of significant material or financial contributions; and

WHEREAS, the City Council has determined that it is necessary to provide additional criteria for the naming and renaming of programs, events, and facilities in recognition of the significant material and financial contributions; and

WHEREAS, the City Council has reviewed the proposed ordinance and has determined that the ordinance serves a public purpose and is in the best interests of the public health, safety and/or welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:

SECTION 1. The foregoing recitals are hereby fully incorporated herein by reference as the legislative findings of the City Council of the City of Greenacres.

SECTION 2. The City of Greenacres Code of Ordinances, Chapter 2 “Administration,” Article I “In general,” section 2-2 “Naming of city programs, events, and facilities,” subsection

Ordinance No. 2024-16 | Naming of City Programs, Events, and Facilities

Page No. 2

(g), is hereby amended to read as follows:

Sec. 2-2. – Naming of city programs, events, and facilities.

(a) *Intent and purpose; findings.*

1. The intent and purpose of this section is to establish a uniform method and procedure to name city programs, events, and facilities. The use of the words “name” and “naming” throughout this section shall also include “rename” and “renaming.”

2. The city council hereby finds that the authority to name city programs, events, and facilities is solely vested in the discretion of the city council. The city retains the sole discretion, to the maximum extent allowable by law, to reject any naming petition or donation (offered in exchange for naming rights) for any reason. The decision to associate any name with a city program, event, or facility, or any portion thereof, is made by the city in its proprietary capacity. It is not the city’s intention to create a public forum of any kind with respect to the naming of city programs, events, or facilities.

(b) *Generally.* The naming of a city program, event, or facility may be initiated (i) by the city council, (ii) upon the recommendation of the city manager, or (iii) upon the written petition of any person desiring to recommend a name to the city council.

(c) *Naming guidelines.* When considering the naming of any city program, event, or facility, the city council shall consider the following naming attributes:

1. Recognized geographic names;
2. Natural historic features;
3. Significant contributions to the city, State of Florida, or United States;
4. Significant material or financial contributions to the city;

5. Persons of historic service to the city;
6. Persons of outstanding civic service to the city; and
7. Documented community support for the name.

(d) *Other factors.* When considering the naming of any city program, event, or facility, the city council shall also consider the following additional factors:

1. Names selected will be commensurate with the significance of the city program, event, or facility;
2. Preference will be given to names that lend dignity to the city program, event, or facility;
3. Persons currently serving on the city council or serving as an existing city employee will not be considered;
4. Whether the name may lead to the undue commercialization of the city program, event, or facility.
5. Names that promote alcohol and tobacco products or political organizations will not be considered;
6. Names with connotations which by contemporary community standards are derogatory or offensive will not be considered;
7. The use of the same name for different city programs, events and facilities will be avoided;
8. The use of multiple names for different parts of a particular city program, event or facility will be avoided;
9. If the name is an individual person, whether the individual has ever been convicted of a felony; and
10. The cost that the naming or renaming will have on the city.

(e) *Naming petition process.* Any person wishing to recommend to the city council a name for a city program, event, or facility shall submit a naming petition to the city manager for evaluation. The petition shall be in writing on a form approved by the city. The petition shall demonstrate that the name selected satisfies the naming guidelines and other factors set forth in this section and that it demonstrates the required minimum community support as set forth in subsection (f). Upon receipt of a petition that meets the requirements of this section, the manager shall make a recommendation to the city council for either the approval or disapproval of the naming petition. The city council will determine, in its sole discretion, whether or not to name a city program, event, or facility in accordance with the recommendation set forth in such petition.

(f) *Minimum community support for naming petition.* Each naming petition shall include signatures that demonstrate minimum community support for the petition. Minimum community support requires signatures from at least five percent (5%) of the residents of the city based on the last officially reported population statistics maintained by the city. No naming petitions shall be processed by the city manager unless said petition meets the minimum community support requirement.

(g) *Significant material or financial contributions: additional criteria and minimum contribution.*

1. The city council may approve the naming or renaming of city programs, events, or facilities in honor of a person, living or deceased, or private or corporate entity as a result of a private gift or other significant material or financial contribution in the manner prescribed by this subsection.

2. The city shall have discretionary authority, without obligation to refund any portion of

the contribution, to rescind a naming right granted under this subsection pursuant to subsection 2-2(i).

3. Any group or entity receiving or holding funds donated for naming rights shall be: (1) required to maintain and produce, upon request, proper accounting records; and (2) subject to review and audit by an auditor selected solely by the city.

4. The duration of naming rights shall be proportionate to the value of the donation or other significant contributions of the person or entity being honored. In the event the naming was pursuant to a sponsorship agreement, the sponsorship agreement shall govern the terms and duration of the naming rights.

a. *Short-Term Naming.* Short-term naming may be approved for city programs, events, or facilities and shall be valid for a period of up to ten years, unless otherwise specified by the city council at the time of approval.

b. *Long-Term Naming.* Long-term naming may be approved for city programs, events, or facilities and shall be valid for a period greater than ten years. Funds donated for long-term naming shall be used to create a restricted account to benefit the city commensurate with the length of the approved naming right.

c. *Legacy Naming.* Legacy naming may be approved in perpetuity, except as provided in subsection 2-2(i), in recognition of extraordinary financial contributions to the city.

5. Funds donated for short-term, long-term, and legacy naming shall be deposited in the city's internal account(s).

6. From time to time, the city council may adopt a resolution establishing the minimum contribution required for the naming of a city program, event, and/or facility. The resolution may include minimum contributions short-term, long-term, and legacy naming.

- (h) *Approvals.* The city council shall name, rename, or remove a name from any city program, event, or facility, by resolution. As an alternative to the adoption of a resolution, the city council may enter into sponsorship agreements for naming rights of a city program, event, or facility. Such agreements shall be reviewed by the city attorney for legal sufficiency and approved by the city council. Any term or condition in a sponsorship agreement that is in conflict with this section 2-2 shall be null and void and have no legal effect. Approval of resolutions and sponsorship agreements involving the naming, renaming, or removal of a name from any city program, event, or facility shall require a minimum of four (4) votes of the city council membership.

- (i) *No property right.* No property right is conferred upon any person as a result of the naming of any city program, event, or facility. If at any time the name given to a city program, event, or facility adversely affects the reputation or business of the city or such name is involved with a public scandal or other disreputable situation, incident or occurrence, the city council, in its sole discretion, shall have the right to remove the name from such program, event, or facility. All sponsorship agreements shall include the language set forth in this subsection.

SECTION 3. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. Codification. The sections of the Ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section”, “division”, or any other appropriate word.

SECTION 6. Effective Date. The provisions of this Ordinance shall become effective immediately upon adoption.

Passed on the first reading this 1st day of July, 2024.

PASSED AND ADOPTED on the second reading this 15th day of July, 2024.

[Signatures follow on the next page].

Chuck Shaw, Mayor

Attest:

Quintella Moorer, City Clerk

Judith Dugo, Deputy Mayor

John Tharpe, Council Member, *District I*

Peter Noble, Council Member, *District II*

Susy Diaz, Council Member, *District IV*

Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney