

**RESOLUTION 15-82**

**Naming Streets and Facilities Policy**

**WHEREAS**, the City of Roswell owns various streets, lands and facilities; and

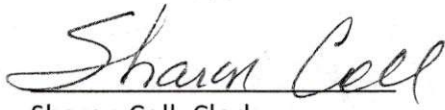
**WHEREAS**, the City of Roswell supports a policy which establishes the process for naming or renaming of City streets, lands and facilities.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO** hereby supports "Attachment A" as the proposed Naming Policy.

**PASSED, ADOPTED, SIGNED, AND APPROVED** this 10<sup>th</sup> day of December, 2015.

  
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Dennis Kintigh, Mayor

ATTEST: .

  
Sharon Coll, Clerk

**POLICIES FOR CHANGING THE NAMES OF STREETS, PUBLIC LANDS AND PUBLIC FACILITIES**  
**UNDER THE CONTROL OF THE CITY OF ROSWELL.**

**Section 1 - Purpose**

The purpose of this policy is to establish a systematic and fair process for changing the names of renaming of streets, public lands, and public facilities which are under the control of the City of Roswell. The naming of streets, public places and public buildings is a legislative function vested in the governing body of the City of Roswell under the provisions of NMSA 1978 §3-49-1 N. It is the policy of the City of Roswell to seek the input of City residents, particularly those who may be impacted as a part of the consideration of a proposal to change the name of a street, public land, or public facility. It is intended that only City of Roswell residents are allowed to request a renaming of public lands, public streets or public facilities.

**Section 2 - Application**

This policy applies to public lands, public facilities and public streets owned, managed and under the control of the City of Roswell. This policy only applies to those streets, public lands, and public facilities over which the City of Roswell has authority to name. This policy does not apply to the naming of new streets at the time of dedication or the initial naming of new public facilities.

**Section 3 – Definitions**

1. Public Land – Land which is owned or managed by the City of Roswell for the long term benefit of the community. These lands may be within or outside of the corporate limits. Examples include, but are not limited to developed and undeveloped parks, open space and plazas.
2. Public Facilities – Improvements to land, including physical facilities and amenities which are owned or managed by the City of Roswell for the long-term benefit of the community. Examples include City Hall, City Parks and City Public Library. This does not include the initial naming of new facilities.
3. Streets – Existing public streets which have been named and are owned and managed by the City of Roswell. This does not include new streets at the time of dedication.
4. Resident of the City of Roswell – a person whose primary residence has been within the corporate limits of the City of Roswell during the 30 days immediately preceding the date that such person signed a petition requesting the change of name of public land or a public facility.

**Section 4 – Renaming after living person**

Only a resident of the City of Roswell is allowed to submit name change requests. If the name change request is submitted by an organization, the organization must have a registered agent that

is a resident of the City of Roswell. The registered agent shall complete the application and deliver it to the City Manager.

The name of any street, public land, or public facility shall not be changed to be named after a living person. A person must be deceased before an application or petition to change the name of a street, public land or public facility in that person's name is submitted.

### **Section 5 - Guidelines**

The following represent some, but not all, of the factors that the governing body should consider before changing the name of a street, public land or facility to that of a deceased person or to that of an organization:

1. Use of names should be controlled to avoid duplication and confusion.
2. Whether person or organization gave a significant monetary, grant, donation or bequest to the City toward the acquisition or development of a public street or public facility.
3. Whether the person or organization performed a substantial community service that has had a major impact or benefit to a large sector of the City by:
  - a. Dedication to service in ways that bring special credit to the City; or
  - b. Providing extraordinary help to individuals, families, groups, or community services
4. Whether the person or organization is a significant cultural and historical figure. In all cases, the person or organization shall have demonstrated fine moral character and values and shall reflect positively on the City of Roswell.
5. The person or organization should not be of such a reputation as would reflect negatively on the City of Roswell. Examples that may show a reputation that would reflect negatively on the City of Roswell include, but are not limited to, felony criminal conviction(s) or a pattern of conduct that is contrary to community standards of justice, honesty and fairness.
6. Whether the person's next of kin have objected to naming the public facility, land or street after the person. If such an objection is made, naming after the person is not recommended.
7. Streets, public lands or public facilities named by deed restriction, grant approval or other contractual condition should not be considered for a change of name.
8. A street, public land, or public facility which is currently named for an individual should not be changed unless it is found that the continued use of the current name would not be in the best interest of the community.

### **Section 6 - Procedure**

#### **A. General Procedure**

### Application Fee

Requests for changing the name of a street shall be submitted in writing to the City Manager, along with a non-refundable application fee of \$150.00. Application fees do not apply to proposals made by a member of the governing body or by a City department.

### General Content of Application

The requestor shall provide background information regarding the rationale behind the request. Requestor shall submit signatures of abutting owners, signatures of residents in support and any supporting documentation for those signatures with the request. Requestor may include letters and other evidence of support with the request.

