



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: SEE BELOW

DATE: September 24, 2024

SUBJECT: Retroactive Approval of the Vietnamese Flag Raising Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event

Recommendation

As recommended by the Rules and Open Government Committee on September 18, 2024:

(a) Retroactively approve the Vietnamese Flag Raising scheduled on September 7, 2024, as a City Council sponsored Special Event and approve the expenditure of funds; and

(b) Approve and accept donations from various individuals, businesses or community groups to support the events.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Doan)

[Rules Committee referral 9/18/2024 - Item B.5]



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Bien Doan

SUBJECT: SEE BELOW

DATE: 09/05/24

APPROVED:

**SUBJECT: RETROACTIVE APPROVAL OF THE VIETNAMESE FLAG RAISING
SPONSORED BY COUNCIL DISTRICT 7 AS A CITY COUNCIL
SPONSORED SPECIAL EVENT TO EXPEND CITY FUNDS AND ACCEPT
DONATIONS OF MATERIALS AND SERVICES FOR THE EVENT**

RECOMMENDATION

1. Retroactively approve the Vietnamese Flag Raising held on September 7, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve and accept donations from various individuals, businesses or community groups that supported the events.
3. Place the item on the September 24, 2024, Council Agenda for action.

BACKGROUND

On February 1, 2005, the City Council adopted Resolution No. 72517 which requires Councilmembers to submit a memorandum to the Rules Committee regarding proposed City Council sponsored Special Events and the proposed use of any funds.

On September 7, 2024 Councilmember Bien Doan hosted the Vietnamese Flag Raising at the Vietnamese Heritage Garden. The September 7, 2024 flag raising honored fallen first responders, including our own Community Services Officer Long Pham, as we anticipate the twenty third anniversary of September 11th.

ANALYSIS

The display of the Vietnamese Freedom and Heritage Flag is permitted under Council Policy 2-1, Section C.3 — Flags Displayed in Conjunction with Official Ceremonial Items: “Other flags may be displayed in conjunction with official actions, ceremonial items, or proclamations of the City Council.” Pursuant to Resolution Nos. 72679 and 78064, the City of San Jose recognizes the

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Vietnamese Heritage and Freedom Flag as the official flag of the Vietnamese-American community in San Jose.

Approval by the City Council of the event will ensure compliance with the Council's prior direction regarding Council Special Events. In observance of existing fundraising disclosure requirements, Councilmember Bien Doan will report any cash or in-kind donations received for the event on their Disclosure of Fundraising Report (DFR-1). Approval of this memorandum will enable Council District 7, City departments and the Office of the City Clerk to proceed with the event. Any cash donations received will be processed pursuant to the City's normal financial and budgetary procedures.

PUBLIC OUTREACH/INTEREST

The Office of the City Clerk will post the item on the City's Website for the September 24, 2024, City Council Agenda.

CEQA

Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment.

Reviewed by:

TONI J. TABER, CMC
City Clerk

For questions, please contact Toni Taber, City Clerk, at (408) 535-1260.