

**Port of San Diego
Public Art Department**

Draft Master Plan

March 10, 2010

Submitted by



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Executive Summary

This Master Plan provides a blueprint for the Public Art Department at the Unified Port of San Diego. Its key components include:

- A *vision* for how the Public Art Department will commission, purchase, exhibit and manage Artworks in the context of the Port's mission and goals.
- An *outline of creative directions* for the Department – a proactive context for relating Port, Tenant and donated Artworks to the Port's environmental activities, working waterfront and public places.
- A set of *policies and procedures* that clarifies how decisions are made and the roles and responsibilities of Public Art Department Staff, Tenants, the Public Art Committee and the Board of Port Commissioners.

Background

The Unified Port of San Diego is a unique agency with a specialized mission: Balance economic benefits, community services, environmental stewardship and public safety while protecting the Tidelands as a resource in trust for the citizens of California.

The Port started its public art initiative some fifteen years ago, primarily as means of supporting the Port's goals of community service and economic development – attracting visitors to the Tidelands, and enhancing and enriching people's experience once they are there. The Public Art Department was created in 1996, and the Port's public art initiative was extended to include tenant improvements in 2002. Today, the Port counts some 100 Artworks in its Tidelands Collection, along with numerous Tenant Artworks and Artworks on display in exhibitions such as Urban Trees.

This master plan process was launched in fall, 2009, at a time when the program faced a crossroads. There was, and remains, strong support for public art in all quarters – from the Board of Port Commissioners to arts representatives from the Port's member cities to the Port's staff. But there were strong concerns about the Department's directions, particularly its overall vision, the process by which projects were identified and funded, and the processes for selecting Artists and Artworks.

Process

At that juncture, the Department, with the support of the Board of Port Commissioners, commissioned this master plan and hired the consulting team of Todd W. Bressi and Meridith McKinley to lead the process. The consultants' charge was to help the Department frame a vision for its activities, to establish processes – based on the best professional standards and consistent with the Port's style of governance – for managing projects, and to clarify the criteria for public art decision making.

The planning process, conducted through winter and spring 2010, consisted of interviews, roundtable discussions with groups of stakeholders, roundtables in every member city,

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workshop sessions to hone recommendations and a public meeting. Draft recommendations were presented in January, 2010, and refined collaboratively with Port staff, Public Art Committee members, tenants and others. This full plan draft is submitted for review by the Public Art Committee and for approval by the Board of Port Commissioners.

Key Directions

This plan recommends that the Public Art Department craft a proactive approach towards acquiring and exhibiting Artworks, instead of devoting its resources to fulfilling requests from various stakeholders, which has characterized the Department's approach until now. This approach would be implemented through several new tools — an overarching set of Creative Directions, a multi-year Curatorial Strategy, and Individual Project Plans for each acquisition or exhibition.

- The Master Plan identifies three new Creative Directions that explore the Port's maritime, environmental and civic character, describing visual relationships, cultural meanings and unseen connections that Artists can engage and respond to, as well as goals and priorities that should directly guide all of the Department's activities.
- Department staff should develop a multi-year Curatorial Strategy, working with the Public Art Committee, Port staff and others. The Strategy would set priorities for building the Tidelands Collection: outlining the types of projects the Department will work to develop, the kinds of Artists it wishes to recruit, specific geographic areas it wishes to focus on and partnerships it would like to establish.
- Department staff should prepare an Individual Project Plan for every project. The Plan would outline the parameters and processes that would be followed in implementing a project, particularly the goals that would be used to assess Artists and Artist concepts.

This proactive approach can:

- Result in acquisitions and exhibitions that align closely with the Port's core mission and take a forward-looking, exploratory approach to revealing the complex nature of the Tidelands.
- Build a Tidelands Collection whose Artworks rival the best that can be found in the region — thus supporting the goals of attracting people to the Tidelands and serving as an important community and economic resource.
- Support the Port's efforts to build a world-class public realm along the Tidelands, serving both community and regional needs while supporting economic development through tourism.
- Create a clear rationale for the projects that the Public Art Department takes on, while involving all stakeholders — Port Commissioners, Public Art Committee members, and member cities — in setting the goals and priorities for the Department.
- Reflect both appropriate practices as developed in the public art field, and the specific traditions of governance in the Port.

Key Policies

To implement these directions, the plan recommends the following policies:

- A restructured Public Art Committee that balances broad-based representation with an emphasis on members with strong arts backgrounds.
- A more substantive, upfront role for the Public Art Committee in shaping the Department's curatorial directions and in reviewing the scope of potential projects.
- Stronger upfront guidelines for Tenant Artworks and donated Artworks.
- Earlier consultation with the Public Art Department on Tenant Artworks, CDP art projects, and redevelopment plans.
- Clarified evaluation criteria for the Public Art Committee, staff, and Selection Panels to use in reviewing Artists and Concept Proposals.
- Increased Public Art Department staffing to support Port projects, Tenant projects and management and conservation of the existing collection
- A five-year review to assess the impact of these recommendations.

Next Steps

This draft plan is being submitted to the Public Art Committee, and then to the Board of Port Commissioners, for review and consideration.

After the master plan is approved, Port staff will propose necessary revisions to Board of Port Commissioner Policies to implement the plan. These revisions should come in the format of separate policies for Port Artworks, Tenant Artworks and Donated Artworks.

1.0 Vision, Mission, Goals

Recommendation

- The Public Art Department should articulate a clear vision, mission and goals that strengthen the relationship between the Department and the key functional aspects of the Port, and that reinforce the Department's role in the Port's community service mission.

Vision

Build a critically acclaimed collection of public art that embodies the essence of the Port's maritime, environmental and civic character.

Mission

- Support the Port of San Diego, its Tenants and its member communities by providing leadership, advocacy and stewardship for public art.
- Acquire Artworks, organize Exhibitions and support Tenant Artworks that enhance the visual excitement, aesthetic appeal and cultural richness of the Tidelands.
- Manage the Tidelands Collection as a regional cultural asset.

Goals

- Support the Port's commitment to preserving the environmental quality of the Tidelands and San Diego Bay through acquisitions and exhibitions of Artworks.
- Explore the role the Port of San Diego plays in the local, national and world economy through acquisitions and exhibitions of Artworks.
- Enhance the Tidelands as an urban edge, a place of gathering, and a connection between urban and natural landscapes through acquisitions and exhibitions of Artworks.
- Embrace professionally-understood best practices for managing public art projects in the Public Art Department's policies and procedures.
- Incorporate considerations for public art into the earliest stages of conceptualization of Capital Development Projects and Tenant projects into redevelopment planning.
- Establish clear procedures and criteria for evaluating proposed donations of artworks.
- Continue the Public Art Department's current conservation, maintenance and collection management programs.

2.0 Introduction

2.1 The Port of San Diego¹

The Unified Port of San Diego is a unique agency with a specialized mission: Balance economic benefits, community services, environmental stewardship and public safety while protecting the Tidelands as a resource in trust for the citizens of California.

The Port was created by the California Legislature in 1962 to manage San Diego Bay and the surrounding waterfront in San Diego, National City, Chula Vista, Coronado and Imperial Beach, and to facilitate the development of regional port infrastructure. Since then, the Port has reshaped the waterfront with more than \$1.5 billion in public improvements, including two maritime cargo terminals, a cruise ship terminal, public parks and promenades, and the expansion of San Diego International Airport.

Today the Port manages not only these maritime and community facilities, but also various wildlife reserves and environmental initiatives, a Harbor Police department, the leases of more than 600 businesses around San Diego Bay — and a public art program. The Port is also responsible for managing land use activity in the areas under its jurisdiction, called the Tidelands, as a regional agent for the California State Lands Commission.

The Port's key operating divisions — Maritime, Environment, Real Estate and the Harbor Police — exemplify the diverse and specialized operations for which it is responsible, and its key role in the region's economic development, environmental management and homeland security.

- The Maritime Division is responsible for maritime operations, trade development and managing maritime facilities. The division monitors vessel activities at the Port's cargo and cruise terminals, mooring areas and commercial piers around San Diego Bay; oversees marketing and trade development; and plans and manages the development of maritime real estate and infrastructure.
- The Real Estate Department is responsible for stimulating the development of Port properties to their highest and best use in accordance with the Port's master plan. Its staff is responsible for managing the Port's real estate assets; conducting planning, feasibility and economic analyses; acquiring property; marketing property; managing requests for proposals and negotiating leases; and administering and enforcing tenancy documents and other types of agreements.
- The Environment Department manages the "Green Port" program, which is designed to achieve the Port's environmental sustainability goals in six key areas: water, energy, air, waste management, sustainable development and sustainable business practices. Currently, the Green Port Program focuses on things the Port can do to be more environmentally sustainable, such as using less water and being more energy efficient. In the future, the Port

¹ Texts in this section draw heavily, and sometimes verbatim, from material about the Port that can be found on its web page, in the Public Art Resource Guide (Master Plan Companion Document), and annual reports.

will work with its Tenants, local environmental groups and others around San Diego Bay to identify ways they can support the Green Port Program.

- The Harbor Police Department, with some 120 sworn officers, is extremely diversified. The Department monitors activity on land around San Diego Bay. Its vessel patrols monitor all activity within San Diego Bay and act as the marine firefighting presence on the water. The Police also provide continuous patrols for the San Diego International Airport, within the airport as well as arriving and departing aircraft.

The Port manages its resources through its annual budget of approximately \$140 million, its Capital Development Plan, which runs approximately \$25 million per year, and its master plan, which governs land uses along the Tidelands. It is governed by a seven-member Board of Port Commissioners, appointed by the city councils of the member cities, and has a staff of 600. Its annual budget is funded entirely from lease revenues and fees, not by taxes.

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2.2 The Tidelands

The Port's main geographic focus is an area called the Tidelands, which is generally defined as the area included within the historic mean high tide line of San Diego Bay, including underwater lands. The Port is directly responsible for about one quarter of this area, or about 5,000 acres, with the rest under the control of the Airport Authority, the U.S. military, other federal agencies, or the State of California. The Port's jurisdiction also extends to properties it has acquired or assumed responsibility for adjacent to or near the Tidelands, such as the Imperial Beach oceanfront.

The Tidelands are best perceived as many places, not one place. They comprise a diverse range of environmental settings and support an extraordinarily wide range of maritime and urban activities.

- The Bay is at the mouth of a watershed that includes several rivers and creeks and reaches nearly fifty miles to the east. Typical habitat settings include mud flats, eel grass and salt flats, and support a half dozen endangered species. The south bay, in particular, is an important stop on the Pacific flyway and a popular bird-watching area.
- Maritime operations include cargo handling and storage, shipbuilding and repair, commercial fishing and resource extraction, passenger cruise ship berthing and recreational boating of all scales.
- In recent years, the construction of public spaces — such as parks, piers, linear promenades, boat ramps, marinas, bike trails and natural viewing areas — has vastly improved public access to the Tidelands. These facilities have opened up access to and along the shoreline, and allowed people to get out onto the water.

Though the Port has important interests in the regional transportation network and the San Diego Bay watershed, as well as the connections between its facilities and the adjacent landowners and land uses, it focuses its capital investments on the Tidelands. The focus of the Public Art Department's commissions and exhibitions should remain on the areas defined as the Tidelands, even as the Department encourages Artists to explore the broader connections inherent in the Port's activities.

2.3 The Public Art Department

The Port started its public art initiatives in the early 1980s, primarily as means of supporting its goals of community service and economic development – attracting visitors to the Tidelands, and enhancing and enriching people’s experience once they are there. The Public Art Department was created in 1996, and the Port’s public art initiative was extended to include Tenant improvements in 2002.

Today, the Port counts some 100 Artworks in its Tidelands Collection, along with numerous Tenant Artworks and Artworks on display in exhibitions. Though the Collection has been characterized by a large number of donated Artworks, the Port has also developed significant Artworks in conjunction with the Convention Center, and is in the midst of several ambitious commissions, including the lighting of the Coronado Bridge, the integration of work by artist Leni Schwendinger into the new Broadway Cruise Ship Terminal, and the integration of art concepts by artist Pae White into the first phase of the North Embarcadero Visionary Plan.

The Public Art Department has several core responsibilities. It manages new acquisitions and exhibitions funded from the Public Art Fund, as well as Artworks commissioned in conjunction with Port Capital Development Projects, which are funded directly from the capital budget. It helps to facilitate the Artworks that Tenants commission in conjunction with their leasehold improvements, and to manage the process of evaluating proposals for Donations of Artworks. The Department is also in the midst of a vigorous cycle of conservation and maintenance for its existing collection, and re-organizing its project and collection records.

The Department works with an advisory Public Art Committee, which reviews Artist selections and Concept Proposals for nearly all projects that the Department facilitates, and makes recommendations to the Board of Port Commissioners as necessary. The Committee was recently re-organized to include three members (including the committee chair) from the Board of Port Commissioners, five representatives from member cities, four at-large representatives, and one Tenant representative. The Board members and at-large members are appointed by the Chair of the Board of Port Commissioners.

The Department currently consists of four budgeted full-time staff members, with a Director, two Project Managers, and an Executive Assistant. Due to a hiring freeze, one of the project manager positions is vacant and has not been formally filled, but is being filled by a consultant. The Department has also retained a long-term full-time Staff Assistant through a temporary staffing agency.

The Public Art Fund

The Department receives a \$1.2 million annual allocation to the Public Art Fund from the Port’s operating budget, which is slightly less than one percent of that budget. In addition to public art acquisitions and exhibitions, the funding also covers personnel, operations and collections management, including conservation and maintenance. The Fund can accumulate money over time.

Through the percent for art program, both Port Capital Development Program (CDP) projects and Tenant improvement projects are also required to set aside one percent of their construction budgets for public art. The funding from these projects is separate from the Public Art Fund. The Public Art Fund can be used to supplement the budget for CDP; in addition, Tenants can elect to contribute money to the fund instead of acquiring Artworks on their own.

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2.4 Why This Plan?

The Board of Port Commissioners and the Public Art Department initiated this master plan in fall, 2009, after an audit of the Department recommended that such a plan be undertaken. A new master plan, and the process of creating it, were regarded as strategies for addressing numerous concerns had been expressed about the program through the audit process:

- The Public Art Department did not have a strong vision or, if it did, the vision did not seem to be linked to important decisions about what projects to undertake.
- The quality of the Artworks in the Tidelands Collection was considered to be uneven, heightened by the propensity of the Department to build its collection through donations.
- There were concerns that the Public Art Department's processes for outlining projects, finding and selecting Artists, and executing projects were haphazard, did not involve appropriate Port colleagues at the right time, and did not reflect best practices in the field.
- There were concerns that the various entities involved in public art – particularly the Public Art Committee – did not understand their roles and responsibilities, or the criteria they should use to make the recommendations or decisions they had been empowered to make.

