

REPORT OF GENERAL MANAGER

NO. 15-93

DATE May 6, 2015

C.D. 1

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: MACARTHUR (GENERAL DOUGLAS) PARK - 'ANGEL DE LOS MIGRANTES' MONUMENT PROJECT

R. Adams	<u> </u>	V. Israel	<u> </u>
*R. Barajas	<u>CSDF</u>	K. Regan	<u> </u>
H. Fujita	<u> </u>	N. Williams	<u> </u>



 General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Grant approval of the Guatemalan Embassy's proposed 'Angel de los Migrantes' Monument Project as described in the Summary of this Report;
2. Authorize Department of Recreation and Parks (RAP) staff to issue the appropriate Right-of-Entry (ROE) Permit;
3. Authorize RAP staff to enter into an agreement with the Guatemalan Embassy for the ongoing maintenance of the proposed project; and,
4. Authorize RAP staff to set up an appropriate escrow account for the receipt of \$10,000.00 for the ongoing maintenance and/or eventual removal of the Monument statue under Fund 302, Department 89, and Account 89834M Metro Region Maintenance.

SUMMARY:

The Guatemalan Embassy, through the office of Council District One, has contacted the Department of Recreation and Parks (RAP) with a proposal to construct and maintain a monument at MacArthur Park as a dedication to the various immigrant communities found throughout Los Angeles. The proposed Monument statue is being presented to the City of Los Angeles by the Guatemalan government.

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The Guatemalan government wishes to build the Monument at the corner of 7th Street and South Park View Street on MacArthur Park property located at 2230 West 6th Street. The proposed location is on a preexisting concrete pad so that no green space will be lost due to the installation of the Monument. The Guatemalan Embassy, as the representative authority for the Guatemalan government, proposes to install the monument in order to add to the historical significance of MacArthur Park that has been established by other existing monuments. The Embassy believes that the design of the Monument sculpture will beautify and instill a sense of pride and unity in the surrounding community and will help in reducing crime in an area. The intended message of this Monument is that of optimism, protection, and peace.

The monument has been designed and built by Jose Toledo Ordonez, a famed Guatemalan artist who is renowned for his work as a 'mechanical artist' and utilizes the same tools as the automotive trade. The artist has signed the Department's Waiver of Rights, which allows for the removal of the sculpture, at the Department's sole discretion, should the sculpture not be maintained to Department standards. The sculpture, 'Angel de los Migrantes' is intended to represent an angel a universal symbol of protection and peace to the many immigrant communities who seek optimism and safety in Los Angeles. The statue stands 10'6" tall and has a wingspan of 13'3". A rendering of the sculpture, the proposed location, as well as the signed waiver, is attached hereto as Exhibit A.

The Guatemalan government has committed to the ongoing maintenance of the sculpture for the length of the installation with an agreed upon term of ten (10) years. The sculpture will be required to include a heat-resistant anti-graffiti coating to facilitate maintenance. Additionally, the Department is requiring the deposit of ten thousand dollars (\$10,000) into a designated escrow account so that, in the event maintenance and removal is not performed to Department satisfaction, the Department will not bear a financial liability for the removal of the installation.

On June 11, 2014, the Board of Recreation and Park Commissioners', Facilities and Maintenance Task Force reviewed the proposed project and recommended that the project be heard by the full Commission for consideration of approval. The Cultural Affairs Commission heard and approved this item at their regularly scheduled meeting held on July 17, 2014.

Staff has determined that the subject project is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Article III, Section 1, Class 11 (6), of the City CEQA Guidelines.

This project has strong support from the Councilmember for the First District. Department management is in support of the project contingent upon the before mentioned escrow account. Additionally, the project has been conceptually reviewed by the Office of Historic Resources who finds no conflict between the installation of the Monument and MacArthur Park's designation as a Historic Cultural Monument.

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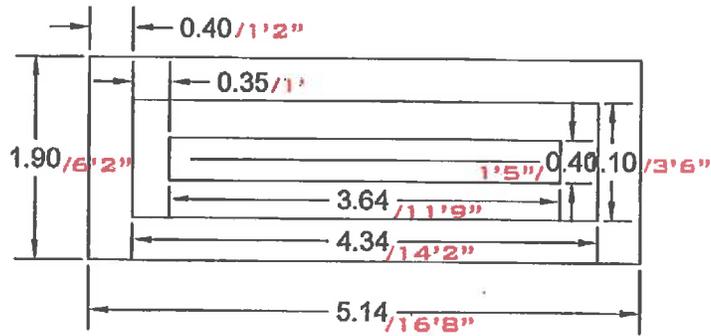
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FISCAL IMPACT STATEMENT:

