



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember Lan Diep  
District 4

**SUBJECT:** APPROVAL OF DISTRICT 4  
VIETNAMESE HERITAGE  
AND FREEDOM FLAG  
RAISING CEREMONY AND  
RECEPTION AS A CITY  
COUNCIL SPONSORED  
EVENT

**DATE:** December 11, 2019

APPROVED:

## RECOMMENDATION

1. Approve the Vietnamese Heritage and Freedom Flag Raising Ceremony scheduled on January 27, 2020 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 to support the event.
3. Place the item on the December 17, 2019 City 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 Vietnamese Heritage and Freedom Flag Raising Ceremony will be held on January 27, 2020 at City Hall Plaza and Rotunda and sponsored by Councilmember Lan Diep. This special event will celebrate the Vietnamese culture and heritage in the City of San Jose and the first day of Lunar New Year. The event is free and open to the public. The display of the Vietnamese Freedom and Heritage Flag on January 27, 2020 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 José recognizes the Vietnamese Heritage and Freedom Flag as the official flag of the Vietnamese-American community in San José.

**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 Diep 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 4, 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 November 20, 2019 Rules Committee Agenda and the December 3, 2019 City Council Agenda.

**CEQA**

- X Not a Project, File No. PP15-077, Temporary Special Events.
- Not a Project, File No. PP10-069(c), City Administrative Activities.
- 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

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