

*Resolution No. 6099*

Resolution of the City Council of the City of Sebastopol  
Establishing Policies and Procedures  
Regarding Placement of Donated Monuments and Artworks on City-Owned Property

A. Introduction.

1. This policy is intended to provide policies and establish procedures for the placement of donated monuments, memorials and artworks in City of Sebastopol parks and on other City-owned property. City parks and other public lands are limited in area and have key community functions. Placement of monuments and artworks is generally secondary to those functions and therefore, such placements will be limited.
2. These policies and procedures are intended to protect the character, values, and functions of City-owned public lands. Given these considerations, some proposed projects may not be accepted.
3. The intent of this Resolution is to provide a structured procedure for the review of proposals for placement of objects in parks and on other City-owned property.

B. Limitation on Purpose, Size and Placement of Monuments and Artworks.

1. Monuments and memorials shall be limited to recognition of events, groups and individuals of historic, cultural, or other significance to the community, and shall be limited to a scale appropriate to the setting. Generally, monuments or memorials to living persons while not encouraged, may be considered, and there should generally be a minimum of five years between an event and its commemoration by a monument or memorial. In addition, generally donors are expected to take responsibility for all design, fabrication, and installation costs, including any modifications to the public property that may be necessary.
2. Donors are encouraged to consider alternatives to traditional monuments or memorials, such as 'living' memorials of trees or other landscaping, park benches, and the like.
3. Monument-, memorial-, and artwork-free zones may be recommended by the Planning Commission or Public Arts Committee and approved by the City Council to protect natural features or the character or function of a park or public area. Generally, the Laguna de Santa Rosa Wetlands Preserve is not considered an appropriate area for placement of monuments or memorials, or artworks, unless the work relates specifically to the history, culture, or ecology of the Preserve and does not substantially impair the character of the Preserve, and otherwise conforms with the content of the policies and procedures of this Resolution.

C. Exemptions.

1. Donations of trees, landscaping, and site furnishings such as benches, tables, drinking fountains, play equipment and the like, which may include small plaques

recognizing donors, shall not be subject to the review process set forth herein, unless otherwise determined by City staff or the City Council. Such donations may be subject to other policies or plans, and may require other City approvals such as City staff, Planning Commission or City Council.

1. Placement of monuments, memorials or artworks initiated by the City Council shall be referred to the Planning Commission or Public Arts Committee, as applicable and as determined necessary by the City Council, pursuant to these procedures and policies.

D. Review Criteria. The Planning Commission, Public Arts Committee, and City Council shall consider a number of factors in reviewing placement proposals. Temporary placements may be subject to more flexible application of the criteria. Review criteria include, but are not limited to:

1. Appropriateness of specific location;
2. Compatibility of the proposal with any adopted plan for the public property;
3. Relation of proposal, including concept, design, materials and finishes to character of proposed area of placement;
4. Impact on existing uses and functions in the proposed area of placement;
5. Design quality and scale;
6. Safety and liability issues, including insurance coverage for installation, if applicable;
7. Recognition of events, groups and individuals of historic, cultural, or other significance to the community;
8. Size of proposal relative to area of placement;
9. Proximity to, and density of other existing monuments or artworks in the proposed area of placement;
10. View impacts in, to, or through the proposed area of placement;
11. Generally, if a monument, relevance to the proposed area of placement or to local or other factors of community interest;
12. If an artwork, artistic quality;
13. Appropriateness of item for public display;
14. Intended length of placement;
15. Requested City resources needed for installation;
16. Durability and quality of materials and construction; and
17. Maintenance considerations, including any commitment by the applicant to provide long-term maintenance.
18. Proposed length of placement.

In taking action on proposals, the review body shall make findings regarding relevant review criteria.

- E. Application Requirements. Requests for placement of monuments, memorials and artworks in City parks or on other City property shall be submitted to the Planning Department. No fees for such applications shall be required. Applications shall address conformance of the proposal with review criteria. Length of placement and proposed ownership shall be specified. The Department may establish application forms and requirements. The Department shall determine the appropriate review process, including whether the proposal is a 'monument or memorial' or an 'artwork,' or both. The Department shall review requests to ensure adequate information has been provided, and shall refer

requests to appropriate City departments for review and comment. Larger installation proposals may require engineered plans or demonstration of Building Code compliance. Applicants are advised that review scheduling will be set by the City, considering project issues, agenda management, and other considerations.

F. Committee Review of Installations.

1. Once the City department review has been conducted, proposals for monuments or memorials on City property shall be referred to the Planning Commission for its review. After considering any presentation from the applicant and any comments from members of the public, the Commission shall make a recommendation, including any appropriate conditions, to the City Council, which shall have final authority to approve, deny, or condition any proposed placement. Applications not recommended for approval by the Commission shall not proceed for City Council consideration unless specifically requested by the applicant. There shall be no fee for such a request.
2. Proposals for placement of artworks on City property shall be referred to the Public Arts Committee for its review. After considering any presentation from the applicant and any comments from members of the public, the Committee shall make a recommendation, including any appropriate conditions, to the Planning Commission, which shall then make a recommendation to the City Council, who shall have final authority to approve, deny, or condition any proposed placement. Applications not recommended for approval by the Public Arts Committee and/or Planning Commission shall not proceed for City Council consideration unless specifically requested by the applicant. There shall be no fee for such a request.

G. Maintenance of Monuments, Memorials, and Artworks. Placement shall address maintenance considerations, and shall indicate any commitment to on-going maintenance, or to repairs or removal should the object be damaged. Generally, the City will not accept donations that create an on-going substantial maintenance burden. The City may choose to accept maintenance responsibilities. Any proposal that incorporates future modifications to the object shall describe such modifications in the application, and the nature and review of such future modifications shall be considered by the approving authorities, and appropriate conditions attached.

I. Ownership and Ability to Repair, Alter, or Remove. Objects permanently placed in parks or on public land shall be under the ownership and control of the City unless otherwise approved or agreed. If at any time, the object is damaged or is in disrepair, or if the City, in its sole discretion, determines it is appropriate to remove the object for other reasons, the City reserves the right to make repairs, or to alter, or remove and dispose of the object at its discretion. If repairs, alteration, or removal are indicated, unless there is an urgent safety situation, the City should first make efforts to contact the person or organization having donated the object to afford them the opportunity to repair or remove the object.

This Resolution rescinds and replaces Resolution 6012.

In Council duly passed by the City of Sebastopol City Council on this 21st day of June,

2016 by the following vote:

VOTE:

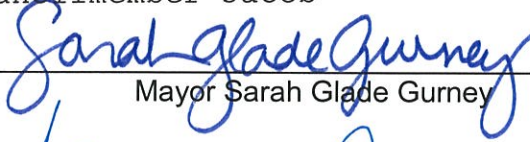
Ayes: Councilmembers Eder, Slayter, Vice Mayor Glass and Mayor Gurney

Noes: None

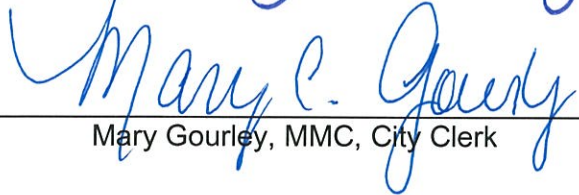
Abstain: None

Absent: Councilmember Jacob

Approved:

  
\_\_\_\_\_  
Mayor Sarah Glade Gurney

Attest:

  
\_\_\_\_\_  
Mary Gourley, MMC, City Clerk

Approved as to Form;

  
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Larry McLaughlin, City Attorney