



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Dev Davis
District 6

SUBJECT: SEE BELOW

DATE: March 11, 2020

APPROVED:

**SUBJECT: APPROVAL OF CITY HALL FREE USE ON SATURDAY BY DISTRICT 6
OFFICE FOR THE 2020 SOUTH BAY TRANS DAY OF VISIBILITY ON
APRIL 4, 2020**

RECOMMENDATION

Adopt a resolution authorizing "Free Use" for events and activities held at City Hall on Saturday, April 4, 2020 for the 2020 South Bay Trans Day of Visibility co-hosted by the Council District 6 Office and Billy DeFrank LGBTQ Community Center.

OUTCOME

Council District 6 Office and Billy DeFrank LGBTQ Community Center will be granted free use of the City Hall facilities (City Hall Rotunda and Wing Committee Rooms, and parking in the City Hall Garage and 4th Street Garage) for the 2020 South Bay Trans Day of Visibility.

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 South Bay Trans Day of Visibility on Saturday, April 4, 2020.

The Billy DeFrank LGBTQ Community Center in conjunction with the Council District 6 Office seek approval for free use of City Hall facilities to hold its annual South Bay Trans Day of Visibility. The event is co-sponsored by Council District 6 and directly aligns with top City priorities and policies by providing access to information and opportunities for a diverse population that includes transgender/nonbinary/intersex people.

The South Bay Trans Day of Visibility (SBTDOV) is a community-driven and community-targeted one-day event celebrating the experiences and lives of transgender/nonbinary/intersex people, timed in conjunction with the International Trans Day of Visibility. The goal is to celebrate and include this all-too-often invisible, ignored and neglected segment of our vibrant and diverse community. The Billy DeFrank LGBTQ Community Center has held this free event to celebrate inclusivity for more than ten years.

The South Bay Trans Day of Visibility has evolved over the last decade into a free one-day intensive conference offering:

- **Resources:** Tables providing information and takeaways from representatives of organizations providing services to trans people, including Tri-Valley Medical, Kaiser, the Office of LGBTQ Affairs, Valley Medical Transgender Clinic, Social Security Administration (fostering), and others; HIV testing will also be available.
- **Education:** Workshops and presentations by both professionals (medical, legal, health) and community members (Friends & Family, Surgery Experiences, Nonbinary, Youth, etc.), providing hard-to-get and invaluable information.
- **Arts:** Art displays including large-scale photography of trans individuals and art by local gender expansive people. Participants can create art during the event, using provided materials.
- **Community:** Every year, people come out for the very first time at the South Bay Trans Day of Visibility. This open and accessible downtown event is a welcoming venue. The social area features the stage and the resources tables. Games, seating areas, and snacks are provided, all of which help people feel comfortable and welcome. Simply seeing other trans people (including youth and parents), and their successful lives, is empowering for many.
- **Access to community officials:** It is empowering for people to feel seen by their county and city officials. SBTDOV provides this opportunity for officials to perform outreach and hear the concerns of gender expansive community members.
- **Pride:** This is a wonderful opportunity for trans and other gender expansive folks to see *their* flag flying!

ANALYSIS

Approval for this event's free use designation is required because the event will be held on Saturday, April 4, 2020. This event is expected to significantly benefit the community if scheduled on a Saturday as it would accommodate the schedules of community members who work full-time jobs during the weekday and increase the number of participants.

Free use is requested because the South Bay Trans Day of Visibility will benefit the public and the City of San José by supporting the City's Mission to provide quality public services, facilities and opportunities that create, sustain, and enhance a safe, livable, and vibrant community for its diverse residents, businesses, and visitors.

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The opportunity to have the South Bay Trans Day of Visibility at the City Hall Rotunda kicks their visibility up into a higher gear. It highlights that Transgender people are part of the City, and have a place in representative government. It also shows the community at large that yes, Transgender people live in our neighborhoods and share the same basic needs as us. They hope to reach many more people by being in this location.

The Billy DeFrank LGBTQ Community Center is a 501(c)(3) nonprofit that is actively registered with the California Secretary of State (C1145446) and current in its charity registration with the California Attorney General's Registry of Charitable Trusts. It is based in San José and provides community, leadership, advocacy, services and support to the Silicon Valley's LGBTQ People and their partner agencies, including local government. The Billy DeFrank Center has advocated for policy development in the City of San José that supports the health of the LGBTQ community.

EVALUATION AND FOLLOW UP

The primary metrics for this event include the number of attendees, amount of exposure the City gets for its Regional, National, and International reputation for equal inclusion and attention to all its residents and visitors.

PUBLIC OUTREACH

Upon approval of this free Saturday use, public outreach will be conducted by The Billy DeFrank LGBTQ Community Center to notify the community about the event's occurrence. This memorandum has been posted on the City's website as part of the March 11, 2020 Rules and Open Government Committee Meeting Agenda and March 17, 2020 City Council Meeting Agenda.

COORDINATION

This memorandum has been coordinated with the Office of the City Attorney, Office of the City Clerk, and Public Works/Event Services.

COMMISSION RECOMMENDATION/INPUT

This item does not require commission input.

COST AND FUNDING SOURCE

The total cost of the event to the City is \$8,101, of which \$1,103 will be paid by The Billy DeFrank LGBTQ Community Center. The remaining \$6,998 will be charged to the Department of Public Works/Event Services' budget. The breakdown of expenses are below. In addition, estimated loss of parking revenue at the City Hall garage and 4th Street garage is \$4,000 (200 cars x 8 hours of use, for a maximum of \$20 for the day). Each year, each Council Office is allotted seven free uses for events qualifying for free use. Approval of this action would go

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towards one of the Council Office's free uses. To date, the Council District 6 Office has used zero free uses.

\$1,103.00 Paid by Council District 6

- Event Captains: \$252.00
- First Alarm Security Guards: \$576.00
- AV Staff: \$275.00

\$6,998.00 Paid by the Department of Public Works/Event Services

- Rental Fee: \$4,500.00
- Application Fee: \$50.00
- Refundable Damage Deposit: \$1,500.00
- Equipment: \$948.00

CEQA

Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges, Adjustment to Fees, Rates & Fares without changes to or expansion of services; Not a Project, PP17-011, Temporary Special Events resulting in no changes to the physical environment.

For questions, please contact Mary Anne Groen, Chief of Staff for the Office of Councilmember Dev Davis.