



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jon Cicirelli

SUBJECT: Vietnamese Heritage
Garden Reservation
Process

DATE: October 29, 2024

Approved

Date:

11/5/24

INFORMATION

The purpose of this memorandum is to clarify the permit process for community-based flag-raising ceremonies at the Vietnamese Heritage Garden (VHG), located within Kelley Park at 1499 Roberts Avenue. This clarification comes in response to the growing number of groups requesting to coordinate flag-raising ceremonies during overlapping time periods and includes the permit process for flag-raising ceremonies on the first Saturday of each month as well as other days.

BACKGROUND

Cultural events, such as flag-raising ceremonies, add to the vibrancy and diversity that are integral to San José's rich heritage. Park permits, issued by the Department of Parks, Recreation and Neighborhood Services (PRNS) Special Park Use staff, govern special events in San José's park system, ranging from small gatherings to large celebrations.¹ Since 2016, flag-raising ceremonies at VHG have been organized by community groups under an Information Only permit issued by PRNS. An Information Only permit has no cost and includes specific requirements to ensure no other permitting or staff support is needed for the event. PRNS has issued Information Only permits to multiple groups that have held flag-raising ceremonies at VHG.

¹ More information on the permitting process for special events in park is available on the City's website: <https://www.sanjoseca.gov/your-government/departments-offices/parks-recreation-neighborhood-services/rentals-and-events/festivals-large-events>.

Before September 2024, the most recent Information Only permit for the first Saturday of the month flag raising was issued by PRNS for a ceremony on Saturday, December 4, 2021. From December 2021 to August 2024, no formal Information Only permits were issued for flag-raising ceremonies at VHG on the first Saturday of the month, however, community members continued the long-standing flag-raising tradition at the garden without a permit.

ANALYSIS

In August 2024, PRNS was notified by the Office of City Councilmember Doan that several community groups had expressed interest in holding flag-raising ceremonies during the first Saturday of the month. After staff confirmed that there were no active Information Only permits, the Office of City Councilmember Doan submitted an Information Only permit request to facilitate flag-raising ceremonies at VHG on the first Saturday of each month, from 8:00 a.m. to 12:00 p.m., between October 2024 and September 2025, which PRNS then issued. The Office of City Councilmember Doan also reached out to community groups to engage and include them in the series of flag-raising ceremonies and began scheduling the monthly events with different community groups for the 12 months between October 2024 and September 2025.

Following the issuance of the permit to the Office of City Councilmember Doan, some community groups, individuals, and City Councilmembers expressed concerns about the process for reserving and coordinating flag-raising ceremonies at VHG.

Since the Office of City Councilmember Doan conducted outreach and coordinated with community groups to identify who will hold the flag-raising ceremonies for the morning of the first Saturday of the month until September 2025, PRNS began transitioning the Information Only permit for each flag-raising from the Office of City Councilmember Doan to the individual community group responsible for organizing the ceremony each month. PRNS is issuing an updated Information Only - Vietnamese Heritage Garden Flag Raising permit form (**Attachment**) to each group.

Flag-raising requests that are submitted to PRNS for days or times other than the morning of the first Saturday of the month are processed by PRNS as they are received, following the traditional “first come, first served” basis.

In the first quarter of 2025, staff will develop an updated Information Only permit procedure for flag-raising ceremonies at VHG for October 2025 and beyond. This will include engagement with stakeholders and community, aiming to further define a more equitable and accessible process. The refined process will include limits on the number of events any group can reserve, how far in advance dates can be reserved, and how dates can be distributed among interested groups for the highly requested morning of the first Saturday of each month.

HONORABLE MAYOR AND CITY COUNCIL

October 29, 2024

Subject: Vietnamese Heritage Garden Permit Reservation Process

Page 3

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

/s/

Jon Cicirelli
Director of Parks, Recreation
and Neighborhood Services

For questions, please contact Brian Clampitt, Parks Manager, PRNS, at brian.clampitt@sanjoseca.gov.

ATTACHMENT

Information Only – Vietnamese Heritage Garden Flag Raising Permit



Parks, Recreation and Neighborhood Services
SPECIAL PARK USE

INFORMATION ONLY PERMIT – VIETNAMESE HERITAGE GARDEN FLAG RAISING

The City of San José Parks, Recreation and Neighborhood Services' Special Park Use office has received notice of the Vietnamese Heritage Garden Flag Raising activity. While there are no permits or services required for this event/activity, we have gathered the information provided below.

Please note, that as part of this Information Only notification, the following criteria must be followed.

- The flag-raising must be open to the public.
- The flag-raising event is non-transferable and must be developed and implemented by the designee.
- The designee must be present at all times of the flag-raising.
- Political speeches or political statements are not allowed.
- A maximum number of fifty (50) chairs and one (1) 10' x 10' or one (1) 10' x 20' canopy is allowed. Canopy must be weighted down at all four corners.
- Amplified sound is not allowed, however the use of a megaphone is allowed.
- No vehicles are allowed within the garden area. All vehicles must remain in designated parking spaces. Chairs and canopies must be carted into the garden for set-up or take down.
- Event elements that would require additional permits or inspections are not allowed.

TYPE OF EVENT:

ORGANIZATION:

CONTACT PERSON:

ADDRESS:

TELEPHONE NUMBER:

EMAIL ADDRESS:

LOCATION OF THE EVENT:

DATE OF EVENT:

HOURS OF EVENT:

HOW MANY PEOPLE WILL BE ATTENDING?

DESCRIBE NATURE OF THE EVENT (purpose):

ADDITIONAL INFORMATION (activities planned):