



COUNCIL AGENDA: 9/19/2023

ITEM: 2.18

FILE NO: 23-1294

## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

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

**SUBJECT:** SEE BELOW

**DATE:** September 19, 2023

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**SUBJECT: Retroactive Approval of the San José State University Flag Raising 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 September 13, 2023:

(a) Retroactively approve the San José State University (SJSU) Flag Raising event scheduled on August 23, 2023 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 event.

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

[Rules Committee referral 9/13/2023 - Item B.5]



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember Omar  
Torres- District 3

**SUBJECT:** SEE BELOW

**DATE:** August 18, 2023

APPROVED:

**SUBJECT: RETROACTIVE APPROVAL OF THE SAN JOSÉ STATE UNIVERSITY  
FLAG RAISING 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**

1. Retroactively approve the San José State University (SJSU) Flag Raising scheduled on August 23<sup>rd</sup>, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve and accept donations from various individuals, businesses, or community groups to support the event.
3. Place the item on the September 19th, 2023, 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 San José State University Flag Raising Ceremony event hosted on August 23<sup>rd</sup>, 2023, at the City Hall Plaza welcomed students, marking the significant commencement of a new academic journey. This event was sponsored by Councilmember Omar Torres. The San José State University Flag Raising Ceremony event in conjunction with the University's Welcome Week activities that aim to celebrate the return of SJSU Students to campus. The display of the SJSU Flag on August 23<sup>rd</sup>, 2023, is permitted under Council Policy 2-1, Section C.3 - Flag 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.

The event was free and open to the public.

## **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 Omar Torres 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 3, 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 13<sup>th</sup>, 2023, Rules Committee Agenda and the September 19<sup>th</sup>, 2023, City Council Agenda.

## **CEQA**

- Not a Project, File No. PP10-069(c), City Administrative Activities.

Reviewed by:

TONI J. TABER, CMC  
City Clerk

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