

RESOLUTION 2016-62

RESOLUTION AMENDING BPC POLICY NO. 609 - PUBLIC ART, TO MODIFY THE ANNUAL FUNDING ALLOCATION TO THE PUBLIC ART FUND

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

WHEREAS, BPC Policy No. 609 establishes a policy for the inclusion of artworks in public art office and capital improvement program projects within the San Diego Unified Port District (District) public places while providing for public art office and public art committee operations, strategic curatorial planning, project management activities and collections management; and

WHEREAS, BPC Policy No. 609 is the District's principal policy governing the commissioning, acquisition, installation and exhibition of public artworks for the aesthetic enhancement of the District's tidelands. It defines the purpose, functions and operations of the Public Art Office and the Public Art Committee and defines the purpose and usage of the Public Art Fund, as well as the annual funding allocation; and

WHEREAS, from its inception through 2008, the Public Art Fund has received an annual set-aside allocation that was defined as some fraction of one-percent of the District's annual projected gross revenues for that fiscal year; and

WHEREAS, the size of the fraction has varied over the years, ranging from three-eighths to one-half to one percent; and

WHEREAS, on June 10, 2008, a revision to BPC Policy No. 609 was adopted, replacing the percentage-based funding formula with a provision for a flat amount of \$1.2 million to be allocated to the Public Art Fund annually; and

WHEREAS, this amendment will end the annual set-aside allocation into the Public Art Fund as the principal method for funding the Public Art Office and its programs; and

WHEREAS, moving forward, public art-related expenses, including project costs and associated personnel and non-personnel expenses, would be planned, budgeted and approved in accordance with the District's annual budgeting processes on a fiscal year basis; and

WHEREAS, the new framework will align budgeting needs to actual project and personnel needs, create a flexible framework, and be consistent with the way staffing costs are budgeted across District departments; and

WHEREAS, the Public Art Fund will continue to exist as a separate, designated fund and would continue to accrue interest and receive contributions from outside sources, such as in-lieu contributions from Port tenants who are subject to percent for art requirements as provided for in BPC Policy No. 608: Tenant Percent for Art; and

WHEREAS, the Public Art Fund will also serve as a depository for public art-related grants or any other public donations that might be received; and

WHEREAS, funds accumulated in the Public Art Fund would be used principally for special artwork acquisitions or exhibitions such as those of exceptional merit, quality and/or significance for the tidelands and the greater San Diego region that are not outlined in the curatorial strategy; and

WHEREAS, the amendments to the policy consist primarily of two new clauses that would replace, respectively, paragraph 12 in the "Policy Statement" section and the Public Art Fund definition in the "Definitions" section; and

WHEREAS, several additional edits have been made to other clauses in the BPC Policy No. 609 document to ensure consistency with the changes recommended above; and

WHEREAS, on April 20, 2016, the Public Art Committee reviewed the proposed edits to BPC Policy No. 609 and recommended its approval.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Executive Director or her designated representative is hereby authorized and directed on behalf of the San Diego Unified Port District to amend BPC Policy No. 609: Public Art to modify the annual funding allocation to the Public Art Fund.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL


By: Assistant/Deputy

2016-62

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10th day of May, 2016, by the following vote:

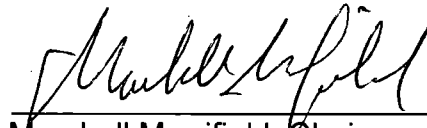
AYES: Bonelli, Castellanos, Malcolm, Merrifield, and Nelson.

NAYS: None.

EXCUSED: Moore and Valderrama.

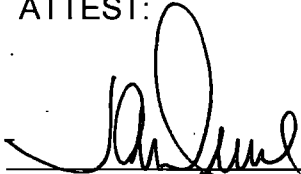
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)