



## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember Lan Diep  
District 4

**SUBJECT:** SEE BELOW

**DATE:** February 27, 2020

APPROVED:

2/27/20

**SUBJECT: APPROVE THE BERRYESSA ANNUAL ART FESTIVAL SPONSORED BY COUNCIL DISTRICT 4 AS A CITY COUNCIL SPONSORED SPECIAL EVENT TO EXPEND CITY FUNDS AND ACCEPT DONATIONS OF MATERIALS AND SERVICES FOR THE EVENT**

### RECOMMENDATION

1. Approve the Berryessa Annual Art Festival scheduled on May 9, 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 March 10th, 2020 City Council Agenda for action.

### BACKGROUND

On February 1, 2005, the City Council adopted Resolution 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 Berryessa Annual Art Festival will be held on May 9, 2020 at 3050 Berryessa Road, CA 95132 from 10:00am-5:00pm and is sponsored by Councilmember Lan Diep. Formerly known as the Berryessa Art and Wine Festival, this event is the oldest and largest neighborhood festival in San Jose, featuring a wide variety of food, beverages, entertainment, and locally made arts and crafts. Organized by the Berryessa Business Association and Bay Area Community Services, all proceeds support the Berryessa Union School District. The festival begins at the Berryessa Community Center, opening into Penitencia Creek Trail and Penitencia Creek Park. This event is 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 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 March 4th, 2020 Rules Committee Agenda and the March 10, 2020 City Council Agenda.

## **CEQA**

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