



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the
Board of Harbor Commissioners

DATE: NOVEMBER 18, 2015

FROM: WATERFRONT AND COMMERCIAL REAL ESTATE

**SUBJECT: RESOLUTION NO. _____ - APPROVAL OF THE
COMMEMORATIVE ART POLICY**

SUMMARY:

The Waterfront and Commercial Real Estate Division recommends the Board of Harbor Commissioners (Board) approve the Commemorative Art Policy (Policy). The Policy provides procedures and standards for City of Los Angeles Harbor Department (Harbor Department) review of commemorative art proposals from outside organizations or individuals. The review process would include: a feasibility determination by Harbor Department staff (Staff); a recommendation by an Advisory Panel consisting of community representatives, volunteers with historic or design expertise, and Staff; Board action to approve or deny the proposal; and a final Memorandum of Understanding (MOU) between the Harbor Department and applicant, where applicable.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Find that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines as determined by the Director of Environmental Management;
2. Approve the Commemorative Art Policy; and
3. Adopt Resolution No. _____.

DISCUSSION:

The Port of Los Angeles (Port) is currently home to a number of commemorative art pieces, consisting of memorials, statues, plaques, and other historic naval/maritime art installations that honor significant historic figures and events. These commemorative art pieces are predominantly located at John S. Gibson Park, adjacent to the Maritime Museum, along Harbor Boulevard between 5th and 6th Streets. Another notable memorial is the Japanese Fishing Village Memorial located on 1124 South Seaside Avenue on Terminal Island. The Harbor Department historically reviewed each proposal individually without a Board approved policy.

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Periodically, the Harbor Department receives proposals from organizations or individuals for new commemorative art. Staff presented and received input on a policy to review commemorative art proposals on November 10, 2015. The Policy (Transmittal1) incorporates Board input and provides consistent procedures and standards for review of commemorative art proposals from outside organizations or individuals. Under the provisions of the proposed Policy, there would be four stages of the review process:

1. **Feasibility:** Applications for commemorative art would be first reviewed by Staff on its practical achievability. Factors used to determine feasibility would include, but not be limited to: compliance with all applicable laws including Tidelands Trust Doctrine; the availability and appropriateness of the proposed location; the applicant's ability to raise the necessary funds; and the Harbor Department's ability to accommodate the application within the current or next fiscal year (e.g. where Harbor Department funds are requested).
2. **Advisory Panel (Panel):** Feasible applications would next be reviewed by a volunteer Panel. Panels would be formed on an as-needed basis due to the historically infrequent nature of commemorative art proposals. Each Panel will consist of at least one Staff, one person with expertise in history, art, and/or design, and one person representing the local community through elected office or a local community organization. The criteria for Panel review is broader than strict feasibility, and consists of the historic, economic, social, or cultural importance of the subject and any other important criteria the Panel deems necessary, including aesthetics. The Panel would make a recommendation to the Board on whether the Board should approve or deny the proposal.
3. **Board Consideration:** After Panel review, the proposal would be presented to the Board for action to approve or deny the application. The Board report for the proposal would include the Staff recommendation, Panel recommendation, and the primary terms, obligations, and conditions between the Applicant and Harbor Department.
4. **Memorandum of Understanding:** The City Attorney's Office will prepare an MOU incorporating the terms approved by the Board. Specifically, the MOU would include the design, construction, and maintenance of the memorial and financial obligations for the project. The MOU can be presented to the Board for action simultaneous with project approval or at a subsequent public meeting.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of a Commemorative Art Policy to set procedures and standards for Harbor Department review of commemorative art proposals. As an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

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FINANCIAL IMPACT:

If approved, there is no immediate impact to the financial condition of the Harbor Department; however, the Policy as proposed will provide clear direction to the Harbor Department in reviewing and recommending commemorative art for approval. Any proposed operating or capital spending associated with commemorative art will be brought before the Board in a separate action.

CITY ATTORNEY:


The Office of the City Attorney has reviewed this Board report and the Policy, and the proposed recommendations raise no legal issues at this time.

TRANSMITTAL:

1. Commemorative Art Policy

FIS Approval: MS (initials)
CA Approval: MS (initials)


MICHAEL J. GALVIN
Director of Waterfront and Commercial Real Estate


MICHAEL DiBERNARDO
Deputy Executive Director

APPROVED:


EUGENE D. SEROKA
Executive Director

ES:MD:MG:MC:cb
Author: M. Cham
BL546cb Commemorative Art Policy