



## Legislation Details (With Text)

**File #:** 2020-0297    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Passed  
**File created:** 8/10/2020    **In control:** Board of Port Commissioners  
**On agenda:** 10/6/2020    **Final action:** 10/6/2020  
**Title:** RESOLUTION APPROVING A PROCLAMATION IN RECOGNITION OF OCTOBER 2020 AS "CELEBRATION OF THE ARTS MONTH" IN SUPPORT OF NATIONAL ARTS AND HUMANITIES MONTH

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 7. 2020-0297 Attachment A, 2. 7. 2020-0297 Draft Resolution

Date	Ver.	Action By	Action	Result
10/6/2020	1	Board of Port Commissioners	adopted	

**DATE:** October 6, 2020

**SUBJECT:**

**RESOLUTION APPROVING A PROCLAMATION IN RECOGNITION OF OCTOBER 2020 AS "CELEBRATION OF THE ARTS MONTH" IN SUPPORT OF NATIONAL ARTS AND HUMANITIES MONTH**

### EXECUTIVE SUMMARY:

National Arts and Humanities Month was first launched 30 years ago in honor of the twentieth anniversary of the National Endowment for the Arts and has exponentially grown into a coast-to-coast collective recognition of the importance of creativity and culture in America. Since that time, thousands of government agencies and arts and cultural organizations have joined the national celebration by approving proclamations and recognizing October with a month-long campaign to raise public awareness about the role of the arts in communities and people's lives. The District first recognized Arts Month with a proclamation in 2016, making 2020 the fifth consecutive year that the Waterfront Arts & Activation department has programmed "Celebration of the Arts Month."

The District started its public art initiatives in the 1980s as a means of activating the District's parks, piers, and businesses with innovative artworks as a free cultural amenity. Over the past three decades, arts and cultural programming has grown into an essential aspect of the District's creative placemaking strategy in all five member cities around San Diego. The District's investment in commissioning site-specific public art, showcasing diverse cultural programming, sponsoring special events, and providing waterfront recreational opportunities has made the tidelands a treasured world-class destination for residents and visitors.

Each year, October is once again a time where people join together to celebrate the power that the

arts have to ignite hope, unify communities, and be recognized as a vital public service that affects lives for the better. The proposed proclamation serves as a continued acknowledgement of the District's long-standing role as a steward of the arts, supporting the enrichment of public spaces for both residents and visitors to the region.

### **RECOMMENDATION:**

Adopt a resolution approving a proclamation in recognition of October 2020 as "Celebration of the Arts Month" in support of National Arts and Humanities Month and encouraging people to experience the District's public art and amenities.

### **FISCAL IMPACT:**

There is no fiscal impact associated with this item.

### **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:**

Public art is an essential building component of public planning, development, and creative placemaking efforts, helping to establish the tidelands as a world-class waterfront destination that provides a rich and welcoming environment for residents and visitors to the region. The District's permanent "Tidelands Collection" is a prime example of how the arts enhance and enrich lives, offering visitors free access to enjoy a collection of 70 District-owned artworks around San Diego Bay. Additionally, under Board Policy No. 608: Tenant Percent for Art, visitors have access to 40 artworks commissioned by tenants and incorporated into large and small tenant businesses from hotels, restaurants, and maritime facilities. Artwork can be found all around the tidelands - on the sides of buildings, set into sidewalks, and in open green park spaces. Information on these important assets is available on the District's website and in the *Immerse Yourself in the Arts - Six Self-guided Tours Around San Diego Bay* booklet, which offers a unique cultural and recreational experience to the public in the form of informational walking tours of public art on tidelands.

The proposed proclamation (Attachment A), recognizing October 2020 as "Celebration of the Arts Month," will reaffirm the District's long-standing role as a steward of the arts, 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 the immense value of the arts as a public asset and their power to create joy, bring people together, and spark hope.

### **General Counsel's Comments:**

The Office of the General Counsel has reviewed this agenda sheet, the proposed proclamation and resolution as presented and approves same as to form and legality.

**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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**Attachment(s):**

Attachment A: Proclamation in Recognition of October 2020 as “Celebration of the Arts Month”