



COUNCIL AGENDA: 4/19/2022

ITEM: 2.15

FILE NO: 22-589

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: SEE BELOW

DATE: April 19, 2022

SUBJECT: Approval of City Hall Free Use on Saturday, April 30, 2022, and the Vietnamese Heritage and Freedom Flag Raising from April 29 - May 5, 2022 for the Black April Commemoration Event Sponsored by Council District 3 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 April 13, 2022:

- (a) Adopt a resolution authorizing "Free Use" for events and activities held at City Hall on April 30, 2022 for the Black April Commemoration Event co-hosted by the Council District 3 Office and the Vietnamese American Roundtable;
- (b) Approve the Vietnamese Heritage and Freedom Flag to be raised at City Hall scheduled on April 29 - May 5, 2022 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 event.

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

[Rules Committee referral 4/13/2022 - Item B.4]



Memorandum

TO: CITY COUNCIL

FROM: Councilmember Raul Perez

SUBJECT: SEE BELOW

DATE: April 7, 2022

Approved by:

Date: 04.07.22

SUBJECT: APPROVAL OF CITY HALL FREE USE ON SATURDAY, APRIL 30, 2022, AND THE VIETNAMESE HERITAGE AND FREEDOM FLAG RAISING BY THE DISTRICT 3 OFFICE FROM FRIDAY, APRIL 29- THURSDAY, MAY 5 FOR THE BLACK APRIL COMMEMORATION EVENT

RECOMMENDATION

1. Adopt a resolution authorizing “Free Use” for events and activities held at City Hall on Saturday, April 30, 2022 for the Black April Commemoration Event co-hosted by the Council District 3 Office and the Vietnamese American Roundtable.
2. Approve the Vietnamese Heritage and Freedom Flag to be raised at City Hall from Friday, April 29-Thursdays, May 5 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 event.
4. Place the item on the April 19, 2022 Council Agenda for action.

BACKGROUND

In June 2019, the City adopted the Schedule of Fees Resolution No. 79138, Section 13.080 for Free Use of the City Hall Facility and Plaza Use. Presently, the resolution allows the City Council, Redevelopment Agency Board, and City departments to have “Free Use” of the facilities for those events that 1) qualify as official City business; 2) are free and open to the public; 3) occur on a Sunday through Friday; and 4) are booked 30 days in advance. Resolution No. 79138 does not apply to free use requests for Saturday events and as such City Council approval is required to authorize free use for the Black April event on Saturday, April 30, 2022.

April 30 is annually known as Black April and is a day to lament and reflect upon the fall of Saigon, which took place on April 30, 1975. The Council District 3 Office seeks approval for the free use of City Hall facilities to hold its Black April Commemoration event to remember the fall of Saigon. The event is co-sponsored with the Vietnamese American Roundtable (VAR) and will seek to encourage an understanding of the Vietnamese American immigrant experience and how it weaves together the past, present and future. This event will also help educate the community about issues that impact the community at large while working to create meaningful partnerships for civic and community engagement.

ANALYSIS

Approval for this event's free use designation is required because the event will be held on Saturday, April 30, 2022. This event will allow for greater participation if scheduled on a Saturday as it would accommodate the schedules of those community members who work during the weekday.

This year marks VAR's Tenth Annual Black April Commemoration which is held in honor and remembrance of the 47th Anniversary of the Fall of Saigon, also known as the end of the Vietnam War. This marked the beginning of hundreds of thousands of Vietnamese refugees fleeing their home country in search of freedom and opportunity.

To honor these stories, the Freedom and Heritage Flag will be raised at City Hall from Friday, April 29-Thursday, May 5. 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 Vietnamese Heritage and Freedom Flag as the official flag of the Vietnamese-American community in San Jose.

This year, the theme of the program will be Care, Compassion, and CommUNITY which will be showcased through the live stage programming as well as interactive exhibitions presented by local and regional Vietnamese and Asian American Pacific Islander community based organizations. There will also be COVID-19 resources available such as personal protective equipment, test kits and resources that the community can utilize to stay safe.

The Vietnamese American Roundtable is a 501(c)(3) nonprofit that is actively registered with the California Secretary of State (C4019040) and current in its charity registration with the California Attorney General's Registry of Charitable Trusts.

PUBLIC OUTREACH/INTEREST

The Office of the City Clerk will post the item on the City's Website for the April 13, 2022 Rules Committee Agenda and the April 19, 2022 City Council Agenda.

CEQA

Not a Project, File No. PP17-010, City Organization & Administrative Activities resulting in no changes to the physical environment.

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

Exempt, File No. PP12-080. Minor temporary use of land having negligible or no permanent effect on the environment.

Exempt, File No. PP13-056, Activities associated with citywide litter clean-up activities.

Exempt, File No. PP11-046, Graffiti removal services.

Reviewed by:
TONI J. TABER, CMC
City Clerk