Process

The Department conducted a national search for planning consultants and retained the team of Todd W. Bressi and Meridith McKinley to lead the process. The consultants' charge was to help the Department frame a vision for its activities, to establish processes – based on the best professional standards and consistent with the Port's style of governance – for managing projects, and to clarify responsibility for public art decision-making and for the criteria that should be used.

The planning process, conducted through winter and spring 2010, consisted of interviews, roundtable discussions with groups of stakeholders, roundtables in every member city, workshop sessions to hone recommendations, and a public meeting. The consulting team toured the Tidelands and the Port's art collection, and developed an informal visual assessment of the collection. The consulting team also researched public art programs in peer organizations, or organizations that were characterized by the same type of mission and governance as the Port; this research focused on decision-making processes and how public art programs form curatorial strategies.

The consulting team presented draft recommendations in January, 2010, and refined them collaboratively in workshops with Port staff, Public Art Committee members, tenants and others. The team presented the refined recommendations at a public meeting on March 3, 2010, and further revised them based on comments received. This full plan draft is submitted for review by the Public Art Committee and approval by the Board of Port Commissioners.

Using the Plan

This plan is organized as a series of chapters that start with the biggest picture recommendations — such as a new vision and mission for the Public Art Department — and work towards more detailed recommendations, such as policies, procedures and criteria for public art decision-making.

After outlining a vision and mission, the plan discusses “Creative Directions” that the Department should follow for the next few years. These “Creative Directions” will focus the Department’s acquisitions and exhibitions around ideas that are related to the Port’s overall mission and activities, and to how art can enrich the community’s enjoyment of and understanding of the Tidelands.

The plan outlines two new tools – the Curatorial Strategy and Individual Project Plans – that will help the Department to plan strategically and to organize projects thoughtfully. These tools will create expectations and goals that can be used to evaluate future decisions, such as Artist selection and Artist concept review, and the overall progress of the Department.

The plan outlines new processes for considering and approving Artworks in all of the major categories of projects the Public Art Department facilitates: Acquisitions and Exhibitions funded from the Public Art Department’s budget, acquisitions related to Capital Development Projects, Artworks commissioned by Tenants, and Artworks obtained through donations. As much as possible, decision points and decision-making criteria are standardized across these different categories of projects, including the expectation that all projects will support the Public Art Department’s Creative Strategies.

The plan describes the roles and responsibilities of key players — Public Art Department Staff, the Public Art Committee, Selection Committees, the Board of Port Commissioners, Tenants — and outlines the criteria that they should use in public art decision-making. It proposes a new structure for the Public Art Committee that draws more on members with seasoned art expertise while maintaining a balance of representation from throughout the Tidelands.

3.0 Creative Directions

Recommendations

- The Public Art Department should establish Creative Directions and Curatorial Strategies that set out clear priorities for using the Public Art Fund and for guiding CDP and Tenant projects.
- The Department’s Creative Directions, over the next few years, should be driven by an exploration of the Port’s civic, maritime and environmental activities.
- The Department should work proactively to explore and develop opportunities for Artworks and Artists it would like to work with, rather than simply react to proposals and projects.
- The Department should work proactively to establish better relationships between Artworks and the sites where they are located, and should use its interest in the landscape of work, environment and civic places as an impetus for better design overall of the publicly accessible areas of the Tidelands.

The Public Art Department’s vision of building “a critically acclaimed collection of public art that embodies the essence of the port’s maritime, environmental and civic character” offers fertile opportunities for artistic exploration, engaging member cities and giving public art a key role in making the Port’s mission and operations more understandable to the public at large.

This section of the master plan outlines “Creative Directions” that suggest how Artists can explore the Tidelands more fully and deeply as a place. These “Creative Directions” describe how Artists can explore visual relationships, cultural meanings and hidden connections related to the Port’s maritime, environmental and civic character. They provide a foundation for the Department’s Curatorial Strategy as well as a unified set of goals for how it approaches Port-initiated projects, CDP projects and Tenant projects. These three directions relate specifically to the Port’s top three strategic goals for 2007-2011.

These Creative Directions will also be an essential tool for building the Tidelands Collection into something new — a series of Artworks that are recognized regionally and nationally for their excellence and creativity, and which bring to life new urban landscapes based on ecological character, environmental programming, the Port’s role in the regional economy, the work that occurs in the Tidelands and the importance of the bayfront as a civic gathering place.

The Department should strive to ensure that all Artworks that it oversees — its own commissions, CDP projects, Tenant projects and Donations — are thought of holistically and address these Creative Directions as fully as possible. Over time, these Artworks and the public places they enrich can continue the Port’s tradition of service to member cities, by forging new

connections among the communities in the Tidelands, the Port and the special nature of the Tidelands as a place.

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3.1 Creative Direction: Green Port

Public art that supports the Port's commitment to preserving the environmental quality of the Tidelands.

Managing and preserving the environmental qualities of the Tidelands and San Diego Bay are increasingly important activities for the Port. The issues that underlie this aspect of the Port's mission, and the many environmental initiatives the Port has undertaken, offer a multitude of opportunities and endless inspiration for public art projects.

The San Diego Bay watershed encompasses a 415 square mile area that extends to the Laguna Mountains, more than 50 miles to the east. The major water courses feeding San Diego Bay include the Sweetwater and Otay Rivers, and Chollas, Paleta, Paradise and Switzer Creeks. There are also hidden tributaries, some 200 outfalls that channel stormwater directly into the Bay. However, as various areas in the Bay's watershed receive as little as 11 inches of rainwater a year, the Bay receives only intermittent flows of fresh water. Most of what drains to the Bay is urban runoff, so maintaining water quality is of paramount difficulty.

The Tidelands themselves comprise some eight square miles of bayfront, oceanfront and underwater property where this watershed meets the San Diego Bay and the Pacific Ocean. The Tidelands are a thin edge – consisting only of territory up to a historic high tide line, and rarely extending more than a few hundred yards upland of the shoreline. Nevertheless, the Tidelands include a variety of habitats, including mud flats, eelgrass and salt flats. They provide habitat for at least two endangered species — the Pacific Green Sea Turtle and the California Least Tern — as well as an abundance of sea and marsh life. For example, an estimated 3.8 million stingrays live in the bay.

Though the Port's overall mission is to manage this resource with a balance of land-uses that provide a mix of economic, recreational and environmental values, the Port is especially attuned to maintaining water quality and habitat quality, as well as promoting energy conservation. In its environmental work, the Port looks far beyond the boundary of the Tidelands; the agency is the leader, for example, of a workgroup that includes the seven cities in the San Diego Bay Watershed.

The Port advances the environmental quality of the Tidelands and the Bay in many ways. The projects it has undertaken or supported with grants include the monitoring of Green Sea Turtles; restoration of upland and underwater habitat, creation of artificial reefs and restocking of declining species; reducing pollution from moored boats, supporting environmental interpretation initiatives, clearing debris from the Bay and building "green infrastructure" such as solar arrays and porous pavements. Its innovative Environmental Fund provides grants for projects that are beyond compliance and beyond mitigation — not required by regulatory initiatives. These activities result in creative partnerships between industry, government, research and environmental organizations, providing a rich network of resources for Artists who are interested in exploring these issues.

Creative Goals

- Actively contribute to environmental remediation efforts.
- Reveal natural processes, environmental features and other aspects of the ecosystem of the Bay, the Tidelands and the watershed that might not ordinarily be visible to the general public.
- Reveal environmental management connections between the Bay, the Tidelands and upland communities.
- Draw public attention to, and build public support for, Port and member city environmental initiatives.
- Encourage people to be active participants in environmental solutions.

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3.2 Creative Direction: Working Port

Public art that explores the work that occurs in the Tidelands' maritime industries, and the role the Port plays in the regional, national and world economy.

The Port of San Diego plays an important role in the region's economy, supporting a diverse range of maritime activities — import and export, shipyards, commercial fishing, cruise lines, recreational boating — as well as other industrial businesses. The goods that move in and out of the Port, the work that takes place in the related industries and operations in the Tidelands, and the web of connections that the Port's maritime operations represent are important untold and unseen stories. These stories could inspire a new generation of Artworks related to this key component of Port operations.

The Port's significance to maritime trade, for example, lies not in the total tonnage it handles — at approximately 3.3 million metric tons of goods a year, its volume is modest compared to Long Beach (80 million) and Los Angeles (52 million) and about the same as San Francisco (2.7 million). What sets the Port apart is the specialty shipping it facilitates, especially trade in goods that are not necessarily in standardized shipping containers. For example, in recent years, the Port has been successful at growing its imports of equipment used to generate wind and solar power.

The Port's maritime facilities also include shipyards — one that builds new ships, and two that repair yachts and commercial craft — two marinas that serve the commercial fishing industry, passenger ship terminals and numerous marinas for pleasure craft. Other industries, such as salt harvesting and commercial fishing, are dependent on their access to the Bay. Still others, such as companies that manufacture components of energy systems, benefit from the Port's transportation access.

The areas set aside for the Working Port are not easily accessible to the public. But it is not difficult to catch a glimpse of the Working Port, and the view is always intriguing. In the south bay, the salt flats, salt mounds and associated infrastructure are an anomaly in the urban setting and transport the viewer to another time. Visitors to the fishing pier in Cesar Chavez Park can see an adjacent pier where every tugboat imaginable is moored. In National City, piles of lumber and acres of cars, carefully shrouded, dominate the view from the streets that lead to the marina. On Shelter Island, visitors can see the giant navigation marker that ships use to line up their trajectories when they pull into the bay. From the Coronado Tidelands park, the entire breadth of the Tenth Avenue Terminal can be seen.

Also hidden is the geography of the Port's maritime trade — considering freight, cruise and military operations, the Port's reach includes Central and South America, Asia and the Middle East. San Diego's imports are distributed throughout the nation, almost everywhere west of the Mississippi — one of many untold stories about the maritime trade that Artists could help explore.

Creative Goals

- Explain what happens at the Port's maritime facilities and the role of the Port in the local, national and world economy.
- Highlight the goods and materials that are shipped through the Port of San Diego.
- Celebrate industrial form and naval architecture.
- Engage people that work at the Port.

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3.3 Creative Direction: Public Port

Public art that enhances the Tidelands as an urban edge, a place of gathering, and a connection between urban and natural landscapes.

One of the fundamental components of the Port's mission is to maximize public access to the shoreline while allowing the maritime industry room for operation and protecting sensitive environmental resources.

The Port of San Diego promotes use and enjoyment of the coastline in many ways. It maintains miles of public walkways and numerous shoreline parks, piers and boating facilities; it provides leases for marinas, restaurants and tourist amenities; and it provides space and financial support for festivals and events, both on the shoreline and on the bay. Altogether these activities attract a diverse range of people to the Tidelands, from tourists to water recreation enthusiasts to people from nearby neighborhoods for whom the Tidelands is their community open space.

As a result of these efforts, the public realm of the Tidelands has taken on several unique characteristics over the years. Each characteristic has its own set of experiential qualities and cultural meanings, all of which provide insight into how Artists can help shape the public realm of the Tidelands.

The Tidelands are an edge. They are a unique place where the urban fabric comes right up against the Bay, a place that offers visitors a sense of anticipation and arrival; a place whose wonder is heightened by juxtapositions of scale; a place that is energized by the interplay of light, color and texture, and by the interaction of natural and cultural cycles (tidal, boating, community gathering). Such places include the waterfront parks, promenades and fishing piers in the five member cities of the Port District.

The Tidelands are a place of gathering. Public spaces along the Tidelands have assumed important civic functions and meanings that are enhanced by, but not necessarily dependent on, their location along the water. These functions can be formal, as in the San Diego Convention Center or the commemorative nature of Cesar Chavez Park. They can be informal, as in the picnics and barbeques, frisbee and kite flying, and fishing that take place in Tidelands parks. They can be vital open spaces for neighborhood residents, unique places for regional residents to visit, and draws for visitors and tourists from around the world.

The Tidelands are a place of connection. This relates primarily to the way that long promenades or the Bayshore bike trail provide linear access between different sub-areas of the Tidelands. These connections allow, for example, people to move from the ferry and tourist businesses of Coronado past the resorts and through Tidelands Park. They provide for a series of evolving experiences along the Embarcadero and Harbor Island. One day, these connections will join the natural areas, recreation areas and new urban edge of the Chula Vista Tidelands.

Traditionally, the Public Port has been the area where most of the Port's public art commissions have been located, because these places are significant both to local communities and to visitors to the Tidelands who are patronizing the businesses there, and because these places are

important to the livability and attractiveness of member cities, and to the identity of the region as a whole.

Wherever they are working, Artists should be encouraged to explore these special characteristics of the Public Port – edge, gathering and connection.

Creative Goals

- Encourage Artworks that address the sense of anticipation of and arrival at the water's edge, and encourage Artists to explore conditions of scale, texture, light, sound and natural cycles that one experiences there.
- Consider how Artworks can foster community gathering in Tidelands public spaces, whether by creating physical gathering places or temporal exhibitions and events that bring people together.
- Explore how dispersed exhibitions, or sequences of permanent projects, can create linear connections along the Tidelands.
- Improve the integration of Artworks with the sites where they are located; each Artwork should be part of a well-designed public space.
- Continue exploring integrated or design-team approaches to incorporating Artworks into the design of parks, promenades and other urban waterfront spaces in the Tidelands, whether controlled by the Port or by Tenants.
- Incorporate public art strategies into plans for large redevelopment areas.

3.4 General Directions

In addition to the Creative Directions described elsewhere in this plan, the Public Art Department should address the following overall goals in crafting its curatorial strategies and planning for projects.

Focus more on commissions and rely less on purchases, loans and donations.

To the extent possible, the Department should strive to commission new works, whether permanent or for exhibition, because this will enhance the Department's ability to build a site-specific collection. Purchases and loans for exhibition are approaches that should be used only in extraordinary circumstances.

Pursue permanent commissions and temporary exhibitions as equally important tools.

Permanent commissions and temporary exhibitions are equally important, complementary components of a unique Tidelands collection. In particular, time-based commissions can explore settings that may not be appropriate for permanent works, or use materials or artistic approaches that are not suitable for permanent Artworks. For example, time-based Artworks may be able to explore more easily time-sensitive phenomena in the Tidelands.

Identify opportunities for larger-scale projects.

The Tidelands Collection is dominated by projects that are relatively small in scale and can create intimate experiences within the context of their larger settings. The Department should identify opportunities for larger-scale Artworks that engage the scale of the Tidelands, the Bay and the maritime infrastructure. These larger-scale Artworks, if well integrated with their sites, can have the effect of gathering in and anchoring their settings.