### Requestor Must Agree to Pay Costs in excess of \$2,000

The requestor shall enter into a written agreement with the City, contingent upon approval of the proposed renaming by the City Council, to pay all costs associated with the renaming, including signage, brochures, publications and administrative fees in excess of two-thousand dollars (\$2,000 limit). The City shall bear the cost of the renaming up to \$2,000. The City Manager shall not modify the \$2,000 limit in a way that makes the requestor responsible for more costs than would have been the case if the \$2,000 limit were to be applied.

### Action by City Manager

Upon receipt of application fee, if required, and a request complying with the provisions of this Policy, the City Manager shall forward the request to the appropriate City department (see Section 6.D. below) for verification of property owner support by certified mailing. The certified mailing shall be sent to all property owners abutting the street that is the subject of the name change request. If fifty-one percent (51%) or more of the abutting property owners who indicate their support for changing the name of the street as proposed, the City Manager shall forward the request to the appropriate City Council Committee. If there are no property owners abutting the street on proposed to be changed, the City Manager shall forward the request to the appropriate City Council Committee. The City Manager shall also post a public notice on the City of Roswell webpage. The public notice shall indicate the existing and proposed names, along with the date, time and location of the committee meeting at which the proposal will be reviewed. This notice shall be posted continuously for a minimum of 20 days before the committee meeting.

### B. Application to change name of Public Lands and Public Facilities

Any resident of the City of Roswell may submit an application to rename public land or a public facility. The application shall have a minimum of 300 signatures of Roswell residents in support of the renaming proposal. All signatures must be on a form provided by the City which clearly states the signature is in support of renaming the subject land or facility and the proposed name. The form shall list printed names along with corresponding signatures, dates of signatures, addresses and phone numbers of the residents who have

signed the petition. Background information regarding the rationale for the request shall be submitted as part of the petition.

C. Application for changing the name of a Street

Any resident of the City of Roswell may submit an application to change the name of a street. The application shall include the printed names, addresses, signatures, dates of signatures and phone numbers of at least forty percent (40%) of the abutting land owners of the street to be renamed. All signatures must be on a form provided by the City which clearly states such signature is in support of renaming the subject street from its current name to the proposed name of the street. Background information regarding the rationale for the request shall be submitted with the application. There is no right to have the name of a street, changed, or conversely to have the name of a street remain the same.

D. Action by City Staff to verify support of residents

After City Manager has forwarded the application information to the appropriate City department, that department shall send a mailing to each owner of property bordering on the street which is the subject of the naming request. The mailing shall be by certified mail – return receipt requested, and shall include a stamped post card with an area for the resident to check yes or no with regard to support for the renaming. The mailing shall clearly indicate that the response must be received by the City within 30 days of the date sent by the City. After the 30 day period for response, if sixty-five percent (65%) of the abutting property owners responses received are in favor of the proposed renaming, the City Manager shall place the request on the agenda for the next meeting for which the 20 day minimum posting requirement of Section 6.A. can be satisfied.

**Section 7 – Committee and City Council Action**

The appropriate committee shall review the request as placed on the agenda by the City Manager and make a recommendation as to the request to the City Council. Request documentation and the approval decision from the committee meeting will be submitted by the committee to City Council for their review. The item will then be placed on the next City Council meeting agenda for review and consideration.

City Council, after consideration, by motion and majority vote may:

1. Formally approve a naming proposal and require payment of costs by requestor;
2. Formally deny a naming proposal; or
3. Conduct a special public hearing at a future meeting date.

If the City Council votes to conduct a special public hearing, the public hearing must be at least 30 days after the City Council votes to conduct the hearing. Public hearing notification shall be posted continuously on the City of Roswell website for at least 10 days in advance of the hearing. The purpose of the public hearing is to allow additional public input directly to the City Council. After the public hearing, the renaming will be placed on the agenda for the next City Council meeting and the City Council may either:

1. Formally approve a naming proposal and require payment of costs by requestor;  
or
2. Formally deny a naming proposal.

#### **Section 8 - Notification of Decision and Payment of Costs**

The City Manager shall notify requestor, in writing, of the final decision of the City Council with regard to the request. This written notification shall be sent by City Manager within 30 days of the formal adoption or denial of the request. If the request was approved, the writing shall include a notification of costs of the proposed name change along with an explanation of the costs, due date and where payment is to be submitted.

Unless governing body determines otherwise, all costs of renaming the public land, street or facility in excess of \$2,000 shall be borne by the requestor. The costs include brochures and public information costs, along with fabrication of new signs and plaques, removal and installation costs. The requestor shall pay the estimated cost of the renaming before the City proceeds with any work to obtain new signage.

If payment is not tendered within 30 days of the due date specified in the written notification of the City Manager, the request will be considered abandoned and no further action will be taken on the request by the City. The City Council approval of the name change will be ineffective as the payment contingency was not met. The requestor will not be able to continue with the abandoned request, but is required to begin the name change request process with a new application, including new signatures and supporting documentation.