



Memorandum

TO: RULES AND
OPEN GOVERNMENT COMMITTEE

FROM: Mayor Chuck Reed
Councilmember Madison Nguyen

SUBJECT: VIETNAMESE RETAIL
AREA DESIGNATION

DATE: February 11, 2008

APPROVED: *Chuck Reed*

DATE: *2/11/08*

RECOMMENDATION *Madison Ngy -*

We request that the Rules and Open Government Committee place the following items on the March 4, 2008 City Council Agenda.

1. Rescind Resolution 74127 and all other actions taken by the Council on November 20, 2007 under agenda item 9.1 "Approval of the designation of a Vietnamese Retail Area."
2. Adopt a resolution recognizing the Story Road retail area between Senter Road and US 101 as a Vietnamese retail destination area.
3. Direct staff to prepare a ballot measure for the November election that asks the voters "Shall the Story Road retail area between Senter Road and US 101 be named Little Saigon?"
4. Reallocate available funding currently budgeted for signage for this area to help cover the cost of the election and suspend work on the design of banners and signs for the area until a name has been determined.
5. Direct staff to draft a Council policy that outlines a process to officially name areas/districts of the city that is modeled on the Council policy for changing street names and provides that proposals to name business districts must come from an organization representing the businesses in the district.

BACKGROUND

We are fortunate to live in a city where diversity plays a central role in our everyday lives. San José's cultural districts reflect and celebrate our city's unique demographics and openness to its melting pot of cultures.

It was in the pursuit of celebrating our diversity that we sought to recognize the contributions of San José's Vietnamese community and that we sought the community's input for the name of the proposed Vietnamese retail area. Our goal was to honor the contributions of Vietnamese entrepreneurs to San José's economy and recognize the immense importance of the Vietnamese business owners' successful efforts in revitalizing this stretch of Story Road.

Since the original passing of the name, a chorus of differing opinions has been raised, both for and against the naming. Unfortunately, in their disagreement, opposing sides have questioned the very democracy that governs us.

Integrity and fairness are central concepts to our democracy. When this democracy and its underlying fairness and integrity are questioned, it is our responsibility to set things right. We take very seriously our responsibility to our democratic institution and its image. Anything that hurts it or its image and its members is not in the best interest of the City. So, on this basis, regardless of the City Attorney's findings, it is right to rescind resolution 74127 and suspend the creation of signs and collateral material.

One remedy, as suggested by the Mercury News and others, could be to have the City Council vote again on the issue. This is a good suggestion, but because those opposed to the name selected claim that the process was undemocratic, it would be difficult to hold a revote and erase any belief of any undemocratic actions. The very accusation that the initial process was an undemocratic process taints the perception that the Council is able to hold a democratic process the second time around.

To this end, the only pure democratic process left is to recommend that the naming of the area be decided by a vote of the people of San José. A November 2008 ballot measure to decide this will best ensure that the greatest number of voters turn out, ensure inclusiveness, and perhaps, even encourage first-time voters energized by this issue to vote for other issues such as President of the United States. By doing this, hopefully, we will be able to reach a citywide consensus that will promote a sense of unanimity and finality on this issue.