Identify opportunities for diversifying the collection.

The Tidelands Collection is dominated by sculptural Artworks, often figural, and often in bronze, masonry or mosaic. The Department should explore other media, a wider range of sculptural materials, and a wider range of approaches, including Artworks that are integrated into landscape, architectural and infrastructure design.

Emphasize stronger relationships between Artworks and sites.

Artworks can have many different relationships to their site – site specific, site integrated. Whatever the approach, the Public Art Department should strive for the strongest possible relationship between Artwork and site.

Redevelopment planning. Plans for redeveloping sites or areas of the Tidelands should include public art goals and recommendations that are related to recommendations for the public realm, urban design and landscape design. Depending on the nature of the redevelopment planning, Public Art Department staff, Artists or public art planning consultants should engage in the planning process.

Planning for Artworks. In the best case, Artworks should be created only when they are conceived within the context of thinking about an entire site, and especially when they are accompanied by good urban design or landscape design.

Selection criteria. Artists and Artworks should be judged, in part, on the degree to which they are able to work with the site, collaborate with other design disciplines, and make an impact on the site.

Create places, not just Artworks, that explore the Department’s creative directions.

Focus on opportunities where the Department’s Green Port, Working Port and Public Port directions can influence the conceptualization of new public spaces. Consider how the landscapes of work, the environment and meeting the water can be intertwined in bold new spaces, so that the Public Art Department is inspiring urban design, public space infrastructure and landscape design as well.



4.0 Tideland Member Cities

The Port Tidelands extend throughout each of the five cities that surround San Diego Bay: Chula Vista, Coronado, Imperial Beach, National City and San Diego. The Port has established a policy of working in partnership with those cities to manage the Tidelands according to its mission.

Each city has a distinctive setting — or a variety of settings — where the Green Port, Working Port and Public Port reveal themselves in unique ways. Each city has its own traditions of public art and its own aspirations for new Artworks. The following section of the plan reviews current conditions in each city, describes general opportunities that could shape the approach for future public art projects, and outlines potential projects that could have a public art component. The information in these sections should serve as a resource for developing the Department’s Curatorial Strategy and for Individual Project Plans. This section of the plan should be updated every few years, or as necessary.

The Public Art Department should keep all of these contexts in mind when establishing its Curatorial Strategy and when considering commissions, purchases, exhibitions, Tenant artworks and donations in various member cities.



4.1 San Diego

Planning areas: Shelter Island, Harbor Island, North Embarcadero, South Embarcadero, Tenth Avenue Terminal, Salt Flats

San Diego's stretch of the Tidelands managed by the Port is extensive, including Shelter Island, Harbor Island, the North and South Embarcadero and the Tenth Avenue Marine Terminal, as well as the Salt Ponds at the south end of the Bay. It is a place where the extraordinary scale of maritime infrastructure (marine terminals, shipyards) contrast with equally large-scale convention, resort and tourist facilities (convention centers, hotels, USS Midway) as well as the adjacent airport and military installations.

The Public Art Department has taken diverse approaches to commissioning Artworks in San Diego. The North and South Embarcadero, between the Laurel Street Triangle and the Hilton Hotel, has been the focal point for public art activity, where most of the Port's major acquisitions and exhibitions have been placed.

The Department has worked in partnership with City of San Diego's public art program on many of these projects, and also with the San Diego Convention Center Corporation, the Centre City Development Corporation and Barrio Station for projects in the areas where those organizations have jurisdiction or interest.

Unique Opportunities

There are several areas of the San Diego Tidelands that could serve as the focus for the Public Art Department over the next few years.

The near-continuous bayfront access from Harbor Island through the South Embarcadero brings all the challenge and promise of the Department's Public Port creative direction. Here, the challenges are to link the city to its waterfront, strengthening the sense of linear public access along the shoreline, and increasing the variety of spaces that facilitate public gathering. The ease of access to the shoreline, and the legibility of this remarkable harbor walk, are first and foremost urban design challenges, but the Public Art Department could encourage and support efforts to improve this important public realm (as it is in the North Embarcadero Visionary Plan).

Because this area is characterized by the cyclical nature of public events – from festivals along the Embarcadero, to cruise ship arrivals, to conventions and even baseball games – ambitious time-based Artworks would be well suited here. Vestiges of the Working Port could be explored near Tuna Harbor, and the Green Port could be explored in any number of ways related to water quality, environmental remediation and alternative energy production, and other activities in this area.

Further south, the Tenth Avenue Marine Terminal provides some of the best opportunities to explore the Working Port. This area could be honored and celebrated with new public spaces for employees working at the Terminal, color and light highlighting the infrastructure, and edge and street treatments.

Specific Opportunities

The Port Tidelands include several major planning areas and redevelopment areas that merit close attention from the Public Art Department over the next few years.

- The *North Embarcadero Visionary Plan* is organizing its first phase of development and Artist Pae White has been selected to collaborate with the design team. Her art concepts focus on the esplanade architecture that will be incorporated into this phase. The Department should assume a leadership role in identifying Artists and opportunities for future phases of the development.
- The *Sunroad Harbor Island Hotel* is undergoing environmental review. This project includes a limited-service hotel with up to 175 rooms, and will likely trigger a large public art requirement.
- Port staff is currently evaluating the development potential of a 50-acre planning site on Harbor Island. This study will aid staff in recommending a development plan for this area and should include a public art component related to the overall urban design strategy for the site.
- The *San Diego Convention Center* expansion project, anticipated to cost \$750 million, is in the early planning phases. Construction could commence within five years if land purchase, financing and approvals are obtained. This project will likely include a large public art component.
- There are several proposed Port and Tenant redevelopment projects in the *America's Cup Harbor Redevelopment area* of Shelter Island Planning District. The various projects may include public art components that could complement and strengthen the appeal of the America's Cup Harbor area.
- The *San Diego Marriott Hotel and Marina* is proposing a ballroom/exhibit hall expansion and other property improvements, which will likely trigger a large public art requirement.
- The *Lane Field* development will include two hotels, visitor-serving retail, underground public parking, and nearly two acres of public space. A public art component, involving a fountain, has been approved.
- In all cases, while the Department should take a stronger leadership role in conceptualizing and managing Artworks on the Tidelands in San Diego, it should also continue to work collaboratively with the City of San Diego's public art program and other organizations.

4.2 Coronado

Planning District: Coronado Bayfront, Silver Strand

The Coronado Tidelands comprise most of the west side of San Diego Bay and fall into five distinct areas — the city’s commercial center, Tidelands Park, Glorietta Bay, Coronado Cays and the Silver Strand. There are a range of land uses, from civic spaces (ferry landing, parks, civic buildings) to recreational activities (biking, golf, boating), from resorts to protected habitat (Grand Caribe Park). There are two continuous strands of bayside promenade – from downtown to the Tidelands Park, and along Glorietta Bay. In the core of the city, access to the Tidelands is nearly seamless from the street grid.

In recent years, both the Port’s Public Art Department and the City of Coronado have focused on commissioning Artworks along the Glorietta Bay Bayside Promenade to complement the civic improvements that have been made there. At Coronado Cays, there is a small sculpture in Grand Caribe Park; there are also several interpretive Artworks along the Bayshore Bikeway further south in the Silver Strand, but these are not on the Tidelands.

Unique Opportunities

The visual interplay between Coronado and the Bay and San Diego Tidelands is particularly intriguing. This is one area of the Tidelands where Artworks viewed from afar could be appropriate, and Artworks that can be seen from the Coronado Tidelands should be an important consideration to the enhancement of the area. This could help bring the Working Port to life in Coronado: The lighting of the Coronado Bridge will play this role, as could large-scale works of color and light that highlight the 10th Avenue Marine Terminal from afar. The ferry itself, and ferry infrastructure, also provide opportunities for Artworks.

Coronado’s well-used public spaces, particularly the ferry landing area, Tidelands Park and the Glorietta Bay Bayside Promenade, would be suitable for exploring new ideas about the Public Port – particularly by focusing on linear connections and new public spaces along the shoreline. These spaces offer strong locations for temporary exhibitions that could be enjoyed by both residents and visitors. In addition, areas around and between the Ferry Landing and the Orange Street waterfront terminus are a potential location for a signature, permanent commission.

Specific Opportunities

A new Tenant artwork will be integrated into the improvements being made to the Coronado Yacht Club.

4.3 National City

Planning District: National City Bayfront

Until recently, the Tidelands in National City were occupied primarily by maritime uses, and the public Artworks in National City were limited to those on view at the Port's general services facility and at the historic railcar plaza.

The character of National City's Tidelands has changed in recent years, however, with the addition of a trailhead for the Bayshore Bikeway, a hotel and a marina in the area of Sweetwater River, Paradise Creek and Paradise Marsh. This new connection to the water has given new life to the relationship between the community and the Tidelands.

Along with these changes have come a handful of new Artworks that signal the new spirit of public access: *Le Bateau Ivre*, an artwork at the Pier 32 Marina, and the art benches in Pepper Park.

Opportunities

New opportunities will continue to emerge in the area of 32nd Street and Marina Way, as the Port and National City are exploring the possibility of an additional new park, restaurant, and/or hotel. The city is interested in turning Paradise Creek into an environmental corridor that threads through the city and helps with environmental interpretation and education; Paradise Marsh, where the creek meets the Sweetwater River, is a protected habitat for endangered species. And alongside these public spaces are yards where lumber and automobiles unloaded from ships at the National City Marine Terminal are stored.

This area should be a continued focus for public art in the National City Bayfront Tidelands, as it involves the overlapping of all three aspects of the Public Art Department's Creative Directions: Public Port, Working Port and Green Port. There are opportunities for Artworks that explore environmental issues and the shipping activities that occur in National City. And there are opportunities for projects that refine the interface between shipping yards, environmental resources, and the emerging framework of public spaces, particularly the shoreline walk and the Bayshore Bikeway.

4.4 Chula Vista

Planning Districts: Chula Vista Bayfront, Salt Flats

The Chula Vista Bayfront encompasses much of the diversity of the Tidelands: a boatyard, natural habitat and a civic waterfront with parks, promenades and marinas. The entire area is on the verge of a major transition, as the City of Chula Vista and the Port advance plans for redevelopment that will result in a mixed-use core, residential development and large new public spaces to the south, and strengthening of the natural habitat to the north.

Currently, The Port maintains two major parks that embrace area of marinas and restaurants. Several major Artworks, such as *Konoids* and *Wind Oars*, a memorial (*Ron McElliot Memorial Wind Harp*) and several relocated Urban Trees form the core of the Artwork in the parks, but there have been no new commissions for many years.

Unique Opportunities

The Chula Vista Bayfront is unique, in part, because of the scale of the parks and the extensive access they offer to the shoreline. Here, visitors can fully engage with the qualities of light, wind, sound and color one associates with being at the water's edge. The Bayfront is also unique because, from the end of the fishing pier, visitors can take in the entire sweep of San Diego Bay and the Tidelands, creating a remarkable contrast between expansive scale and intimacy in one place.

Chula Vista is a large city that reaches to the Otay Mountains to the east. People in Chula Vista hope that, among other things, redevelopment of the Tidelands can create places that people from all areas of this sprawling city can share and consider Chula Vista's civic heart – to help it rediscover the sense of community the city feels it lost as it expanded rapidly to the east. They also hope that development can include facilities that support the growth of the city's cultural sector.

Specific Opportunities

For some years, studies and plans have been underway to redevelop vast areas of the Tidelands, with the goal of creating an active commercial harbor, a mix of uses and shoreline public access connecting the Sweetwater, Harbor and southern areas of the Tidelands. More than 200 acres of parks and other open space areas are proposed including a signature public park and a less formal recreational park. Marina improvements will create an active commercial harbor with retail shops, restaurants and public space at the water's edge.

This planning has been underway for several years, and development is likely to take decades and involve Port, city and Tenant resources. The Public Art Department's primary focus over the next few years should be to ensure that the development and urban design strategies for the Chula Vista Bayfront Redevelopment Project include a thorough and robust strategy for incorporating public art that meets the Department's overall Creative Directions. This will require an art planning effort that is integrated into the overall planning, and that considers the following issues:

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- How do the public spaces, particularly the parks and shoreline walkways, being created through redevelopment provide opportunities for Artworks that explore the Department's Creative Directions — Green Port, Working Port and Public Port?
- How will the public spaces and public art advance the community's goals of creating a new heart for the entire city of Chula Vista?
- How will the Port's Tenant art requirement and the city's private development art policy be coordinated? How can the Port's Public Art Department and the Chula Vista Cultural Affairs Commission develop shared goals for art in this area?
- How can the resources generated by a phased development be captured to support Artworks at the most critical locations, and at the necessary scale?

As pre-development activities move forward, Chula Vista offers numerous opportunities for exhibitions. The Chula Vista Bayfront Park, and sections of the Harbor Promenade, provide ample opportunities for temporary exhibitions or installations. The Chula Vista Nature Center and surrounding preserve provide potential opportunities for site-sensitive installations related to the Green Port Creative Direction.

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4.5 Imperial Beach

Planning District: Imperial Beach

The Tidelands in Imperial Beach consist mostly of urban oceanfront and a few upland blocks. The north end of the city abuts Coronado and San Diego, affording dramatic view of the salt flats and the Bay. The Bayshore Bikeway loops around the southern end of the bay through this area, right along the boundary between Imperial Beach, Coronado and San Diego.

The Public Art Department has commissioned numerous Artworks in Imperial Beach, all of them supporting the idea of creating an artwalk along Seacoast Drive and in the places where east-west streets meet the Pacific Ocean. Some of these are among the most iconic Artworks in the Tidelands Collection, and reflect the surfing culture, a popular aspect of the city's identity.

Surfhenge and *Banner Art* are among the most successful projects in the collection, in terms of relationships between sculpture and site.

Specific Opportunities

One of the community's goals is to commission additional Artworks in beachfront blocks to further the idea of an "Imperial Beach art walk." One consideration is whether the existing permanent Artworks could be complemented by temporary exhibitions in vacant spaces, such as parking areas or undeveloped lots, along the street. Exhibitions would create a stronger incentive for people to come back to Imperial Beach to see the Artworks and could explore further aspects of the Public Port and Green Port Creative Directions.

Another zone of opportunity is at the northern edge of the city, along the Bayshore Bikeway, where the Imperial Beach planning area overlaps with Salt Ponds and Silver Strand Planning areas. Here, at the trailhead at 13th Street, or the nearby interpretive garden, or further west at the trailheads near 7th Street, Artworks could explore the intersection of public space and environmental landscape. These, too, could be locations for exhibitions that can be enjoyed by bike riders, and support the Public Port Creative Direction by enhancing connections to San Diego, Coronado and Chula Vista.

