



## Legislation Details (With Text)

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**Title:** RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF OCTOBER 2019 AS  
“CELEBRATION OF THE ARTS MONTH” IN SUPPORT OF NATIONAL ARTS AND HUMANITIES  
MONTH

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**Attachments:** 1. 3. 2019-0319 Attachment A, 2. 3. 2019-0319 Draft Resolution

Date	Ver.	Action By	Action	Result
10/8/2019	1	Board of Port Commissioners	adopted	

**DATE:** October 8, 2019

**SUBJECT:**

**RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF OCTOBER 2019 AS  
“CELEBRATION OF THE ARTS MONTH” IN SUPPORT OF NATIONAL ARTS AND HUMANITIES  
MONTH**

**EXECUTIVE SUMMARY:**

National Arts and Humanities Month was launched by Americans for the Arts 30 years ago as “National Arts Week,” in honor of the twentieth anniversary of the National Endowment for the Arts. In 1993, it was reestablished by Americans for the Arts and national art partners as a month-long celebration with the goal of focusing on the arts at local, state, and national levels. Dedication to those goals has translated into large-scale celebrations across the country, reflecting the rich diversity of culture in America through art, music, cultural programming, and education; making National Arts and Humanities Month the largest annual celebration for the arts and humanities in the nation today.

October 2019 marks the fourth consecutive year that the Waterfront Arts & Activation department has produced programming in celebration of National Arts and Humanities Month. These creative activation events are one aspect of the Port’s larger strategy to enhance the cultural richness of District tidelands through creating engaging public art, cutting edge cultural programming, diverse and exciting special events, and widely accessible recreational opportunities.

The District started its public art initiatives in the 1980s as a means of activating the waterfront’s parks and public spaces with innovative artworks. Celebrating National Arts and Humanities Month across the county and at the District raises public awareness about the role of the arts in

communities and people's lives; it encourages individuals and organizations to participate in the arts and humanities, and allows governments and businesses to show their support of the arts. The proposed proclamation would be an acknowledgement of the District's long-standing role in supporting and promoting the arts on tidelands for the enrichment of both residents and visitors to the region.

**RECOMMENDATION:**

Adopt a resolution approving a proclamation in recognition of October 2019 as "Celebration of the Arts Month" in support of National Arts and Humanities Month.

**FISCAL IMPACT:**

"Celebration of the Arts Month" activities will be funded by the District's Waterfront Arts & Activation department from its FY20 NPE budget.

**COMPASS STRATEGIC GOALS:**

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.
- A vibrant waterfront destination where residents and visitors converge.
- A Port that is a safe place to visit, work and play.
- A Port with an innovative and motivated workforce.
- A financially sustainable Port that drives job creation and regional economic vitality.

**DISCUSSION:**

For FY20, one of the goals of the Waterfront Arts & Activation department is to continue to broaden the diversity of its offerings to include a variety of cultural programming for the District and members of the public. In support of "Celebration of the Arts Month," the Waterfront Arts & Activation department has developed a variety of arts and cultural activities for Port employees and visitors to immerse themselves in the arts during the month of October at the Port Administration Building. During the month, several pop-up art installations will be exhibited to show how art activates spaces and transforms the everyday. The department will also host an Open House with catered lunch in the District's offices and breezeway that will be enlivened with an immersive art installation, public art screenings, interactive experiences, giveaways, and music.

The proposed proclamation (Attachment A), recognizing October 2019 as "Celebration of the Arts Month," will reaffirm the District's long-standing role in supporting and promoting the arts on tidelands for the enrichment of residents and visitors to the region. Everyone at the District will be invited to join in "Celebration of the Arts Month" to gain an awareness and appreciation for how art influences and enriches peoples' lives.

**General Counsel's Comments:**

The Office of the General Counsel has reviewed the issues set forth in this agenda and found no legal concerns as presented.

## **Environmental Review:**

The proposed Board action, including without limitation, a resolution approving proclamation in recognition of October as “Celebration of the Arts Month”, does not constitute a “project” under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because no direct or indirect changes to the physical environment would occur. CEQA requires that the District adequately assess the environmental impacts of projects and reasonably foreseeable activities that may result from projects prior to the approval of the same. Any project developed as a result of Board’s action that requires the District or the Board’s discretionary approval resulting in a physical change to the environment will be analyzed in accordance with CEQA prior to such approval. CEQA review may result in the District, in its sole and absolute discretion, requiring implementation of mitigation measures, adopting an alternative, including without limitation, a “no project alternative” or adopting a Statement of Overriding Consideration, if required. The proposed Board action in no way limits the exercise of this discretion. Therefore, no further CEQA review is required.

In addition, the proposed Board action complies with Sections 21 and 35 of the Port Act, which allow for the Board to pass resolutions and to do all acts necessary and convenient for the exercise of its powers. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

The proposed Board action does not allow for “development,” as defined in Section 30106 of the California Coastal Act, or “new development,” pursuant to Section 1.a. of the District’s Coastal Development Permit (CDP) Regulations because they will not result in, without limitation, a physical change, change in use or increase the intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, development within the District requires processing under the District’s CDP Regulations. Future development, as defined in Section 30106 of the Coastal Act, will remain subject to its own independent review pursuant to the District’s certified CDP Regulations, PMP, and Chapters 3 and 8 of the Coastal Act. The Board’s action in no way limits the exercise of the District’s discretion under the District’s CDP Regulations. Therefore, issuance of a CDP or exclusion is not required at this time.

## **Equal Opportunity Program:**

Not applicable.

## **PREPARED BY:**

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Director, Waterfront Arts & Activation

## **Attachment(s):**

Attachment A: Proclamation in Recognition of October 2019 as “Celebration of the Arts Month”