

# Memorandum

**TO:** PUBLIC ART COMMITTEE

**FROM:** Michael Ogilvie

**SUBJECT:** SEE BELOW

**DATE:** September 23, 2022

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**SUBJECT: APPROVAL OF PROPOSED DESIGN CONCEPT FOR *THANK YOU, AMERICA* MONUMENT BY ARTIST TUAN NGUYEN**

## **RECOMMENDATION**

Review and approve the proposed design concept by artist Tuan Nguyen for a monument to American service members who fought alongside the soldiers of the Republic of South Vietnam, to be sited in the Viet Heritage Garden.

## **BUDGET**

The source of funds for the Artwork derives from funds made available through the Mayor's June Budget Message for Fiscal Year 2022-2023, the Council District 7 Construction and Conveyance Tax Fund, and the County of Santa Clara Historical Grant Program. The cumulative amount for the sculptural component of the monument is not to exceed \$320,000.

## **BACKGROUND**

With approximately 107,000 residents of Vietnamese descent, San José is home to the largest Vietnamese population in any city outside of Vietnam. There has been a long-standing desire from many in the local Vietnamese-American community to have a "Thank You, America" monument as a display of gratitude for being welcomed by the United States as refugees, and for the American service members who fought in support of South Vietnam.

The Santa Clara County's Historic Grant Program was established in 2018 with the purpose of celebrating history in Santa Clara County, with a preference for projects that acknowledge and celebrate untold stories and/or underrepresented/disadvantaged communities. In 2019, the City applied and the County approved a grant agreement in the amount of \$137,000 to help bring this project, a monument dedicated to American and South Vietnamese soldiers, to fruition within the Viet Heritage Garden; the Mayor's June Budget Message for Fiscal Year 2022-2023 provided \$296,000 in additional funding.

The planned monument would be two bronze figures of armed male soldiers, one American, one South Vietnamese, side-by-side (Attachment A). The height of the American soldier standing would be 9 feet, and the height of the South Vietnamese soldier standing would be 8 feet. The monument is a symbol of Vietnamese-Americans' gratitude for the Americans and Vietnamese who risked or lost their lives in the cause of freedom, democracy and human rights. The community-proposed monument design was done by Architecture firm, Charrette Design Inc., based on community input – however, this design resembled an existing South Vietnamese

monument in Westminster, CA by artist Tuan Nguyen. To ensure the integrity of original author is honored, the City of San José Director of Public Art contacted the original artist Tuan Nguyen, and a contract for his services was negotiated to create a monument in San José based on his monument design in Westminster, CA. The concept design by Tuan slightly modifies his original design and was customized for San José based on community input. Tuan presented his concept design to the community on August 1, 2022. The community members were overwhelmingly receptive of the design.

The source of funds for the Artwork derives from funds made available through Mayor's June Budget Message for Fiscal Year 2022-2023, the Council District 7 Construction and Conveyance Tax Fund and the County of Santa Clara Historical Grant Program. The City, through the City's Public Art Program, will manage the development of the Artwork in consultation with the Parks, Recreation and Neighborhood Services (PRNS), and the Department of Public Works (DPW).

### **ANALYSIS**

The placement of monuments on city property is governed by Council Policy 9-14. In that policy, monuments are defined as:

*Monuments are markers, statues, and other similar permanent installations to express Government Speech, and which are installed by the City on City property, or which are accepted by the City and installed on City property with City permission. Monuments may be in various forms including statues, fountains, or gardens among other forms of monuments as determined by the City.*

There is also an additional review process required per this policy if a monument is deemed a 'work of art'. In this instance:

*The Director of Public Art shall recommend and advise the City Manager whether a proposed Monument is primarily an original "work of art". A "work of art" is defined as a monument that is designed by and crafted by or under the supervision of a professional artist. A Monument that is deemed primarily a "work of art" shall be considered "public art" and shall become part of the City's Public Art Program inventory.*

The Office of Economic Development and Cultural Affairs (OEDCA) will be involved in final decisions about placement of the monument, project management and shall:

- Coordinate the review of the monument with the Arts Commission through its Public Art Committee.
- Coordinate with the lead Department and with DPW, the inspection, design, location, and other logistical components of the monument.
- Prepare and monitor all necessary records and documentation of the monument.
- Oversee the maintenance of monument.

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OEDCA is not responsible for any landscaping or future buildout of the park which is PRNS's purview.

**PUBLIC OUTREACH**

The monument has been a community driven effort for two decades with the stated goal to recognize the connection and shared sacrifice for freedom between two countries America and the Republic of South Vietnam. The project development process has engaged local stakeholder organizations and was multi-generational. The deployment of the campaign was developed to engage San José's diverse, multi-cultural community. A monument presentation was given to the community on May 30, 2019 from 5:30p – 8:00p at the County of Santa Clara chambers room by the City of San José public art director. Supervisors Chavez, Cortese, and Councilmember Esparza were present along with 55 members of the Vietnamese community, and translation services were provided by the County. The city held further community meetings to solicit feedback on the design of the monument which was led by the Office of Councilmember Esparza and roughly 100 residents participated in a design survey that was distributed in-person at meetings and through social media. Ninety-one of the Ninety-five participants, or 95% of the responding community, were in support of the design and expressed the importance of this monument to their community. On August 1, 2022 a public meeting to present Tuan Nguyen's concept design, informed by the community design, which was informed by his original design in Westminster, CA, was held with the community. The meeting was hybrid and held in person at the Vietnamese American Cultural Center at 2072 Lucretia Ave, San José, CA and virtually via zoom and Vietnamese translation was provided in-person. The response to the concept design presentation was overwhelmingly positive, with many community members requesting the design be fabricated as soon as possible. The concept design was then moved to the Public Art Committee for final approval at their October 4, 2022 meeting.

**COORDINATION**

The proposed project and design concept have been coordinated with the OEDCA, City Attorney's Office, PRNS, DPW, and the City Manager's Budget Office.

/s/

MICHAEL OGILVIE  
Public Art Director

**Attachment A**

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