There are no significant CDP projects, aside from the ongoing rehabilitation of the municipal pier, and no significant lease renewal opportunities are likely to emerge in Imperial Beach.

5.0 Processes

5.1 Planning and Evaluation

Key Recommendations

- The Public Art Department should develop, and periodically update, a multi-year Curatorial Strategy that describes goals and opportunities for building the Port's art collection.
- The Public Art Department should ensure that all Port redevelopment plans have the appropriate public art components.

Annual Budget

Every year, the Public Art Department should develop an Annual Budget, outlining how the Department will allocate the \$1.2 million it receives annually from the Port.

The Annual Budget includes all Department expenditures, including personnel, operations, collections management, conservation/maintenance and new public art projects. The Public Art Director should present the Annual Budget to the Public Art Committee for informational purposes. The Annual Budget should then be incorporated into the Port's annual budget which is approved by the Board of Port Commissioners.

Curatorial Strategy

The Public Art Department should develop a multi-year Curatorial Strategy that outlines a long-term approach and priorities for how the Department will develop Artworks in each of its three Creative Directions — Green Port, Working Port and Public Port. The Strategy would reflect the reality that successful public art projects can take years from conceptualization to completion, and may require budget allocations over several years.

The purpose of the Curatorial Strategy should be to provide a cohesive look at how the Department will shape the public realm and visual character of the Tidelands, and to enable the Department to engage in a multi-year strategy for identifying Artistic opportunities, allocating budget and staff resources, and recruiting Artists. The Strategy should serve as an important benchmark and reference for the development of Individual Project Plans, and for the Public Art Committee and Board consideration of Individual Project Plans.

The Curatorial Strategy should describe the types of projects the Department will work to develop, the kinds of Artists it wishes to recruit, any specific geographic areas it wishes to focus on and any partnerships it would like to establish. These goals can be used to inform the Department's approach to projects it supports through the Public Art Fund, as well as CDP projects and Tenant projects. The Strategy should establish objectives for the types of projects

the Department will support from the Public Art Fund, with anticipated budget levels and a rough timeline. The Strategy should also anticipate upcoming CDP projects, Tenant projects and redevelopment plans, and describe how those can be shaped to support the Department's creative directions.

The Strategy should look ahead three to five years, but it should also be a living, evolving document. Every year, the Public Art Director should review the strategy, in collaboration with other Port staff, the Public Art Committee and others in the region who are knowledgeable about visual arts. This review would be an opportunity to facilitate a wide-ranging discussion that will consider issues such as:

- What types of Artworks should be the priority for expanding the Port's collection, in terms of goals set out for each Creative Direction? How can these priorities be addressed through commissions, purchases, donations, exhibitions and partnerships supported by the Public Art Fund?
- What opportunities are emerging — through upcoming CDP projects, tenant projects or potential partnerships — for exploring the Department's Creative Directions?
- What Artists, established or emerging, from the region or beyond, could produce work that would achieve the goals set out for each creative direction? How could these Artist be recruited to work in the Tidelands?

The Curatorial Strategy and periodic updates should be developed by Public Art Department staff, presented to the Public Art Committee for its input and recommendation, and submitted to the Board of Port Commissioners for approval as a set of guidelines for the Department's work.

Redevelopment Planning

The Public Art Department should participate in major land-use, redevelopment and master planning efforts that involve the Tidelands to ensure that goals for public art are incorporated into those plans, opportunities are referenced and any unusual implementation provisions are outlined.

By becoming involved in these plans, the Department will be able to develop a long-term, comprehensive view towards how public art can be integrated in to the design of public spaces, Port facilities (CDP projects) and Tenant projects within these study areas, rather than looking at each potential art project as an isolated opportunity. The planning should take a proactive approach toward developing public art recommendations related to the Department's three Creative Directions (Green Port, Working Port, Public Port).

Though every plan is different, public art planning should be incorporated into the overall consideration of the area (analysis, alternatives, public consultation) from the earliest stage possible. For example, initial public art opportunities may be identified at the level of establishing the initial program for the site. Certainly, by the time that urban design and

landscape/open space frameworks are being laid out, public art should be a parallel consideration.

Redevelopment plans should also include appropriate mechanisms and directions for implementing art projects, in terms of funding, phasing, concept development and construction. Special issues to consider are how overall public art resources can be directed to the most impactful opportunities, how funding, concept development and approval interfaces with the Port's requirements in member cities that have their own public art policies and processes, and how Artworks can be incorporated into projects that are managed by entities other than the Port (cities, redevelopment agencies, tenants, developers or design-build entities).

Currently, the Port is involved with the North Embarcadero Visionary Plan and the Chula Vista Bayfront Redevelopment project. Forthcoming plans include the re-use of the Harbor Island car rental facility. In Chula Vista and Harbor Island, Public Art Department staff should be assigned to the planning teams at the earliest possibility. In each case, both Artistic and planning expertise will be important to the outcome of the project.

Five-Year Review

This master plan proposes numerous new planning tools for the Public Art Department, and revisions to processes for reviewing commissions, purchases, exhibitions, Tenant projects and Donations of Artwork. Because of the breadth of these changes, it will be important to evaluate them after the Public Art Department staff, Public Art Committee and Board of Port Commissioners have had experience working with them. This review should occur in approximately five years.

This master plan also offers a snapshot of public art opportunities that could emerge on tidelands in member cities over the next few years. At the time of the review, this section of the plan should be revised to reflect current information about upcoming Tenant projects, CDP projects and planning initiatives.

5.2 How the Port Acquires Art

Recommendations

- The Public Art Department can commission artworks, purchase existing artworks, organize exhibitions or enter into partnerships for commissions, purchases or exhibitions. For each project, the Department should develop an “Individual Project Plan” that guides the commissioning, purchase and/or exhibition of the artwork.
- A Selection Panel, comprising people with a background in visual art and people with a particular knowledge or familiarity with the site, should be used to recommend the selection of artists for new commissions, or Artworks to be purchased or borrowed, to the Public Art Committee.
- The Public Art Director and Port Staff should be delegated responsibility for approving new commissions, purchases and exhibitions, depending on the Art Budget. The thresholds should follow contracting authority set out in BPC 110.²
- Clear criteria should be used to evaluate public art projects.
- Artists should be permitted to select their own subcontractors to fabricate and install public Artworks.

The Public Art Department organizes several types of projects, on its own or in collaboration with other organizations. Acquisitions are Artworks that are added to the Tidelands Collection, and can include original commissions or purchases of existing artworks. Temporary exhibitions are Artworks that are on view for a limited time, and can include original commissions, purchases or loans.

Most of the projects initiated by the Department are funded through the Public Art Fund. In addition, Capital Development Program (CDP) projects are developed in conjunction with capital projects built by the Port and funded directly through the Port’s capital budget; these most often involve permanent acquisitions.

The following processes apply to all projects directly acquired or exhibited by the Port.

² The proposed thresholds for staff and Board of Port Commissioner review of new commissions is based on the contracting authority delegated to the Public Art Director and executive staff in BPC 110. Currently, those thresholds are up to \$75,000 for Public Art Director approval, and \$125,000 for executive staff approval. As those authorities change in future amendments of BPC 110, these thresholds should be adjusted accordingly.

The Planning Process

Individual Project Plans

One key to creating a well-conceived and enduring public art project is making certain that the project provides artists with an opportunity to do their best work. This involves careful planning — in identifying the opportunity; finding project partners; understanding potential hurdles with permissions, permitting or construction; establishing realistic budgets and timelines; and communicating with approving authorities, at an early stage, about the intent and scope of the project.

The Public Art Department should undertake this preliminary planning by developing an Individual Project Plan for each commission, purchase, exhibition or partnership project that it wishes to pursue, for both Public Art Fund and CDP projects.

The Individual Project Plan should include:

- A description of the project's location and other information regarding the proposed siting,
- The Creative Direction(s) that the project responds to,
- Project goals,
- Evaluation criteria against which the Artist selection and artwork design can be evaluated,
- The Art Budget,
- The project schedule,
- Project stakeholders,
- Possible project partners and their roles,
- The Artist's scope of work,
- The Artist selection method,
- Recommended Selection Panel members with alternates, and
- A community outreach strategy.



The Individual Project Plan should be informed by the Department's Curatorial Strategy, other planning documents related to the site, information about any related Port projects or uses of the site, and information about the community where the work will be sited, as outlined in this plan or gathered through additional research.

For CDP projects, the Individual Project Plan should be developed in consultation with the project's capital project manager, the project design team and Port staff familiar with the operations of the proposed facility.

For design-team collaborations, the Individual Project Plan should be complete by the time the Port is soliciting proposals from qualified designers for the overall capital project, so that the Artist's role on the team is clear. For site-specific integrated Artworks, the Individual Project

Plan should be complete by the time that schematic design begins on the overall capital project so Artworks can be appropriately coordinated with the overall design and construction process.

The Individual Project Plans should be reviewed by the Public Art Committee and approved by the Board of as the key authorization for moving ahead with the project.

Selection Panel

For each new acquisition initiated by the Public Art Department, whether a Public Art Fund or Capital Development Project Artwork, the Department should organize an ad-hoc Selection Panel to provide expertise regarding the Acquisition of Artwork for a specific site.

Selection Panels should consist of five to seven voting members and include people with a background in visual art as well as people who have a particular knowledge or familiarity with the site where the Artwork is to be located, including the related CDP design consultants (when applicable). One Public Art Committee member should be on the Selection Panel as a voting member. In addition, staff may invite non-voting advisors, such as Port staff or member city staff to participate in meetings. The specific composition of a Selection Panel should be outlined in the Individual Project Plan.

The Selection Panel has the following roles and responsibilities: become familiar with the project and site, review Artist applications, interview and/or review proposals from semi-finalists, and make recommendations to the Public Art Committee. Selection Panel members should also be called upon to attend a project orientation, conduct a site visit, conduct studio visits and other tasks that are deemed necessary to fulfill the Selection Panel's duties.

The Commissioning Process

The primary method for acquiring Public Art Fund and Capital Development Project Artworks should be new commissions. This approach helps build a stronger collection by allowing Artists the opportunity to create Artworks that are responsive to the specific conditions of the site, that are informed by one or more of the Creative Directions, and that meet the Public Art Department's specific goals for that project.

Step 1: Identifying Potential Artists

Whenever possible, Artists should be chosen through a competitive process. The Public Art Department should select from a variety of methods to identify the Artists who will be considered for a new commission, including:

- *An open competition*, allowing any Artist who meets the eligibility requirements to apply for consideration.
- *A limited competition*, contacting a short list of qualified artists developed by the Public Art Department staff, often with input from the Public Art Committee, the Selection Panel and/or a consultant or curator.
- *Direct selection* of an Artist.

- Developing a pre-qualified *Artist roster*.

These methods are further described in Section 6.2: Artist Identification Processes.

All of the methods listed above should result in collecting qualifications from Artists to share with the Selection Panel for consideration.

Step 2: Review of Qualifications

The Selection Panel should evaluate Artist qualifications based on basic criteria outlined in the Public Art Master Plan as well as goals established in the Individual Project Plan, and should typically select up to five semi-finalists. Semi-finalists should be invited to interview with the Selection Panel and/or to develop a site-specific Concept Proposal. When the time for selecting an Artist is extremely limited, the Public Art Director could ask the Selection Panel to recommend an Artist based solely on the review of qualifications.

Step 3: Finalist Selection, Concept Development and Review

Depending on the approach to the Artist selection process, the Selection Panel should interview semi-finalists and could, in addition, review Concept Proposals. The Selection Panel will evaluate semi-finalists based on criteria outlined in the Public Art Master Plan and goals established in the Individual Project Plan, and make a recommendation to the Public Art Committee. The Selection Panel's recommendation should be submitted to the Public Art Committee for review and recommendation. The Committee member from the Selection Panel and the Public Art Director should make the report to the Committee.

If a Concept Proposal is not developed as a part of the selection process, then the selected Artist should develop a Concept Proposal under the direction of the Public Art Director and in collaboration with project stakeholders. The Concept Proposal should be submitted to the Public Art Committee for review and recommendation.

The semi-finalists should be paid an appropriate stipend for the development of their proposals.

Step 4: Final Approval of Selection and Concept Proposal

The Public Art Committee should forward its recommendation to either the Public Art Director or the Board of Port Commissioners, depending on the Art Budget.³

- (a) *Projects with a total budget of up to \$75,000:* The Public Art Department Director should have the authority to approve the artist selection and Concept Proposal for projects with a total budget of up to \$75,000, based on the recommendation of the Public Art Committee.
- (b) *Projects with a total budget greater than \$75,000 and up to \$125,000:* The Public Art Director should recommend approval to higher level Port staff. It will be the discretion

³ The proposed thresholds for staff and Board of Port Commissioner review of new commissions is based on the contracting authority delegated to the Public Art Director and executive staff in BPC 110. As those authorities change in future amendments of BPC 110, these thresholds should be adjusted accordingly.

of higher level Port staff whether the project should go to the Board of Port Commissioners for final approval.

When the project is approved by Port staff, the decision should be communicated to the Board through an initial Board memo and periodic project update memos that may include:

- The approved Individual Project Plan, including the budget,
- A description of the selection process,
- The Artist's qualifications and/or the Concept Proposal,
- A description of how the Artist and/or the Concept Proposal meets the evaluation criteria and the goals for the project, and
- Any further recommendations of the Selection Panel and the Public Art Committee.

(c) *Projects with a total art budget greater than \$125,000:* the Public Art Department Director should prepare a report for the Board of Port Commissioners, with a recommendation for approval of the project. The report should include:

- The approved Individual Project Plan, including the budget,
- A description of the selection process,
- The artist's qualifications and/or the Concept Proposal,
- A description of how the Artist and/or the Concept Proposal meets the criteria and the goals for the project, and
- Any further recommendations of the Selection Panel and the Public Art Committee.

The Board should review the project based upon the previously approved Individual Project Plan. The Board's primary role should be to ensure that project conforms to the budget, and that the procedures were followed.

Step 5: Final Design Development and Review

Public Art Department staff should ensure that proper project coordination occurs with Port staff and other project stakeholders, and should ensure that the Artist's design documentation and installation plans are subject to appropriate technical review. The Public Art Department Director should request, when deemed necessary, that the Artist present the final design documentation to a qualified engineer, licensed by the State of California, to certify that the Artwork will be of adequate structural integrity, is safe, and otherwise in compliance with building codes and other legal requirements. The Artist should provide the Port with such certification, signed and stamped by the licensed engineer. Engineer fees should be covered in the Artist's budget.

