

**2.13 Approval of the Tet Festival, Tower Lighting and Flag Raising, and Black April Flag Raising and Gala Sponsored by Council District 7 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events.**

**Recommendation:** As recommended by the Rules and Open Government Committee on January 24, 2024:

- (a) Approve the Tet Festival, Tower Lighting and Flag Raising scheduled on February 12, 2024 as a City Council sponsored Special Event and approve the expenditure of funds;
- (b) Approve the Black April Flag Raising and Gala scheduled on April 30, 2024 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (c) 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 1/24/2024 - Item B.3]



COUNCIL AGENDA: 2/6/2024

ITEM: 2.13

FILE NO: 24-68313

## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Toni J. Taber, CMC  
City Clerk

**SUBJECT:** SEE BELOW

**DATE:** February 6, 2024

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**SUBJECT: Approval of the Tet Festival, Tower Lighting and Flag Raising, and Black April Flag Raising and Gala Sponsored by Council District 7 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events**

### Recommendation

As recommended by the Rules and Open Government Committee on January 24, 2024:

- (a) Approve the Tet Festival, Tower Lighting and Flag Raising scheduled on February 12, 2024 as a City Council sponsored Special Event and approve the expenditure of funds;
- (b) Approve the Black April Flag Raising and Gala scheduled on April 30, 2024 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (c) 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 1/24/2024 - Item B.3]



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember Bien Doan

**SUBJECT:** SEE BELOW

**DATE:** January 12, 2024

APPROVED:

**SUBJECT: APPROVAL OF THE TET FESTIVAL, TOWER LIGHTING AND FLAG RAISING, AND BLACK APRIL FLAG RAISING AND GALA SPONSORED BY COUNCIL DISTRICT 7 AS CITY COUNCIL SPONSORED SPECIAL EVENTS TO EXPEND CITY FUNDS AND ACCEPT DONATIONS OF MATERIALS AND SERVICES FOR THE EVENTS**

## **RECOMMENDATION**

1. Approve the Tet Festival, Tower Lighting and Flag Raising scheduled for February 12, 2024, as a City Council Sponsored Special Event and approve the expenditure of funds.
2. Approve the Black April Flag Raising and Gala scheduled for April 30, 2024, as a City Council sponsored Special Event and approve the expenditure of funds.
3. Approve and accept donations from various individuals, businesses, or community groups to support the events.
4. Place the item on the February 6, 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.

The Tet Festival will be held at San José City Hall West Plaza and Rotunda and is sponsored by Councilmember Bien Doan. This special event serves to celebrate the Vietnamese New Year. The event is free and open to the public. The Tower will be lit in yellow and red in honor of our celebration as we welcome the New Year. San Jose City Council Policy 7-14, City Hall Event Lighting Policy, Sections B.1 and C.1 allows Tower lighting in conjunction with proclamations for official actions or ceremonial items as approved by City Council.

The Black April Flag Raising and Gala will be held at San José City Hall West Plaza and Rotunda and is sponsored by Councilmember Bien Doan. This special event serves to commemorate and proclaim the month of April as Black April in recognition of the fall of Saigon, April 30, 1975. The event is free and open to the public.

The display of the Vietnamese Heritage and Freedom Flag on February 12, 2024 and April 30, 2024, is permitted under Council Policy 2-1, Section C.2 – 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 Vietnamese Heritage and Freedom Flag as the official flag of the Vietnamese-American community in San Jose.

### **ANALYSIS**

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 January 24, 2024 Rules Committee Agenda and the February 6, 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.