

RESOLUTION 2018-015

RESOLUTION AMENDING BPC POLICY NO. 608: TENANT PERCENT FOR ART PROGRAM TO INCLUDE ADMINISTRATIVE UPDATES AND CLARIFY FULFILLMENT OPTIONS

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, the Board of Port Commissioners (BPC) adopted BPC Policy No. 608: Tenant Percent for Art Program, which provides for the inclusion of artwork in tenant improvement projects; and

WHEREAS, the District's public art initiatives started in the early 1980s, primarily for the purpose of promoting the aesthetic enhancement of tidelands through the inclusion of artworks to engage audiences on the waterfront; and

WHEREAS, currently, the District has two art-related policies: BPC Policy No. 609: Public Art Programs, which is the primary policy for District public art; and BPC Policy No. 608: Tenant Percent for Art Program, which provides for the inclusion of artwork in tenant improvement projects; and

WHEREAS, since their inception, these policies have been reviewed and updated several times to stay aligned with other District policies and procedures and to embody best practices in national art-related program management; and

WHEREAS, on December 8, 2017, the Arts & Culture Advisory Committee unanimously approved all proposed edits to BPC Policy No. 608: Tenant Percent for Art Program; and

WHEREAS, the recommended changes to BPC Policy No. 608 reflect department and administrative changes that took place in July 2017, and clarify the percent for art fulfillment options available for tenants; and

WHEREAS, currently, tenants have four (4) fulfillment options to satisfy the District's tenant percent for art requirement: commissioning artwork; purchasing artwork; making an in-lieu contribution to the Public Art Fund; and/or making a designated in-lieu contribution to the San Diego-Coronado Bay Bridge Lighting project; and

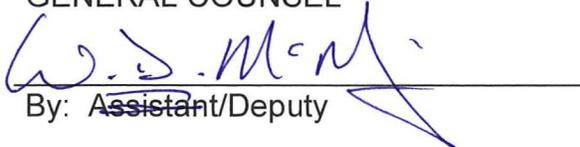
WHEREAS, tenants can select one or any combination of the four (4) options to meet the dollar amount of their percent for requirement; and

WHEREAS, the proposed revision adds a fifth fulfillment option to allow tenants who want to make an in-lieu contribution to the Public Art Fund the opportunity to have their financial contribution count as a credit against any art obligation they might have within a five-year period subsequent to the contribution; and

WHEREAS, this "early contribution" option provides greater flexibility for tenants to meet their percent for art obligation, but will not have any effect on the District's sole discretion to approve or disapprove of future projects.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, hereby amends BPC Policy No. 608: Tenant Percent for Art Program to include administrative updates and clarify fulfillment options.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL


By: ~~Assistant~~/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9th day of January, 2018, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

NAYS: None.

EXCUSED: Zucchet

ABSENT: None.

ABSTAIN: None.


Rafael Castellanos, Chairman
Board of Port Commissioners

ATTEST:


Donna Morales
District Clerk