Public Art Department should request, when deemed necessary, that the final design documentation be reviewed by a professional conservator and that the conservator prepare a report indicating the anticipated maintenance and conservation needs for the Artwork. Conservator fees should be covered in the Artist's budget.

Step 6: Fabrication and Installation

In most cases, the Artist should implement and carry out to completion the fabrication and installation of the Artwork. The Artist should be able to work with fabricators and installers of their choosing, though Public Art Department staff should review budgets and price quotes when deemed necessary. The staff should monitor fabrication and installation to ensure that they conform to the approved final design.

Staff should also coordinate with the Artist and appropriate Port staff and capital project contractors (if applicable) for installation.

The Purchasing Process

In certain cases, the Public Art Department could determine that it is in the best interest of the Port to purchase an Artwork directly from an Artist or from a gallery. For example, the Department might seek to purchase a loaned Artwork that has been on exhibition on the Tidelands. Or, the Department could, during a competitive selection process as outlined above, consider purchasing an existing Artwork.

Competitive Selection Process

When the Department intends to recommend the purchase Artwork as part of a competitive selection process, it should follow the procedures as outlined above, with the following modifications:

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Step 1: Identifying Potential Artwork

Allow Artists and/or galleries to submit images and descriptions of existing and available Artwork in addition to Artist qualifications. The information should include the Artist's basic qualifications (résumé or bio, portfolio), an image of the Artwork, dimensions, materials, date fabricated, condition, provenance and asking price.

Step 2: Review of Submittals

A Selection Panel should meet to review submittals and select an Artwork to recommend to the Public Art Committee. As with the commissioning process, the Selection Panel should use the criteria in the Public Art Master Plan and the project goals established in the Individual Project Plan as the basis for evaluation. Whenever possible, the Selection Panel should visit the site where the artwork is to be installed.

Step 3: Selection and Review

Prior to forwarding the recommendation to the Public Art Committee, Public Art staff could opt to obtain an independent, qualified appraisal of the fair market value of the Artwork and a professional art conservator's report on the condition of the Artwork.

The Public Art Committee should review the Selection Panel's recommendation based on the criteria in the Public Art Master Plan and the goals established in the Individual Project Plan.

Direct Purchase

When, due to special circumstances, only a single work of Artwork is being considered for purchase, the following process should be followed:

Step 1: Identifying the Artwork

Public Art Department staff should submit a report to the Public Art Committee that includes:

- A description of how the purchase aligns with the vision, goals and Creative Directions of the Public Art Department, and helps to fulfill the goals of the Department's Curatorial Strategy.
- Information about the Artist (résumé or bio, previous work).
- Information about the proposed purchase, including, but not limited to an image of the Artwork, dimensions, materials, date fabricated, condition, provenance and asking price.
- An appraisal of the fair market value of the Artwork and a professional conservator's report on the condition of the Artwork, when Public Art Department Director deems necessary.
- Information about the proposed site and how it will be prepared for the placement of the Artwork.

Step 2: Review of Proposed Purchase

The Public Art Committee should use the criteria in the Public Art Master Plan and the project goals established in the Individual Project Plan as the basis for evaluation.

Final Approval

The Public Art Committee should forward its recommendation for purchasing an Artwork to either the Public Art Director or the Board of Port Commissioners, depending on the amount of the Art Budget.⁴

- (a) *Purchases with a negotiated price of up to \$75,000:* The Public Art Director should have the authority to approve the Artwork selection, based on the recommendation of the Public Art Committee. For projects with a total budget of more than \$75,000 and up to \$125,000, the Public Art Director should recommend approval to higher level Port staff. It will be the discretion of higher level Port staff as to whether the project should go to the Board of Port Commissioners for final approval.

The decision should be communicated to the Board through a Board memo that includes:

- The approved Individual Project Plan, including the budget,
- A description of the selection process,
- The Artist's qualifications and description of the Artwork,

⁴ The proposed thresholds for staff and Board of Port Commissioner review for purchases of Artworks is based on the contracting authority delegated to the Public Art Director and executive staff in BPC 110. As those authorities change in future amendments of BPC 110, these thresholds should be adjusted accordingly.

- A description of how the Artwork meets the evaluation criteria and the goals for the project, and
 - Any further recommendations of the Selection Panel and the Public Art Committee.
- (b) *Purchases with a negotiated price of more than \$125,000*: The Public Art Department Director should prepare an agenda item and report for the Board, with the recommendation for approval of the purchase. The report should include:
- The approved Individual Project Plan, including the budget,
 - A description of the selection process,
 - The Artist’s qualifications and description of the Artwork,
 - A description of how the Artwork meets the evaluation criteria and the goals for the project, and
 - Any further recommendations of the Selection Panel and the Public Art Committee.

The Board should review the project based upon the previously approved Individual Project Plan. The Board’s primary role should be to ensure that Artwork selection conforms to the budget, and that the procedures were followed.

Miscellaneous Policies and Procedures

Artist Eligibility

An Artist should be defined as an individual generally recognized by critics and peers as a professional practitioner of the visual, performing, language arts, based on his or her body of work, educational background, experience, exhibition history, publication and creation of Artworks. For commissioning purposes, an Artist should not be a Port employee or a member of the Public Art Committee or the relevant Selection Panel. When the Artwork is part of a CDP project or a Tenant leasehold improvement, an Artist should not be a member of the design firm or team that is the project’s prime consultant.

Additional eligibility requirements can be outlined in the Individual Project Plan, as some projects may require specific skill sets or levels of experience. The Port should strive to build a collection of Artwork by local, national and international Artists; however, some projects could be limited to Artists from specific geographic areas or to Artwork in specific types of media.

Preference should be given to Artists who have not completed a project with the Port or a Port Tenant within the past three years.

5.3 How Tenants Acquire Art

Recommendations

- The threshold for Tenant leasehold improvements that trigger a public art requirement should be raised to \$1,000,000 to reflect the reality of a minimal adequate public art budget.
- Tenant Artworks with an art budget of up to \$125,000 should be approved through a streamlined process that does not involve Public Art Committee review.⁵
- The Port’s internal procedures should be reviewed to ensure that Public Art Department staff are consulted at the earliest stage of discussions with Tenants who are undertaking leasehold improvements and submitting Project Plans that trigger a public art requirement.
- The Public Art Department should provide clear expectations and detailed guidance for the visual aspect of Tenant Artworks at all scales, in all areas of the Tidelands.
- The Public Art Department should provide clear guidance on issues of contracting with Artists, ownership, and maintenance and conservation.
- Issues of ownership and maintenance should be recorded in an agreement between the Tenant and the Port as a condition of approval of the leasehold improvement.
- The Public Art Department should be allowed to facilitate Tenant Artworks on a fee-for-service basis.

Determining the Tenant Public Art Requirement

Tenants undertaking improvements to their leaseholds – through new leases, lease renewals or otherwise – are required to spend one percent of the construction value of the improvements on public art, as originally established under BPC 609. Tenants should be able to fulfill this requirement in a number of ways:

- Commission Artwork to be sited in a publicly accessible area on the leasehold. This includes exterior and interior areas that are accessible to the general public, without having to pay an entry fee and without regard to being a customer of or member of the facility, during morning, afternoon and evening hours.
- Purchase and install Artwork in a publicly accessible area on the leasehold.

⁵ The proposed thresholds for staff and Board of Port Commissioner review for Tenant artworks is based on the contracting authority delegated to the Public Art Director and executive staff in BPC 110. As those authorities change in future amendments of BPC 110, these thresholds should be adjusted accordingly.

- Contribute all or a portion of the one percent to the Public Art Fund. Contributed monies can be used by the Department for any purpose or project that is related to the, Acquisition, Exhibition, conservation or maintenance of Artwork located anywhere in the Tidelands, and which is approved through standard budgeting or project approval processes.

For the purposes of the public art requirement, Tenant projects should be divided into three categories:

1. Tenant improvements with a construction value of less than \$1 million should be exempt from the public art requirement.
2. Tenant improvements with a construction value of between \$1 million and up to \$12.5 million should follow an expedited public art review process.
3. Tenant improvements with a construction value of more than \$12.5 million should follow a standard public art review process.

Process for Reviewing Tenant Art Projects

Tenants with a public art requirement should follow the process outlined below, which is correlated to the overall review process for leasehold improvements⁶ in the following way:

- Steps 1a and 1b correspond to the preparation and filing of a Tenant Project Application.
- Steps 2 correspond to the submission of a Project Plan for Preliminary Conceptual Review by the Board of Port Commissioners.
- Steps 3 correspond to the submission of a Concept Plan for approval by the Board of Port Commissioners.
- Steps 4 correspond to the inspection and review phases of a Tenant leasehold improvement project.

Step 1a: Introduction to Public Art Requirement

Leasehold Improvements: Tenants seeking to make improvements to their leasehold should be encouraged to contact the Real Estate Department in advance of filing a Tenant Project Application. At that early stage of the process, the Real Estate representative should inform the Tenant about the public art requirement and should set up an initial meeting to discuss the process. The Tenant and the Public Art Department staff should meet early in the development process, before an Artist has been selected or a public art concept has been developed.

At this meeting, Public Art Department staff, the Real Estate Department staff and the Tenant should:

1. Determine what the public art requirement is likely to be and the review process that will be followed.

⁶ These recommendations refer to the process for reviewing Tenant leasehold improvements that is outlined in the document "Tenant Approval Process," downloadable from the Tenant Portal on the Port web site.

2. Discuss the formulation of a Tenant Art Worksheet as a necessary attachment to the Tenant Project Application for leasehold improvements.
3. Review the overall goals and intentions for public art on leaseholds, including illustrative examples. Review additional guidance from the Public Art Master Plan regarding public art goals, intentions and opportunities in the relevant Port Planning District, and for the affected leasehold in particular.
4. Review the roles and responsibilities of the Tenant, Tenant design team, Artist, Public Art Department and Real Estate Department, and discuss how they will be outlined in a Tenant Art Agreement. This agreement should include contracting, maintenance and ownership issues.

Requests for Proposals (RFP): When the Port issues an RFP for the redevelopment of a leasehold, the RFP should include material that explains the Port's public art requirement and proactively sets out the Port's expectations for public art on the leasehold. While this material should be developed on a case-by-case basis, at a minimum it should:

1. Establish what the public art requirement is likely to be and the process that will be followed.
2. Outline the overall goals and intentions for public art on Tenant properties. Outline additional guidance from the Public Art Master Plan regarding public art goals, intentions and opportunities in the relevant Port Planning District, and for this affected site in particular.
3. Outline the roles and responsibilities of Tenant, Tenant design team, Artist and Public Art Department and the Real Estate Department, and include a sample Tenant Art Agreement that covers contracting, maintenance and ownership issues.
4. Provide information about the criteria that will be used to review compliance with the public art process, and relevant related information, such as the definition of Artist and Artwork.

Step 1b: Tenant Art Worksheet

A Tenant Art Worksheet should be required of all Tenant art projects as a component of the Tenant Project Application. The Worksheet should be reviewed and approved by the Public Art Director for the overall Project Application to be considered complete. The Worksheet should include the following:

- Indication of whether the Tenant intends to commission and/or acquire an Artwork or Artworks or contribute to the Public Art Fund.
- Public art requirement and project budget.
- Preliminary scope of work / sites for consideration, if applicable.
- Preliminary method of identifying an Artist or acquiring an Artwork, if applicable.
- Preliminary schedule.

Step 2a: Tenant Art Plan

For projects with a construction value of more than \$12,500,000, the Tenant should submit a Tenant Art Plan, which should document at a minimum the information listed below. The Art Plan should be submitted to the Public Art Director, who will distribute the plan to the Real Estate Department staff assigned by the Port for review and comment. The Tenant Art Plan should be approved by the Public Art Director and submitted to the Public Art Committee for review and recommendation. The Art Plan should be a necessary component of the submission for Preliminary Conceptual Review by the Board of Port Commissioners.

The Art Plan should, at a minimum, include the following:

- A description of the proposed leasehold improvements.
- An Artist scope of work and a site plan showing the location or locations being considered for placing or integrating the Artwork.
- A statement of how the proposed Artwork addresses broader Port and Public Art Department goals for the project area.
- Specific goals for the Artwork against which the Concept Proposal can be evaluated.
- The process to be used for selection of the Artist or Artwork.
- The budget, including any set-asides for project management and maintenance reserve.
- A schedule for the leasehold improvements and commissioning of the Artwork.
- The intended method for identifying an Artist.
- The intended approach to managing the project.
- Identification of any consultants who will facilitate the process.

Step 2b: Tenant Art Agreement

Though in most cases the Tenant should own the Artwork and be responsible for commissioning and maintaining it, the Port and the Tenant should enter into an Agreement that outlines the Port's responsibilities and the Tenant's responsibilities related to the Artwork. This Agreement should cover the issues outlined below, and should be a necessary component of the submission for Preliminary Conceptual Review by the Board of Port Commissioners.

- What party will own and hold title to the Artwork?
- What party will be responsible for maintenance and conservation of the Artwork?
- What is the expected duration of display of the Artwork?
- What happens to the art if there are changes to the site?
- What are the proper procedures for deaccession and disposal?
- What rights all parties have to use photography and other images of the art?

Step 3a: Artist Selection

General. Tenants should be able to use a method of their choosing for identifying Artists or Artworks, though for larger projects the Public Art Department Director should strongly encourage a competitive process. Tenants should work with an experienced art consultant to guide the art selection and project management of the Artwork. Public Art Department staff should be able to serve as consultant to Tenants, at the request of the Tenant, for a reasonable and competitive fee.

Tenant improvements with a value of up to \$12,500,000. The Tenant should submit the qualifications of the selected Artist to the Public Art Director, who should forward the information to the Real Estate Department for review and comment. The selection should be approved by the Public Art Director, and should be reported to the Board of Port Commissioners and Public Art Committee for informational purposes only.

Tenant improvements with a value of more than \$12,500,000. The Tenant should submit the qualifications of the selected Artist to the Public Art Director, who should forward the information to the Real Estate Department for review and comment. The Artist qualifications and staff comments should be forwarded to the Public Art Committee for review and recommendation. The selected Artist should be approved by the Public Art Department Director prior to the Artist proceeding with a concept.

This recommendation should be included in the documentation that is forwarded to the Board of Port Commissioners.

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Step 3b: Artist Concept Proposal or Proposed Artwork

Tenant improvements with a value of up to \$12,500,000. The Tenant should submit the Artist Concept Proposal, or information about the Artwork that is to be acquired, to the Public Art Director, who should forward the information to the Real Estate Department for review and comment. The Concept Proposal should be approved by the Public Art Department Director, and should be reported to the Public Art Committee and Board of Port Commissioners for information purposes only.

