

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Lee Price, MMC
City Clerk

**SUBJECT: COMMUNITY IDENTIFICATION
SIGNAGE BEARING THE NAME
“LITTLE SAIGON” ALONG
STORY ROAD**

DATE: 03-20-08

RECOMMENDATION

As recommended by the Rules and Open Government Committee of March 19, 2008, and as outlined in the attached memo previously submitted to and approved by the Rules and Open Government Committee:

- (a) Amend Council Policy 9-3, which allows for private parties to fund the construction and installation of Community Signs, to create a streamlined process to permit the prompt installation of temporary Community Signs where the Council has previously made an explicit finding that a particular identifying name has “widespread support” in a relevant community. Any temporary signs will be required to comply with safety and other regulatory requirements imposed by the Department of Planning, Building and Code Enforcement, within their authority under the Sign Ordinance. Such temporary Community Signs will not be permitted to stand longer than 3 years, unless the sign complies with provisions for permanent Community Signs in Council Policy 9-3.
- (b) In light of the City Council’s March 4, 2008 findings that the name “Little Saigon” has widespread support in the Vietnamese-American community, the City Manager will allow for private individuals to fund, construct, and install – relying wholly on private funds – a temporary Community Sign(s) bearing the name “Little Saigon” at or near the intersection of Story and McLaughlin Roads in accordance with Council Policy 9-3.
 - (1) That sign or banner will not remain within or over the public right-of-way for a duration of greater than 3 years, and must comply with all reasonable safety and other regulatory requirements imposed by the Department of Planning, Building and Code Enforcement, within their authority under the Sign Ordinance.
 - (2) Planning Staff will process whatever application is presented by private individuals seeking to construct a permanent Community Sign, in accordance with existing procedures in Council Policy 9-3.

(Item continued on the next page)

HONORABLE MAYOR AND CITY COUNCIL

March 20, 2008

Subject: Community Identification Bearing the Name "Little Saigon" along Story Road

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- (c) In the meantime, City Staff will:
- (1) Conduct required outreach under Council Policy 9-3 and the Sign Ordinance for the permanent installation of such a Community Sign at or near that location; and,
 - (2) Continue its work in creating and implementing a process to enable communities to identify and designate a particular district, consistent with the Council's March 4, 2008 direction.





Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: Mayor Chuck Reed
Vice Mayor Dave Cortese
Councilmember Sam Liccardo
Councilmember Madison Nguyen

SUBJECT: SEE BELOW

DATE:

APPROVED:

Chuck Reed *Madison Nguyen*
Sam Liccardo *Dave Cortese*

3/13/08

SUBJECT: COMMUNITY IDENTIFICATION SIGNAGE BEARING THE NAME "LITTLE SAIGON" ALONG STORY ROAD

INTRODUCTION

The following proposal has been developed in an effort to bring peace and solidarity to the community. For many months now, there has been much tension and disagreement surrounding the debate over the naming of a business district. This divisive matter has affected not only Vietnamese citizens in District 7, but the rest of the Vietnamese American population in San José and beyond.

While the effected geographic area lies within the boundaries of Councilmember Nguyen's district, this memo is jointly signed by Mayor Reed, Vice Mayor Cortese, and Councilmember Sam Liccardo in a sign of mutual support and cooperation in creating a solution that will satisfy the community. We worked jointly with community leaders from the Vietnamese-American community who reached out and asked for the various sides in this issue to join together to find a solution and committed to work for peace in the community. Our goal is that this agreement may finally lay this matter to rest.

One of the most important things to take away from these past few months is that we, as citizens, not engage in harmful political tactics. These serve no purpose in our democratic society. Rather, by working together to reach consensus and listen with an open-mind, we can create a community that solves problems and resolves issues to everyone's benefit.

With this agreement in place, we are optimistic that the community will be able to work together to bring peace to our community and to leave the bitter feelings of the last few months in the past.

RECOMMENDATION

1. Amend Council Policy 9-3, which allows for private parties to fund the construction and installation of Community Signs, to create a streamlined process to permit the prompt installation of temporary Community Signs where the Council has previously made an explicit finding that a particular identifying name has "widespread support" in a relevant community. Any temporary signs will be required to comply with safety and other regulatory requirements imposed by the Department of Planning, Building, and Code Enforcement, within their authority under the Sign Ordinance. Such temporary Community Signs will not

be permitted to stand longer than 3 years, unless the sign complies with provisions for permanent Community Signs in Council Policy 9-3.

