

## COMMEMORATIVE ART POLICY

**I. PURPOSE:** The purpose of this Commemorative Art Policy (Policy) is to establish standards and procedures for the City of Los Angeles Harbor Department (Department) to review and approve the permanent installation of commemorative art (may also be referred to hereinafter as a “memorial”), within the Harbor District. Under this Policy, commemorative art is defined as a plaque or other work of art commemorating a person, place or event which has significant historical, economic, social or cultural importance to the State of California and the City of Los Angeles Harbor District. The Policy will ensure that commemorative art and memorials placed within the Harbor District comply with the Tidelands Trust, the Los Angeles City Charter and Administrative Code, and other applicable laws, rules and regulations regarding the Department and its operations.

### **II. PROCEDURES AND STANDARDS:**

- 1. APPLICATIONS:** Any person proposing that commemorative art or a memorial be placed within the Harbor District shall file an Application for Port Permit (APP) with the Department. After an application is filed, Department staff shall obtain any information from the applicant whenever necessary for completion of the review process, including but not limited to, design plans, proposed location, historical information, cost estimates including maintenance and funding plans.
- 2. FEASIBILITY:** Upon submission of an Application, Department staff will review the Application and determine whether the proposed memorial is feasible.

Factors used to determine feasibility may include, but are not limited to:

- A. Whether the proposed memorial complies with Tidelands Trust, Los Angeles City Charter and Administrative Code, California Environmental Quality Act or other applicable environmental laws, and other applicable laws rules and regulations regarding the Department and its operations.
- B. The availability of Department property at the proposed location, which may include consideration of the Department’s Port Master Plan and any other issue regarding the use and development of property within the Harbor District.
- C. The Applicant’s ability to implement their plan and raise the necessary funds to produce, install and maintain the memorial.

- D. The Harbor Department's ability to accommodate the Application within the current or next fiscal year (e.g., where Department funds are requested or availability of a proposed location).

If Department staff determines that the proposed memorial is feasible, the Application shall be forwarded to an Advisory Panel for further review.

If Department staff determines that the proposed memorial is not feasible, the Application shall be rejected in written communication to the Applicant.

- 3. **ADVISORY PANEL:** An Advisory Panel (Panel) will review all Applications determined by Department staff to be feasible.

Panels will be formed by Department staff on an ad hoc basis after one or more Applications are determined to be feasible and based on the availability of Department staff and non-Department volunteers to participate on a Panel. Upon selection of any Advisory Panel, notice of pending applications and proposed panel members will be communicated in writing to the Board President and Vice-President for their information.

Panels may be comprised of three or more members and selection will be based upon the type of memorial proposed so as to have meaningful review. Panels shall consist of at least (i) one Department staff person, (ii) one person with training, education or other expertise in the fields of history, art, and/or design, and (iii) one person representing the local community through elected office, neighborhood councils, and/or local community organizations.

Panels shall use the following criteria when reviewing an Application:

- A. Whether the proposed memorial has significant historical, economic, social or cultural importance to the State of California or the Harbor District, and whether the proposed memorial may give rise to any potential controversy regarding the memorial subject under review.
- B. Whether the memorial complies with the Tidelands Trust and other applicable laws, rules and regulations regarding the Department and its operations.
- C. Whether the proposed memorial's location complies with the Department's Port Master Plan and any current or future plans for the proposed location.

- D. Whether and to what extent Department funds are requested or required for the proposed memorial and whether the Department can accommodate the requested funds.
- E. A review of any other information regarding the proposed memorial a Panel deems necessary for making a recommendation to the Board of Harbor Commissioners (Board).

Upon review of the criteria, the Panel shall make a recommendation to Department staff and the Board regarding the Panel's evaluation of the Application.

- 4. **BOARD CONSIDERATION:** The Application for each memorial reviewed by a Panel shall be presented to the Board at a publicly held meeting. The Executive Director report presented to the Board will include all pertinent information regarding the application including the proposed memorial subject, funding information, requested Department obligations, including financial impacts, and both staff and Panel recommendations to either approve or deny the Application. The Board shall not be bound by the findings or recommendations of Department staff or Panel and shall maintain its independent decision making authority regarding all Applications presented.
- 5. **MEMORANDUM OF UNDERSTANDING:** The Department and the Application proponent will enter into a memorandum of understanding (MOU) in order to undertake the memorial installation and delineate future responsibilities, if any. The MOU may be presented to the Board for approval at either the Board meeting at which the Application is approved or at a subsequent meeting after Board approval of the Application.

Separate from the MOU, the memorial proposal will be subject to all applicable permits and requirements (e.g., Harbor Engineer's Permit, Coastal Development Permit, etc.).