



COUNCIL AGENDA: 05/11/2021

ITEM: 2.13

FILE NO: 21-1137

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: SEE BELOW

DATE: May 11, 2021

SUBJECT: Retroactive Approval of Recognizing the Natalia Smüt Lopez Lighting Ceremony and Approval of Proclamation Sponsored by Council Districts 5 and 9 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 May 5, 2021:

- (a) Retroactively approve the Natalia Smüt Lopez Lighting Ceremony scheduled from May 7, 2021 to May 13, 2021 and approve Proclamation event scheduled on May 11, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
- (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. (Carrasco and Foley)

[Rules Committee referral 5/5/2021 - Item G.1.f]



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Pam Foley
Councilmember Magdalena
Carrasco

SUBJECT: SEE BELOW

DATE: 04/28/2021

Approved

Date

04/28/2021

SUBJECT: Approval of Recognizing the Natalia Smüt Lopez Lighting Ceremony and Proclamation Sponsored by Council District 9 and Council District 5 as a City Council Sponsored Special Event to Expend City Funds, Light City Hall, and Accept Donations of Materials and Services for the Event.

RECOMMENDATION

1. Approve the Natalia Smüt Lopez lighting ceremony (May 7, 2021 to May 13, 2021) and proclamation event scheduled on May 11, 2021 as a City Council sponsored Special Event and approve the expenditure of funds; and
2. Approve and accept donations from various individuals, businesses, or community groups to support the event; and
3. Place the item on the May 11, 2021 City Council Agenda for action.

BACKGROUND

On May 4, the City Council adjourned in honor and memory of Natalia Smüt Lopez. An Afro-Rican transgender woman of San José and beloved drag artist and entertainer of the South Bay, Natalia was senselessly killed on April 23 in Milpitas, California.

She was best known for her powerful energy, motivating and creative spirit, captivating performances, and for her ability to fearlessly live her truth. She is the 17th victim this year of anti-transgender violence in the U.S. The City of San José remembers, cherishes, honors, and celebrates the life of Natalia Smüt Lopez.

Anti-transgender violence disproportionately impacts transgender women of color. These victims were killed by acquaintances, partners or strangers, some of whom have been arrested and charged, while others have yet to be identified. Some of these cases involve

clear anti-transgender bias. In others, the victim's transgender status may have put them at risk in other ways, such as forcing them into unemployment, poverty, homelessness and/or survival sex work.

It should be known Natalia was a victim of intimate partner violence and she also identified as transgender. Transgender individuals experience intimate partner violence at a significantly higher rate than heterosexual women.

In 2020, the Human Rights Campaign (HRC) tracked a record number of violent fatal incidents against transgender and gender non-conforming people. A total of 44 fatalities were tracked by HRC, marking 2020 as the most violent year on record since HRC began tracking these crimes in 2013.

In these statistics we find intersections of racism, sexism, homophobia, biphobia, transphobia, and many of these transgender women are deprived of employment, housing, healthcare, and other necessities.

A vigil was held at San Jose City Hall on Saturday, April 24. On April 25 Mac's Club on Post Street in Downtown San Jose's Qmunity District hosted a potluck and toast celebrating Natalia's life.

By lighting up the San Jose City Hall Tower and Rotunda light blue, light pink, and white, from May 7 through May 13, we aim to let the whole community know the City of San Jose stands firmly with our transgender community.

ANALYSIS

City Council Policy 7-14, City Hall Event Lighting Policy, Sections B.1 and C.1 allows Rotunda and Tower lighting in conjunction with proclamations for official actions or ceremonial items as approved by City Council. This event is free and open to the public, and will follow all appropriate local public health rules, including requiring masks and social distancing. 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 Pam Foley and Councilmember Magdalena Carrasco 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 9 and Council District 5, 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 May 5, 2021 Rules Committee Agenda and the May 11, 2021 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.

BROWN ACT

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.

Reviewed by:
TONI J. TABER, CMC
City Clerk

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