2. In light of the City Council's March 4, 2008 findings that the name "Little Saigon" has widespread support in the Vietnamese-American community, the City Manager will allow for private individuals to fund, construct, and install -- relying wholly on private funds -- a temporary Community Sign(s) bearing the name "Little Saigon" at or near the intersection of Story and McLaughlin roads in accordance with Council Policy 9-3.
 - (a) That sign or banner will not remain within or over the public right-of-way for a duration of greater than 3 years, and must comply with all reasonable safety and other regulatory requirements imposed by the Department of Planning, Building, and Code Enforcement, within their authority under the Sign Ordinance.
 - (b) Planning staff will process whatever application is presented by private individuals seeking to construct a permanent Community Sign, in accordance with existing procedures in Council Policy 9-3.
3. In the meantime, City staff will:
 - (a) Conduct required outreach under Council Policy 9-3 and the Sign Ordinance for the permanent installation of such a Community Sign at or near that location, and
 - (b) Continue its work in creating and implementing a process to enable communities to identify and designate a particular district, consistent with the Council's March 4, 2008 direction.

BACKGROUND

Following is an agreement signed by community leaders representing various sides in this issue and containing the above recommendations. We ask that the Rules and Open Government Committee hear this issue on March 19, 2008 and place it on the agenda for full Council approval on March 25, 2008.

AGREEMENT

Mayor Chuck Reed, Vice Mayor David Cortese, and Councilmember Sam Liccardo recognize that:

1. Prior to allowing any Community Signs to be installed over public streets or sidewalks, city laws require significant public outreach concerning the identity of any name borne on a sign.
2. In this case, there has been extraordinary formal and informal public outreach concerning the name "Little Saigon," resulting in thousands of members of the community coming to City Hall to voice their support for the name "Little Saigon."
3. Due to this extensive outreach, on March 4, 2008, the City Council recognized "widespread support" in the Vietnamese-American community for the name "Little Saigon" in identifying an area on Story Road.
4. Since that time, members of the Vietnamese-American community have approached members of the City Council, expressing a willingness to raise money to construct and install a sign or gateway bearing the name "Little Saigon."
5. The installation of a community sign(s) or a gateway on a street or sidewalk enables the community to realize its widespread aspiration for the identity of "Little Saigon," but does not, at this time, formally create a district or impose any identity or name upon a property or business owner who does not want that name.

Mayor Chuck Reed, Vice Mayor David Cortese, and Councilmember Sam Liccardo agree to sign and support a memorandum, calling for a hearing before the Rules Committee no later than Wednesday, March 19, 2008, to recommend to our colleagues on the City Council that we:

1. Amend Council Policy 9-3, which allows for private parties to fund the construction and installation of Community Signs, to permit through a streamlined process the prompt installation of temporary Community Signs where the Council has previously made an explicit finding that a particular identifying name has "widespread support" in a relevant community. Any temporary signs will be required to comply with safety and other regulatory requirements imposed by the Department of Planning, Building, and Code Enforcement, within their authority under the Sign Ordinance. Such temporary Community Signs will not be permitted to stand longer than 3 years, unless the sign complies with provisions for permanent Community Signs in Council Policy 9-3.
2. In light of the Council's March 4, 2008 findings that the name "Little Saigon" has widespread support in the Vietnamese-American community, the City Manager will allow for private individuals to fund, construct, and install—

relying wholly on private funds --a temporary Community Sign(s) bearing the name "Little Saigon" at or near the intersection of Story and McLaughlin roads in accordance with Council Policy 9-3.

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(b) Planning staff will process whatever application is presented by private individuals seeking to construct a permanent Community Sign, in accordance with existing procedures in Council Policy 9-3.

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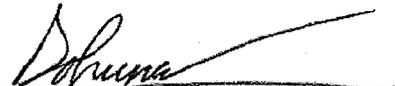
(b) continue its work in creating and implementing a process to enable communities to identify and designate a particular district, consistent with the Council's March 4, 2008 direction.

We agree to support this action, and to call for peace among all members of the community on this matter:

Dated: March 13, 2008



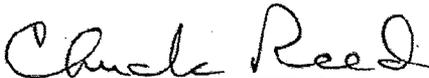
Tien Nguyen
VACNORCAL



Barry Hung Do
San Jose Voters for Democracy



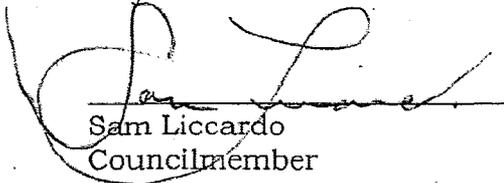
Dan Hoang
FVA/NORCAL



Chuck Reed
Mayor



David Cortese
Vice Mayor



Sam Liccardo
Councilmember

