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San Jose City Clerk *Memorandum*

TO: Rules Committee 2008 FEB 12 A 8:10 FROM: Vice Mayor Dave Cortese

SUBJECT: Vietnamese Retail Area DATE: February 12, 2008

APPROVED *Dave Cortese* DATE: *2-12-08*

I am extremely heartened by recommendation #1 of Mayor Reed and Councilmember Nguyen's February 11th memorandum, which is to agendize the rescission of the November 20th vote of the City Council pertaining to the naming of the Vietnamese retail area. However, the sequence of actions succeeding the rescission vote ought to be modified as there is a logical progression that would lead to a timely and just resolution of the naming issue:

Step one should be a vote on rescinding the prior council action. If this passes, it will no doubt be met with sincere gratitude and a strong desire to move forward on part of the Vietnamese community here in San Jose.

Step two should be to re-ask the question. Quite simply, the Council should take one more vote on the naming of this retail area if step one passes. Given the volume and tenor of feedback since the November 20th vote, it makes sense to ask the City Council one more time to consider the name "Little Saigon" as the official designation of this Vietnamese retail area. If the Council approves "Little Saigon," then the matter can be considered closed and any subsequent vote is unnecessary. This would result in significant cost savings of taxpayer money associated with the administrative process of a ballot measure. It would also potentially resolve the matter months sooner than an election, bringing the community the much needed peace that it is craving.

Step three would be triggered only if the name "Little Saigon" is not approved by the Council. In the event this occurs, the City Council should be prepared to discuss and take action on a set of electoral options. There are host of democratic options at the Council's disposal for understanding the voters' wishes on the naming issue:

- Establishing a business improvement district and vesting it with the power to vote.
- Establishing a community assessment district and vesting it with the power to vote.
- Establishing a radius around the area in question and vesting it with the power to vote.
- Placing this matter on the ballot for a vote of the Council District 7 electorate.
- Placing this matter on the ballot for a vote of the citywide electorate, as recommended by Mayor Reed and Councilmember Nguyen.

In the event that a vote of the people is needed, each of these options should be thoroughly weighed to understand which will give San Jose residents the most effective, expedient and democratic voice in this important decision.