

MEMORANDUM OF UNDERSTANDING
CONCERNING CONSTRUCTION OF QUANG TRI MONUMENT
IN FREEDOM PARK

This memorandum of understanding (“MOU”) is made on July _____, 2021, between the City of Westminster (“City”) and the Quang Tri Victory Foundation, a California nonprofit organization (“Foundation”). The City and Foundation are hereinafter collectively referred to as the Parties.

RECITALS

- A. Both City and Foundation desire to construct a monument to honor the battle of Quang Tri, and the ARVN and US soldiers who fought and died in that battle (the “Monument”).
- B. In light of modern efforts to try and rewrite history, both parties acknowledge the importance of making sure the Monument is as historically accurate as possible, because it will stand as an enduring reminder of how the Republic of Vietnam soldiers (“ARVN”) were able to soundly defeat a much larger North Vietnamese communist force and retake the City of Quang Tri.
- C. The Foundation has offered to pay all costs related to the design, construction and installation of the Monument. Following its construction the Monument will be owned, controlled and maintained by City.
- D. City is willing to agree to the placement of the Monument in a city owned park, subject to the process, terms and conditions in this MOU.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

- 1. The recitals above are incorporated into this MOU by this reference.
- 2. The parties mutually agree to construct the Monument in a City owned park in a manner that seeks to emphasize its visibility and importance, but subject to the process, terms and conditions described in this MOU.
- 3. Foundation agrees that it will pay all costs related to the Monument’s design, construction and installation. Once the Monument has been installed and accepted by the City it will become a City asset, and will thereafter be owned, maintained and controlled by the City in its discretion.
- 4. Before any Monument can be installed, the Parties agree that the City Council will set up an Independent committee composed of 11 members (the “Committee”). The 11 members of the Committee will include individuals appointed from the following groups:
 - a. (7) members who are all ARVN/Republic of Vietnam Veterans. (4) of the members will be selected by City Council. (3) of the members will be selected by the Foundation.
 - b. (1) member of the Committee shall be appointed by the City Council, and shall be a person who was a resident of Quang Tri province in Vietnam. This appointment seeks to recognize the role of the citizens of Quang Tri province, who bravely assisted ARVN forces in achieving the victory.
 - c. (1) member selected by the City Council who is a descendant of an ARVN veteran.

- d. (1) spiritual leader from Westminster, to be selected by the coalition of spiritual leaders (HDLT).
 - e. (1) member selected by the City Council from the Emperor Hung Foundation.
 - f. No members of the Committee shall be a current or former elected official, or anyone who is controversial in the community. The goal is to come to a mutually agreeable solution that works to the benefit of the entire community. All members of the Committee must be residents of Southern California. In the event there are any disputes the City Council shall make final determination.
5. The Committee's role will be to evaluate the proposed Monument and make recommendations to the City Council on each of the following issues:
 - a. Review the overall design of the Monument, and make recommendation on what the proper design should be. Committee shall work with a designer mutually selected by Foundation and City.
 - b. Determine how to best depict the Victory in the Quang Tri battle on the Monument. What images and messages will be displayed.
 - c. Come up with title for the Monument. Give it an appropriate name.
 - d. Decide which ARVN military units will be honored on the Monument.
 6. Foundation and City will mutually agree upon a designer. The designer will work with the Committee, and will come back with at least 2 or more designs for the Committee to select from based on their direction. The proposed designs shall be presented to the City Council at a public meetings where public input will be encouraged. The City Council will select a final design that best represents the will of the people and of the Committee.
 7. The City and Foundation both desire to construct the Monument as soon as it is reasonably possible, following the process outlined in this MOU. The Parties will work together in a timely manner to appoint members and hold meetings of the Committee. The City Council agrees that it will take the matter under consideration for final approval as soon as final recommendations have been made by the Committee. If necessary, the City Council may hold a special meeting in order to expedite the project approval.
 8. In order to maintain the original purpose of Freedom Park as a place to honor the tremendous sacrifice paid by American and South Vietnamese soldiers, who fought and died side by side in the Vietnam War, the proposed Monument will not be placed in Freedom Park. Instead, the Foundation will be allowed to choose between at least two other City parks which will be selected by the City Council.

Wherefore, by signing below the Parties acknowledge their agreement to the terms of this non-binding MOU.

Quang Tri Victory Foundation

City of Westminster

By: _____
 Title: _____

By: _____
 Title: _____