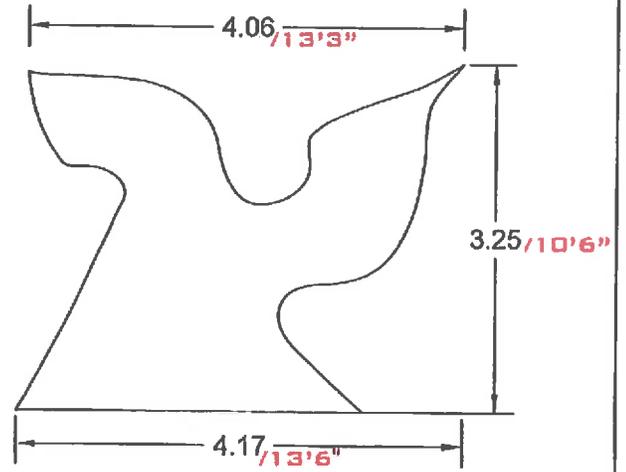
There will be minimal fiscal impact to the RAP's General Fund as staff recommends the approval of the project and the issuance of any ROE Permit to be contingent upon the deposit of \$10,000 in a sub-account account under 302/89 Account 84834M, which is specifically allocated for the maintenance and/or removal of the monument at the sole discretion of the Department.

This report was prepared by Melinda Gejer, City Planning Associate, Planning, Construction and Maintenance Branch.

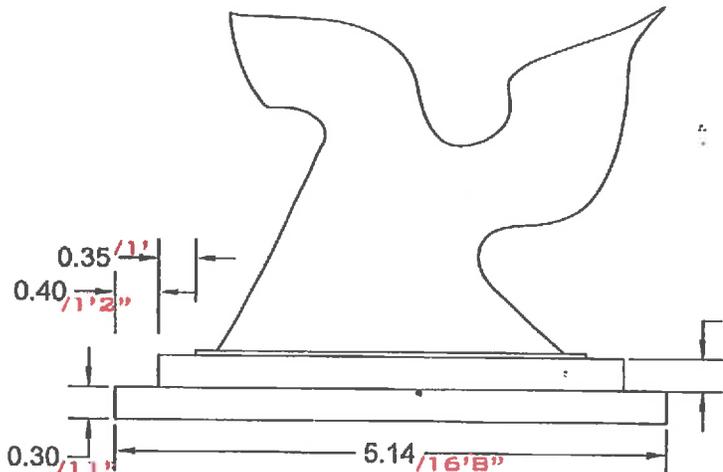




PLANTA



**ESCULTURA ANGEL DE
LOS MIGRANTES**
DEL MAESTRO JOSE TOLEDO



ELEVACION

SCULPTURE/Escultura: 515 Kgs./1135 LBS.
Base: 190 Kgs./418 LBS.
STEPS/Gradas: 280 Kgs./617 LBS.

*CONVERSIONS



Artist Waiver for Murals and Public Art

Waiver of Proprietary Rights for Artwork Placed upon City Property

The provisions of this paragraph shall apply to modify Artist's rights of attribution and integrity as set out in the Visual Artists Rights Act, 17 U.S.C. §§106A abd 113(d) ("VARA"), the California Art Preservation Act, Cal. Civil Code §§ 987 and 989 ("CAPA"), and any rights arising under United States federal or state law or under the laws of another country that convey rights of the same nature as those conveyed under VARA and CAPA, as against the City of Los Angeles ("City") and its agents.

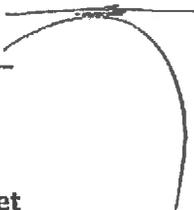
The City has the absolute right to change, modify, destroy, remove, relocate, move, replace, transport, repair or restore the [describe the artwork/project: mural, sculpture, etc. and medium]:

The sculpture of the Angel of Migrants

Entitled [title of work]: "Ángel de los migrantes"

And located at [identify site, including interior location if applicable]: South Park View Street and 7th street, MacArthur Park, Los Angeles, California.

In whole or in part, in City's sole discretion.



Artist's Address for Notice:

16 Calle, 4-66 Zona 14, Guatemala

Artist bears the sole responsibility for providing the City with any changes to the Artist's Address for Notice. Notice of changes must be mailed to the Department of Recreation and Parks, Planning, Construction and Maintenance Branch, 221 N. Figueroa Street, Suite 100, Los Angeles, CA 90012.

Artist Signature/Date
JOSE TOLEDO

MARCH 21, 2014

Recreation and Parks Signature/Date