Tenant improvements with a value of \$12,500,000 or more. The Tenant should submit the Artist Concept Proposal, or information about the Artwork that is to be acquired, to the Public Art Director, who should forward the information to the Real Estate Department for review and comment. The Artist Concept Proposal (or proposed Artwork) and staff comments should be forwarded to the Public Art Committee for review and recommendation.

This recommendation should be included in the documentation that is forwarded to the Board of Port Commissioners for Concept Approval of the leasehold improvements.

Step 3c: Artist Contract

If commissioning an Artwork, the Tenant should then enter into a design, fabrication and installation contract or agreement with the Artist. The Public Art Department should make available recommended guidelines for the agreement to ensure that ownership of the art is

clear, that the Tenant is in compliance with the Visual Artists Rights Act and California Civil Code, and that the Tenant and Artist assign necessary rights to the Port. The contract should be submitted to the Port for review to ensure that the Port's interests and role are accurately represented, and should be reviewed by Port staff in advance of the Board of Port Commissioners Concept Approval.

Step 4: Final Design and Review

The Tenant should then work with the Artist through final design. Public Art staff should review the final design to ensure that it is compliance with the approved concept and that it meets the Port's expectations regarding workmanship, durability and safety.

Step 5: Fabrication and Installation

The Tenant should monitor the Artist and the Artist's contractors and subcontractors during the fabrication and installation of the Artwork.

Additional Requirements

Dedication

The Tenant should dedicate the Artwork. The Tenant may request to work with Port staff to coordinate media coverage about the art project.

Documentation

The Tenant should install signage identifying the Artwork, following a template provided by the Public Art Department. The Tenant should provide Public Art Department with copies of the artist agreement, Artist's final design documents, maintenance and conservation documentation, and high-quality digital photography of the Artwork.

When the Tenant retains ownership of the Artwork, the Artwork should not be considered part of the Tidelands Collection. However, the Public Art Department could include information about Tenant Artworks projects on its website, and could choose to include Tenant Artworks in publications and documents describing art that can be found in the Tidelands. The Artist and owner of the Artwork should be properly identified in these materials.

Ownership

The Tenant Art Agreement between the Tenant and the Port should clearly identify ownership of the Artwork. In most cases the Tenant will own the Artwork. However, in cases where the Artwork is sited on Port property outside of the leasehold, or when the Artwork is of significant, long-term interest to the Port, the Port and Tenant may agree that the Port should own the Artwork and that it will become part of the Tidelands Collection.

Maintenance and Conservation

Maintenance and conservation of Tenant Artwork is the responsibility of the owner.

The Public Art Department will act as a resource to Tenants for how to evaluate an Artwork and find a professional conservator.

The Public Art Department will monitor Tenant projects for proper maintenance and conservation. If Tenants do not take proper care of their Artwork, then the Port will contact the Tenant and request that they take action. If, after several attempts, the Tenant has not taken proper action to remedy the situation, the Port may elect to do the work and bill the Tenant.

Lease Termination

When a lease is terminated and the Tenant owns the Artwork, the Tenant could choose to:

- Donate or sell the Artwork to the Port with the intent of keeping the Artwork in its current location or relocating it elsewhere in the Tidelands. In these cases, the Acquisition must go through the Port's process for public art Acquisitions (see section 5.2) or public art Donations (see section 5.4).
- Sell the Artwork to the new leaseholder with the intent of keeping the Artwork in its current location. This purchase should not fulfill any new art requirements triggered by new Tenant improvements.
- Remove the Artwork in a manner that meets its contractual obligations to the Artist and the Port, and is mindful of the Artist's rights as outlined in the Visual Artists Rights Act and the California Civil Code.

If the Tenant chooses not to donate the Artwork to the Port, and seeks to sell, relocate or remove it instead, the Port should have the right of first refusal to purchase the art before any action is taken.

5.4 Donations of Artworks

Recommendations

- The Public Art Program should ensure that proposed donations of Artworks are in keeping with the vision and mission of the Public Art Program, the scope of the Tidelands Collection and the overall goals for the Tidelands.
- The Public Art Program should carefully scrutinize proposed donations of Artworks to ensure they are sited properly and do not draw on Port financial resources.
- The Port should articulate and strengthen the topical and locational criteria it uses to evaluate the appropriateness of proposed donations of Artworks.
- The Public Art Fund should be organized so that the Port can accept monetary donations for any purpose related to the mission and activities of the Public Art Department.

Objectives

Donations of Artworks can be a useful way of building the Port's public art collection and serving the community, if the Artworks are in keeping with the Public Art Department's overall goals and expectations, if they are placed in appropriate locations and integrated appropriately with their sites, and with proper advance planning.

The Port's procedures for accepting donations of Artworks should be designed to:

- Ensure that new Artworks are in keeping with the Port's overall goals for the Tidelands.
- Ensure that new Artworks are in keeping the Public Art Department's vision and goals for its collection, and its expectations for the quality of the Artworks in its collection.
- Ensure that Artworks are sited appropriately in terms of media, scale, site usage and aesthetics.
- Ensure that Artworks are appropriate to the Tidelands and their specific settings.
- Address technical concerns and hidden costs such as installation, lighting, insurance, easements, ongoing maintenance, conservation and safety.
- Determine whether it is appropriate for the Port to contribute resources to the project.

Policies and Procedures

Donation Proposal Types

The Port should consider the following types of proposed donations of Artworks to be placed on the Tidelands:

- A Donor's offer to commission an Artwork by means of a public art competition. Donors should be encouraged to collaborate with Port or member city staff to define a project that serves existing civic priorities, and recruit Artists through a competitive process. Such projects typically offer imaginative, high-profile opportunities for Artists and their donors, and usually achieve broad public support.
- A Donor's offer to commission an Artwork by a specific Artist or Artists. A donation of this type can result in work that is responsive and appropriate to the site and that potentially can be well integrated into its surroundings.
- A Donor's offer of an already existing Artwork. A donation of this type should undergo careful scrutiny to ensure that the Artwork is appropriate to the site and is in keeping with the goals of the Public Art Program, especially its curatorial scope.
- A Donor's offer to support projects or initiatives of the Public Art Program through a monetary donation. In general, contributed monies should be free for use by the Department for any purpose or project that is related to the Acquisition, Exhibition, conservation or maintenance of Artwork located anywhere in the Tidelands, and which is pre-identified by the Public Art Department through its approved Curatorial Strategy. Contributed monies can also be used for specific projects and priorities, if they are pre-identified by the Public Art Department through its approved Curatorial Strategy.

Acceptance Conditions

The following conditions should be met for the Port to consider accepting a donated Artwork:

- All expenses for the donated Artwork should be the responsibility of the Donor, except in extraordinary circumstances. The Donor is responsible for funding the design, fabrication, shipping, insuring, site preparation, installation, signage and lighting of the proposed donated Artwork.
- The Public Art Department should consider funding a portion of the costs of a proposed donation of Artwork only if, in the judgment of the Public Art Department Director and the Public Art Committee, the Artwork would meet all the criteria to be considered as an Artwork that the Port would acquire on its own.
- Funds equal to 10 percent of the commission cost or appraised fair market value of the Artwork should be paid into a public art maintenance reserve, held by the Port, at the time of the acceptance of the donation. If, in the opinion of Public Art Director, the donation is likely to incur high maintenance, conservation and/or operations costs, staff can require a larger contribution to the maintenance reserve.

- Proposed donations of Artworks that are commemorative in nature should be presented by a “Civic Donor.” A “Civic Donor” must be an incorporated, non-profit organization of good standing, organized at least five years before the submission of the proposed donation, or a municipal government or other public agency.

Procedures for Review of Proposed Donations of Artworks

The process for proposing and reviewing the donation of an Artwork to the Port should include the following steps.

1. *Preliminary inquiry.* The Donor should begin the process by conferring with Public Art Department staff about the requirements and process for proposed donations of Artworks.
2. *Application.* The Donor should submit an application that includes:
 - An explanation of why the Artwork(s) should be displayed on Tidelands and how the display of such serves a purpose appropriate to the interests of the public and the Port;
 - A description of the proposed location, method of display and required site improvements (including any necessary hardscaping, landscaping, buildings, utilities, security devices, anchoring or other information necessary to insure public safety);
 - Drawings, photos and written descriptions of the Artwork(s) proposed for donation. This should include size, colors, weight, materials, and any information that will establish that the item has the requisite physical integrity to be placed on public display and withstand exposure to the natural elements.
 - Background on the Artist, or an explanation of the method of recruiting and selecting Artists for the competition.
 - Cost estimates for installing the item(s) for public display, including but not limited to: physical anchoring of structures for display; retrofit of existing buildings or improvements; landscaping, seating, lighting and other site improvements.
 - Written explanation of legal issues, including but not limited to, certifying the current legal owner of the Artwork(s) and, the existence of any copyrights, patents or other title rights in or to the Artwork(s); and an explanation of any conditions or limitations on the donation of the Artwork(s), such as any interests to remain with the Artist.
 - The estimated fair market value of each Artwork (including appraisals of the Artworks(s) if available, required if over \$10,000);
 - The anticipated date for the donation to occur;
 - Evidence of public support for the proposed donation;
 - Anticipated life of the Artwork(s), if temporary in nature;
 - Condition report prepared by a conservator;

- A written description of the background/historical information associated with any donated Artwork, including but not limited to, information about the creation of the Artwork(s) and the Artist (if applicable) who created it;
- A warrant of originality (if applicable); and
- Any additional information the Port's Public Art Department staff deem necessary or appropriate.

3. *Preliminary Review.* The Public Art Department Director should conduct a Preliminary Review to determine whether the application is complete, that it is for an Artwork that meets the Public Art Department's definition of Artworks, or is for an Artist competition open to Artists. If the proposal is for a commemorative Artwork, Public Art Department staff should ensure that it meets the social and merit criteria described below.

4. *Technical Review.* For proposed donations of Artwork that pass Preliminary Review, the Public Art Department Director should organize an interdepartmental Technical Review conducted by Port staff. The review should consider whether the proposed donation of Artwork conforms to the Port's land use, visual and urban design goals for an area, as well as to applicable code and environmental regulations. Specific review criteria are outlined in a subsequent section.

5. *Staff approval or rejection.* After Technical Review, proposed donations of Artworks should either (a) returned to the donor for additional development and documentation, (b) forwarded to the Public Art Committee, with a staff report, for review and recommendation in regard to criteria for aesthetic and site, or (c) rejected.

The Public Art Director, at his or her discretion, can convene an ad hoc panel to review the proposed donation of Artwork and make a recommendation to the Public Art Committee.

The Public Art Director, at his or her discretion, can undertake the additional community consultation, before submitting the project to the Public Art Committee.

6. *Public Art Committee review.* The Public Art Committee should review the project and make a recommendation to accept or reject the proposed donation of Artwork. The Committee should forward its recommendation to either the Public Art Director or the Board of Port Commissioners, depending on the value of the Artwork.⁷

7. *Final approval.*

- For donations of Artwork with a value of up to \$75,000 that the Public Art Committee votes to accept, the Public Art Department Director should have the authority to accept the donation. The decision to accept the Artwork should be communicated to the Board of Port Commissioners via a Board memo.
- For donations of Artworks with a value of greater than \$75,000 and up to \$125,000 that the Public Art Committee votes to accept, the recommendation should be made to the Public

⁷ The proposed thresholds for staff and Board of Port Commissioner review for donations of Artworks is based on the contracting authority delegated to the Public Art Director and executive staff in BPC 110. As those authorities change in future amendments of BPC 110, these thresholds should be adjusted accordingly.

Art Director. The director should forward the recommendation to a higher-level administrator, who, at his or her discretion, can accept the donated Artwork or forward the recommendation to the Board of Port Commissioners for final approval.

- For donations of Artworks with a value of more than \$125,000 that the Public Art Committee votes to accept, the Public Art Department staff should forward a report of the Committee recommendation and the staff recommendation to the Board of Port Commissioners for action as a consent agenda or full agenda item. The Board should then vote to accept or reject the proposed donation of Artwork.

Review Criteria

Criteria for Technical Review

Technical Review should be conducted by Port staff, who should consider the following issues:

- *Ownership.* If the Donor is proposing to donate an existing Artwork, has the Donor documented that the Artwork can be legally given to the Port?
- *Financial Costs.* Has the Donor documented that the financial costs associated with the Artwork have been adequately anticipated and can be met? These costs include, but are not limited to, shipping, insurance, site preparation, installation, dedication, signage and lighting.
- *Safety and Liability.* Is Artwork durable? Does it pose any safety or liability concerns?
- *Maintenance and Conservation.* Has the Donor provided a professional art conservator's report indicating anticipated maintenance needs?
- *Availability of Site.* Is the proposed site available for the installation of Artwork? Are necessary electrical, plumbing or other utility requirements defined and available?

Additional criteria for Technical Review may be developed as necessary by Port staff.

Criteria for Aesthetic and Site Review

Aesthetic and site review should be conducted by the Public Art Committee or by an ad hoc panel appointed by the Public Art Director that includes specific artistic expertise and/or stakeholder representation. The committee or the panel should use the same criteria that are used for reviewing Artworks to be commissioned or purchased by the Port. These criteria are outlined in Chapter 7.

Criteria for Review of Social and Merit Issues

In addition to the above criteria, the review of proposed donation of Artworks that are commemorative in nature should be based upon the following criteria:

1. Proposed donations of Artworks for commemorating individuals should not be considered until at least ten years after the death of the individual. Proposed donations of Artworks for commemorating ideas or events will not be considered until at least twenty years after the

occurrence of the event. Where an overwhelming community consensus exists, proposals may be considered before these periods have passed.

2. Proposed donations of Artworks that commemorate specific disasters (whether natural or man-made), health-related themes, or organizations in general should not normally be considered, unless it can be demonstrated that they are unique to the Tidelands and that their long-term impact has shaped the history of the Tidelands or its member cities.
3. Proposed donations of Artworks that are commemorative in nature must concern subjects that have been tangibly and directly associated with the Tidelands or the member cities of the Port. The strongest consideration will be given to proposals with a direct relation to the Tidelands, as opposed to the member cities in general. In the case of contributions of an individual or a particular group of people, for example, strongest consideration will be given to those who have had an impact on the history of the Tidelands, which goes beyond the impact they may have had on a particular community, or the world at large.
4. Proposed donations of Artworks that are commemorative in nature must have cultural significance to the general public, not one interest group. The subject will be commemorated only if it is generally accepted as having had an exemplary and a positive influence on the Tidelands, or on the life of residents of member cities of the Port.
5. Proposed donations of Artworks that are commemorative in nature must not duplicate the themes or subject matter of an existing Artwork and/or commemorative site in the Tidelands or its member cities.
6. In no instance should proposed donations of Artworks that are commemorative in nature depict subjects that are trademarked or commercially licensed.



6.0 Policies and Procedures

6.1 Roles and Responsibilities

Board of Port Commissioners

The Board of Port Commissioners (BPC) is the seven-member governance body for the Unified Port of San Diego. One commissioner each is appointed by the city councils of Chula Vista, Coronado, Imperial Beach and National City, and three commissioners are appointed by the San Diego City Council. The Board establishes policies under which the Port's staff conducts the Port's daily operations.

The BPC's responsibilities related to the Public Art Department include:

- Approve the Public Art Master Plan and subsequent Board policies.
- Approve the appointment of Public Art Committee members.
- Approve the annual Port budget, which includes the Public Art Department budget.
- Approve the Curatorial Strategy for the Public Art Department.
- Approve Individual Project Plans.
- Approve Acquisitions and Exhibitions with a total art budget of more than \$125,000, ensuring that they are in compliance with Board policy, procedures for artist selection and concept development, and approved Port budget.⁸
- Approve Tenant public art projects with a total art budget of more than \$125,000, ensuring that they are in compliance with Board policy.
- Approve the acceptance of donated Artwork with a value of more than \$125,000, ensuring that proper procedures have been followed for threshold, technical and aesthetic and site review, and when applicable, social and merit issues.
- Approve the deaccession of Port-owned public art with a value of more than \$125,000.

Chair, Board of Port Commissioners

The Chair's responsibilities related to the Public Art Department include:

- Appoint three members of the Public Art Committee from the membership of the Board of Port Commissioners.
- Appoint the Chair of the Public Art Committee.

⁸ The proposed thresholds for Board of Port Commissioner review of various Artworks is based on the contracting authority delegated to the Public Art Director and executive staff in BPC 110. As those authorities change in future amendments of BPC 110, these thresholds should be adjusted accordingly.

Public Art Committee

The Public Art Committee (PAC) serves as an advisor to the Public Art Department and to the Board of Port Commissioners, upholding the Public Art Program's vision, ensuring that the Port's public art policies and procedures are followed, and supporting the development and stewardship of the Port's public art collection and other public art on Port property. PAC members support and advocate for high-quality Public Art throughout the Port.

Composition and Appointment

The Public Art Committee should consist of nine voting members.

- Three of the members should be Port Commissioners, nominated by the Board Chair.
- Five members should be nominated by the Public Art Department Director. These members should be recommended based upon a history of professional or volunteer experience in the visual arts, previous civic involvement, and an interest in contributing to the development of the Port's Public Art program. These members can serve up to two consecutive three-year terms.
- One member should be nominated by the Port Tenant's Association, in concurrence with the Public Art Director. This member should be recommended based upon a history of professional or volunteer experience in the visual arts, previous civic involvement, and an interest in contributing to the development of the Port's Public Art program. This member can serve up to two consecutive three-year terms.

The Board shall approve all nominations to the Public Art Committee.

At all times, the membership of the Public Art Committee should strive to include representation from all five Port member cities.

The terms of PAC members should be staggered to allow for stability.

Responsibilities

The PAC's responsibilities should include:

- Review and recommend Public Art Master plan.
- Assist the Public Art Department in reviewing related policies.
- Assist the Public Art Department Director in developing the Curatorial Strategy to implement the Department's Creative Directions. Recommend approval of the Curatorial Strategy to the Board of Port Commissioners.
- Assist the Public Art Department Director in developing Individual Project Plans. Recommend approval of Individual Project Plans to the Board of Port Commissioners.
- For Artwork commissioned or purchased through the Public Art Fund or as part of Capital Development Projects:
 - Review and approve the Selection Panel's Artist selection recommendations.

- Review the Artist's Concept Proposal and make recommendation to either the Public Art Department Director or the Board of Port Commissioners, depending on the amount of the Art Budget.
- For Tenant projects with an art budget of more than \$125,000:⁹
 - Review the Tenant Art Plan.
 - Review and approve Artist selection.
 - Review Concept Proposal and make recommendation to Board.
- For proposed donations of Artworks, evaluate the Artwork, Artist, and project for aesthetic and site review, and recommend acceptance or rejection of the proposed donation.
- Make recommendations regarding the deaccession of Artwork from the Tidelands Collection.
- Serve as an advocate for the Port's Public Art Department and the Port's vision for public art.

Chair, Public Art Committee

The Chair of the Public Art Committee is a Port Commissioner, appointed by the Chair of the Board of Port Commissioners. The chair serves a one-year term and may be reappointed by the Chair of the Board of Port Commissioners.

The Chair's additional responsibilities include:

- With the Public Art Director, develop a list of candidates for appointment to the Public Art Committee.

⁹ The proposed threshold for Public Art Committee review of Tenant Artworks is indirectly based on the contracting authority delegated to the Public Art Director and executive staff in BPC 110. As those authorities change in future amendments of BPC 110, these thresholds should be adjusted accordingly.

Public Art Department

The Public Art Department consists of the Public Art Director, Project Managers and administrative staff. The Director and Project Managers are skilled and experienced in the field of public art, with requisite professional and academic background.

The Public Art Department's responsibilities include:

- Prepare the Annual Department Budget.
- Develop collaborative relationships within the Port staff and with potential project partners.
- Facilitate the development of the multi-year Curatorial Strategy that outlines the types of projects that will be commissioned in each Creative Direction.
- Oversee the commissioning, purchase and exhibition of Artworks by developing Individual Project Plans, managing Artist selection processes, facilitating reviews by the Public Art Committee and (if necessary) the Board of Port Commissioners; managing project implementation and coordinating documentation.
- Oversee the review and approval of Tenant art projects by conferring with Tenants; reviewing Tenant Art Worksheets and Tenant Art Plans; negotiating Tenant Art Agreements; facilitating reviews by the Public Art Committee and (if necessary) the Board of Port Commissioners; participating in dedication events; and maintaining project documentation.
- Oversee the review of proposed donations of Artwork by conferring with the project donor; conducting a Threshold Review of the project; facilitating Technical Review by Port staff; and facilitating reviews by the Public Art Committee and (if necessary) the Board of Port Commissioners.
- Develop and ensure that the Port's adopted public art policies and procedures are followed.
- Ensure that the Port's public art collection is properly documented, maintained and conserved.
- Develop materials, programs and initiatives to inform and engage the public about the Port's public art collection.
- Staff the Public Art Committee.

Selection Panels

Selection Panels are ad-hoc panels that review Artist materials and make recommendations to the Public Art Committee and Public Art Department Director regarding Artist selection. A different Selection Panel is generally appointed for each project.

Composition and Appointment

The composition of the Selection Panel should be outlined in the Individual Project Plan and confirmed by the approval of that plan. Generally, Selection Panels should have five to seven members. The standard composition of a Selection Panel should include:

- One member of the Public Art Committee.
- A minimum of two community representatives, including people who may have a particular knowledge or familiarity with the site where the art is to be located.
- A minimum of two professionals in the visual arts (Artist, curator, art historian, art educator, conservator, etc.).
- If the public art is part of a Capital Development Project, an appointee of the project architectural firm or design team may sit on the Committee with voting status depending on the nature and scope of the project.

Non-voting advisors, such as Port staff, member city staff, or professional specialists may be asked by the Public Art Department Director to participate in meetings.

Responsibilities

The Selection Panel's responsibilities should include:

- Review Artist qualifications and recommend semi-finalists.
- Interview semi-finalists or review semi-finalist Concept Proposals and recommend final Artist selection to the PAC.
- The Public Art Committee representative should report recommendations back to the Public Art Committee, outlining how the recommendation meets the criteria for Artist Selection and/or concept approval outlined in the Individual Project Plan.

Tenants

Tenants undertaking improvements to their leaseholds – through new leases, lease renewals or otherwise – are required to spend one percent of the construction value of the improvements on public art. Improvements with a construction value of less than \$1 million should be exempt from the public art requirement. Improvements with a construction value of between \$1 million and \$12.5 million should follow an expedited review process. Improvements with a construction value of more than \$12.5 million should follow a standard review process.¹⁰

Responsibilities

- Contact the Port's Real Estate Department in advance of filing a Tenant Project Application to learn about the public art requirement.
- Meet with Public Art Department staff to discuss the Port's overall goals and intentions for public art on leaseholds and the public art review and approval process.
- Determine if the public art requirement will be met through a new commission, purchase, or monetary donation to the Public Art Fund.
- Complete a Tenant Art Worksheet and, if necessary, a Tenant Art Plan (leasehold improvement more than \$12,500,000).
- Enter into a Tenant Art Agreement with the Port that outlines Port and Tenant responsibilities related to the Artwork.
- Present a preferred Artist to the Public Art Department staff, who will review with the Real Estate Department (leasehold improvements between \$1,000,000 and \$12,500,000), plus the Public Art Committee (leasehold improvements more than \$12,500,000).
- Present the selected Artist's Concept Proposal or information about the existing Artwork intended for purchase to the Public Art Department staff who will review with the Real Estate Department (leasehold improvements between \$1,000,000 and \$12,500,000) plus the Public Art Committee and Board of Port Commissioners. (leasehold improvements more than \$12,500,000).
- Enter into an agreement with the selected Artist, following guidelines provided by the Public Art Department
- Submit Artist's final design to the Public Art Department Director and the Real Estate Department
- Coordinate a dedication for the Artwork, and work collaboratively with the Public Art Department to develop media materials and encourage media coverage.

¹⁰ The proposed threshold for determining whether a Tenant Artworks should be subject to expedited or normal review (currently recommended to be \$12,500,000) is indirectly based on the contracting authority delegated to the Public Art Director and executive staff in BPC 110. As those authorities change in future amendments of BPC 110, these thresholds should be adjusted accordingly. The proposed threshold for the Tenant requirement overall (currently recommended to be \$1,000,000) is not related to BPC 110.

- Install signage identifying the Artist and Artwork, following a template provided by the Public Art Department.
- Ensure the Artwork is properly maintained and conserved (if the Tenant retains ownership of the Artwork).

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6.2 Artist Identification Processes

For public art projects funded through the Public Art Fund or initiated as part of a Capital Development Project (CDP), the Public Art Department should recommend the method for identifying Artists that best reflects the project goals and offers the best chance of finding the best Artist for the project.

Open Competition

In an open competition, any Artist can submit his or her credentials, subject to any requirements established by the Public Art Department. The Call for Artists should be sufficiently detailed to permit Artists to determine whether their work is appropriate for consideration. An open competition allows for the broadest range of possibilities for a site and can bring in new, otherwise unknown, and emerging Artists. This method sometimes discourages established Artists who prefer to respond to limited competitions or to be directly selected for projects.

Limited Competition

In a limited competition several Artists are pre-selected and invited to submit their qualifications. This method could be appropriate when the Public Art Department is looking for a small group of experienced Artists, when there is a limited time frame, or if the project requirements are so specialized that only a limited number of already identified Artists would be eligible.

This list of pre-selected Artists could be developed by the Public Art Department staff with input from the Public Art Committee; the Selection Panel; local, national or international colleagues; and/or other project partners. In addition, the list could be developed by a curator or consultant utilized to advise on the projects.

Direct Selection

On occasion, an Artist can be chosen directly by a Selection Panel. Direct selection may be useful on projects where an urgent timeline, limited budget or very specific project requirements exist.

Direct Purchase

Some projects require the purchase of a specific Artwork due to the exacting nature of the project or a very limited project timeline. In this case, the Artwork must meet the definition of Artwork and should be "one-of-a-kind," not mass-produced or off-the-shelf, unless it is part of a limited edition.

Pre-Qualified Artist Roster

The Public Art Department could decide to develop a pre-qualified pool of Artists, or an Artist Roster, from which it can choose Artists for Limited Competition, Direct Selection or Direct Purchase. This roster would be developed based on a comprehensive review of credentials by a

Selection Panel from Artists who respond to an open call for artists. The Roster would be approved by the Public Art Committee.

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6.3 Collection Management

The Public Art Department is steward of the Port's extensive Tidelands Collection of nearly 100 Artworks. A collection of this size necessitates a steady amount of work to manage collections activities. The Department should draft a comprehensive collections management policy that covers, but is not limited to, approaches to acquisitions and accessions, loans, deaccessions, disposal, re-siting, removal, access, maintenance, conservation, documentation, storage and intellectual property. The Public Art Department currently faces a large amount of catch-up work in caring for its collection. This backlog is being addressed by the Department, and these efforts should continue to be a special focus of the Department's activity for the next few years. Once the backlog is addressed, managing the collection will still require a concerted effort by the Department and an adequate allocation of funding and staff time.

Cataloging the Collection

The most important issue the Department faces is determining exactly what Artworks are in the Tidelands Collection. There is a great deal of confusion about who owns and holds title to various Artworks and whether they are part of the collection. This applies particularly to Tenant Artworks. Ownership, and responsibility for maintenance and conservation, should be retroactively documented for all Artworks commissioned or acquired under any auspices of BPC 609, 610 or 611. Going forward, ownership should be clearly established and documented at the time a project is approved or accepted by the Board of Port Commissioners.

A related issue is ensuring that the Department's records and archives for each project are managed and stored in a consistent manner. Accession records, including ownership records, contracts, artist biographies, descriptions of artworks, image documentation, maintenance specifications and other documentation should be easily accessible.

Artist and Artwork Identification

The Public Art Department should ensure that information about the Tidelands Collection is easily accessible to the public, and accurate. The two key tools for doing this are the Department's website and the signage that is placed onsite with the Artworks; both information systems should be improved.

The website should focus on Artworks that are permanently on view in the Tidelands Collection. Other categories of Artworks — Tenant Artworks, and Artworks that were on exhibition at one time but are no longer on display — should be listed in a different manner for clarity.

The signage that identifies Artworks in the Tidelands Collection should be standardized. It should have consistent appearance, scale, typography and material. It should identify the project, Artist, title of Artwork, date and donor (if pertinent), and it should acknowledge the Port. Additional information such as community donors, a detailed description of the Artwork, biographical information about the Artist or dedication information, should, if desired, be on separate signage.

Tenant-owned Artworks (those commissioned under the auspices of BPC 609 or future Board policies), should be documented and information about them should be available to the public. The Department's website should strive to provide a listing and mapping of Tenant Artworks. The Artworks should also be identified, on site, with signage provided by the Tenant but designed based on a standard template that makes it clear the Artwork is a public benefit that was created under the auspices of a Port policy.

Maintenance and Conservation

The Department recently commissioned a maintenance and conservation plan for approximately fifty Artworks in the core of its collection, and is implementing the recommendations on a three-to-five-year schedule. The Department should continue this effort and allocate appropriate funding in the Department's annual budget with the understanding that as additional pieces are incorporated into the Tidelands Collection, that the funds for maintenance and conservation should be increased.

To ensure that maintenance and conservation needs for new Artwork being commissioned or purchased by the Port are understood and budgeted for, the Public Art Department staff should make every effort to:

- Ensure that Selection Panels evaluate prospective Artist's technical expertise,
- Facilitate a technical review of the Artist's conceptual and final design, and
- When deemed appropriate, request a professional conservator's review of the Artist's conceptual and final design.

For proposed donations of Artwork, a thorough Technical Review should be conducted to identify short-term and long-term maintenance and conservation needs of the donation. Donors should be required to commit a minimum of 10 percent of the value of the Artwork to a maintenance and conservation reserve to ensure the long-term care of the Artwork.

6.4 Staffing

The Public Art Department currently consists of four budgeted full-time staff members. To fulfill its wide range of responsibilities, the Department requires a full-time staff of six, with the following general responsibilities.

Department Head/Director. Responsible for stewardship of the “Tidelands Collection” and supervising the operations of the Public Art Department.

Duties include, but are not limited to: developing the Department’s Curatorial Strategy; developing long-range plans and goals; developing key initiatives/programs to achieve planning goals; developing public art policies and procedures; analyzing initiatives and strategic directions; ensuring compliance with Port public art policies; maintaining a close working relationship with the Public Art Committee; oversight of Port and Tenant public art projects; public and media relations; representing the Port at regional and national art-related functions; monitoring Public Art Fund expenditures; and preparing the Department’s annual budget.

Public Art Managers. Professional manager-level positions responsible for managing public art programs/projects, as assigned.

Duties include, but are not limited to: Managing multiple permanent commissions and temporary exhibitions, including public art requirements for Port-initiated Capital Development Projects and those undertaken with funds from the Public Art Fund; coordinating Tenant art projects and/or monitoring for compliance; managing the “Tidelands Collection”; assisting in the development of long-range plans; developing Individual Project Plans and timelines; implementing Curatorial Strategy; managing Exhibitions from Artwork selection through installation and deinstallation; preparing and negotiating legal agreements, insurance, and budgets; developing requests for qualifications/proposals; coordinating Selection Panels to commission Artists; developing public art policies and procedures for Tenant Artworks and collections management; overseeing digitization and documentation of the collection and database; implementing the department’s multi-year conservation and maintenance plan; creating educational materials; coordinating public art events and dedications; researching the collection, physical histories and ownership; and developing grant funding strategies.

Executive Assistant. Provides administrative and executive support to the Department Head/Director and the Public Art Committee. Duties include, but are not limited to: clerical; coordinating schedules, Port-required departmental reporting and intra- and inter-departmental communications.

Public Art Staff Assistant. Assists Public Art Managers. Duties include, but not limited to: general clerical, coordinating schedules, website maintenance, project-based work as assigned and intra- and inter-departmental communication.

6.5 Budget and Funding

The Public Art Department receives an annual allocation of \$1.2 million from the Port. This allocation covers all expenses of the department, including personnel, operations, administrative expenses, conservation and maintenance of artwork, and costs of new commissions, purchases and exhibitions. The funding can accumulate over multiple years to commission larger projects with larger impact.

Funds for Artworks related to CDP projects are not included in this budget.

Goals

A short-term budget goal for the Public Art Department should be to adjust its financial commitments to current and future projects so that it is only spending newly allocated funds, not dipping into the Public Art Fund reserve, which has been dwindling in recent years. The current reserve should be maintained as a cushion and used only to support extraordinary opportunities that cannot be funded entirely from annual allocations.

A long-term goal for the Department should be to increase its funding to support the expanded staffing level recommended. Should the Department's staff expand, but the budget not be increased, this would cut substantially into the Department's funding for commissioning and purchasing Artworks, and organizing exhibitions.

At the time that the staff expands, the Port should revise its approach to budgeting for the Department, following the model established for the Environment Department and its Environmental Fund. The Port should absorb staff and administrative costs into the overall operations budget, and should allocate approximately a "half percent" of its operating budget, or approximately \$700,000 annually, for the costs of new Acquisitions and Exhibitions, conservation and maintenance. Unspent funds should accrue from year to year, so the department can plan for longer-term, higher budget projects, and the interest that accrues on these balances remains in the Public Art Fund.

This amount would be placed in the Public Art Fund, and could be reserved or accumulated for expenditure in future years, to allow for the commissioning of larger projects. This would mirror the practice followed in the Environmental Department and its Environmental Fund. The Public Art Fund should continue to accrue interest, and interest should be kept in the Public Art Fund.

Donated Funds

The Public Art Fund should be organized so that the Port can accept monetary donations for Acquisitions, Exhibitions, Conservation, Maintenance or other purposes related to the mission and activities of the Public Art Department.

The Port, and the Public Art Department, should not accept any funds that are encumbered for a specific project or Artwork unless the specific project or Artwork has been approved as outlined in this plan.

6.6 Definitions

Acquisition: Artworks that are commissioned or purchased by the Port for inclusion in the Tidelands Collection.

Annual Department Budget: The Public Art Department's budget, which is folded into the annual Port budget. It outlines broad categories of expenditures, such as personnel, operations, administrative expenses, new projects, committed/continuing projects, marketing, collections management and conservation and maintenance.

Art Budget: The allocated budget for the design, fabrication and installation of a commissioned Artwork, or the budget for the purchase, shipping and installation of an existing Artwork.

Artist: An individual generally recognized by critics and peers as a professional practitioner of the visual, performing or language arts, based on his or her body of work, educational background, experience, exhibition history, publication and/or creation of Artworks.

Artist Roster: A pre-qualified pool of Artists from which the Selection Panel or Public Art Committee can choose Artists for Limited Competition, Direct Selection or Direct Purchase.

Artwork: An aesthetic creation resulting from the skill and creativity of an Artist or Artists. An Artwork may be made of any materials or combination of materials and may be permanent, temporary, fixed or portable. An Artwork can be an integral part of a building or structure, and can be integrated with the work of other design professionals.

Board of Port Commissioners: The seven-member governance body for the Unified Port of San Diego.

BPC Policy No. 110: The Board of Port Commissioner Policy that currently outlines procedures for the administration of contracts, agreements and purchasing, and sets out contracting authorities for various levels of Port staff.

BPC Policy No. 609: The Board of Port Commissioner Policy (last revised in July 2008) that currently governs the Public Art Program including establishing the \$1.2 annual funding allocation.

Capital Development Program (CDP) Project: A capital project on the Tidelands funded from the Port's capital budget. CDP projects are required by BPC 609 to set aside one percent of the construction value for public art.

Commemorative Artwork: An Artwork that commemorates and individual, idea or event that has shaped or impacted the Tidelands.

Concept Design: The initial design phase of a public art project in which an Artist creates a design concept that is detailed enough to communicate the intended the content, scale, location, artistic media and relationship of components and materials of proposed Artwork. The documentation of the design concept can include a narrative description of the work, diagrams and/or a maquette. In addition, the Port may request a timeline, preliminary budget breakdown and additional technical information such as electrical or water requirements.

Commission: An Artwork, permanent or temporary, that is created by an Artist specifically for the Port.

Concept Proposal: The Artist's Concept Design before it has been approved by the Public Art Director, higher level Port staff, or the Board of Port Commissioners.

Creative Direction: A broadly described thematic area, established in the public art master plan, that the Public Art Department will use to explore curatorial possibilities and define individual projects. In the coming years, these Creative Directions will relate to the Green Port, Working Port and Public Port.

Curatorial Strategy: A multi-year work plan that establishes priorities for the types of projects the Public Art Department will be developing over a three to five year period. The Strategy describes the types of projects the Department will work to develop, the kinds of artists it wishes to recruit, any specific geographic areas it wishes to focus on and any partnerships it would like to establish. It will anticipate upcoming CDP projects, Tenant projects and redevelopment plans, and describe how those can be shaped to support the Department's Creative Directions.

Deaccession: For the Port, the formal process used to remove an Artwork from the Tidelands Collection. For Tenants, the formal process used to remove an Artwork from public view.

Direct Selection: A method for identifying an Artist to commission for a permanent acquisition or temporary exhibition. The Public Art Director recommends the name of a preferred artist to a the Selection Panel.

Donations of Artworks: Artworks that are proposed to be donated to the Port by a Donor. They are only proposals until reviewed and accepted by the Port for inclusion in the Tidelands Collection.

Donor: An individual or entity that proposes to donate an Artwork to the Port or make a monetary contribution to the Public Art Fund.

Green Port: One of three Creative Directions that guide the Public Art Department. Green Port projects support the Port's commitment to preserving the environmental quality of the Tidelands.

Individual Project Plan: A detailed document outlining all parameters for each commission, purchase or exhibition that the Public Art Department intends to pursue.

Limited Competition: A method for identifying possible artists to commission for a permanent acquisition or temporary exhibition. Public Art Department staff develop (often with input from the Public Art Committee, the Selection Panel, a consultant and/or a curator) a short list of qualified artists for review by a Selection Panel.

Open Competition: A method for identifying possible artists to commission for a permanent acquisition or temporary exhibition. Any Artist who meets the eligibility requirements may apply for consideration.

Project Application (Tenant leasehold improvements): The application that all Tenants seeking to make physical improvements to their leasehold submit to the Port's Real Estate Department.

Public Art Committee: A committee appointed by the Board of Port Commissioners that serves as an advisory body to the Public Art Department and to the Board of Port Commissioners. The Public Art Committee upholds the Public Art Department's vision, ensuring that the Port's public art policies and procedures are followed, and supporting the development and stewardship of the Port's public art collection and other public art on Port property.

Public Art Fund: An annual allocation of \$1.2 million from the Port's general operating budget that is set aside for Public Art. The amount includes expenses for staffing, operations, new permanent and temporary public art commissions and purchases, competition costs, artist design fees, fabrication and installation of art. The Public Art Fund can accept additional funds dedicated to commissioning art, such as Tenant contributions or monetary donations. Balances in the Public Art Fund can be carried over from year to year, and the interest that accrues on these balances remains in the Public Art Fund.

Public Port: One of three Creative Directions that guide the Public Art Department. Public Port projects promote the use and enjoyment of the Tidelands and explore the special qualities of the Port's public places.

Selection Panel: An ad-hoc committee that reviews Artist materials and makes recommendations to the Public Art Committee and Public Art Department Director regarding acquisitions and exhibitions.

Temporary Exhibition or Exhibition: The public presentation of an Artwork for a specific duration of time. Temporary exhibitions can include temporary Artwork commissions, purchases and loans.

Tenant Art Plan: A detailed plan that a Tenant making leasehold improvements with a construction value of more than \$12,500,000 submits to explain how the public art requirement will be met. The Tenant Art Plan is submitted to Port staff, reviewed by the Public Art Committee and submitted to the Board of Port Commissioners with the overall package that is submitted for concept approval.

Tenant Art Worksheet: The summary sheet that all Tenants wishing to make physical improvements to their leaseholds with a value of \$1,000,000 or more submit to the Public Art Department as a supplement to their Project Application. The Project Worksheet indicates how the Tenant intends to fulfill the public art requirement that is generated by the leasehold improvements that are being made.

Tenant Artworks: Artworks commissioned or purchased by Port Tenants as a requirement originally established in BPC 609.

Tenant Art Agreement: An agreement between the Tenant and Port that outlines each party's responsibilities related to the Artwork, particularly in regards to ownership, maintenance and conservation. The Agreement is a necessary component of the Tenant's submission for preliminary conceptual review.

Tenant Leasehold Improvement: Capital improvements that are made by Tenants to their leaseholds, before or at the time of lease renewal.

Tidelands Collection: Artworks that are publicly owned, possessed, or controlled by the Port through acquisition and accession.

Working Port: One of three Creative Directions that guide the Public Art Department. Working Port projects explore the role the Port of San Diego plays in the local, national and world economy.

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7.0 Evaluation Criteria

The following criteria should be used to evaluate Acquisitions and Temporary Exhibitions funded through the Public Art Fund, public art projects commissioned as part of Capital Development Projects (CDP), Tenant Artworks and proposed donations of Artwork. Criteria should be used by the designated reviewing body.

Criteria for Evaluating Artist Qualifications

The designated reviewing body should articulate how the selected Artist meets these criteria when forwarding recommendations. The criteria may include, but are not limited to:

- Demonstrates artistic excellence, innovation and originality as represented in past work and supporting materials.
- Demonstrates capacity for working in media and with concepts that are appropriate to the project goals and site.
- Demonstrates interest and capability in creating public artworks in collaboration with the Port, Public Art Department, the Tenant (if applicable) the design team (if applicable) and other project partners.
- Demonstrates experience in successfully completing works of similar scope, scale, budget and complexity, or ability to articulate how he or she would be able to bring the necessary artistic and technical skills to this project.
- Demonstrates interest in and understanding of the project.
- Is available to perform the scope of the work in a timely and professional manner.
- Builds the diversity of the Port's public art collection.
- If applicable, demonstrates a cohesive team.

Criteria for Evaluating Concept Proposals

The designated reviewing body should articulate how the selected Artist's Concept Proposal meets these criteria when forwarding recommendations. The criteria may include, but are not limited to:

- Meets the definition of Artwork as defined by the Public Art Master Plan.
- Demonstrates excellence in aesthetic quality, workmanship, innovation, and creativity.
- Demonstrates appropriateness in scale, form and is of materials/media suitable for the site.
- Meets the project's goals for public visibility and accessibility.
- Demonstrates feasibility in terms of budget, timeline, safety, durability, operation, maintenance, conservation, legal and ethical issues related to possession and use of proposed artwork, security, and/or storage and siting.

- Builds the diversity of the Port’s public art collection.
- Meets the goals for the project and relates to one or more of the Public Art Program’s Creative Directions.

Criteria for Evaluating Existing Artworks

The designated reviewing body should articulate how the Artwork meets these criteria when forwarding recommendations to the Public Art Committee and/or the Board of Port Commissioners.

- Created by an Artist, as defined in the Public Art Master Plan.
- Meets the definition of Artwork, as defined by the Public Art Master Plan.
- Demonstrates excellence in aesthetic quality, workmanship, innovation and creativity.
- Demonstrates appropriateness in scale, form and is of materials/media suitable for the site.
- Meets the project’s goals for public visibility and accessibility.
- Demonstrates feasibility in terms of cost, timeline, safety, durability, operation, condition, maintenance, conservation, legal and ethical issues related to possession and use of artwork, security, and/or storage and siting.
- Builds the diversity of the Port’s public art collection.
- Meets the goals for the project and relates to one or more of the Public Art Program’s Creative Directions, and to its Curatorial Strategy.

