

CITY OF VACAVILLE
FLAG DISPLAY POLICY



CITY OF VACAVILLE
CITY MANAGER DEPARTMENT
650 MERCHANT STREET
VACAVILLE, CA 95688

Adopted: November 15, 2023
Amended: January 9, 2024

Flag Display Policy

Adopted:

November 15, 2023

Resolution No. 2023-149; Resolution of the City Council of the City of Vacaville Adopting the City of Vacaville Flag Display Policy

Amendments:

January 9, 2024

Resolution No. 2024-005; Resolution of the City Council of the City of Vacaville Amending the City of Vacaville Flag Display Policy to Establish a Process For Selecting Commemorative Flags And Guidelines For Their Display

RESOLUTION NO. 2024-005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE AMENDING THE CITY OF VACAVILLE FLAG DISPLAY POLICY TO ESTABLISH A COMMEMORATIVE FLAG SELECTION PROCESS AND GUIDELINES FOR THEIR DISPLAY

WHEREAS, the City of Vacaville currently displays the United States Flag, the State of California Flag, and the City Flag on City flagpoles; and

WHEREAS, the City of Vacaville celebrates diversity, with one of its five strategic plan goals highlighting the need to promote community engagement and increased equity and inclusion; and

WHEREAS, the City of Vacaville accepts each individual for their uniqueness, their values, their culture, their beliefs, and all the qualities that collectively make Vacaville a wonderfully diverse community; and

WHEREAS, the City of Vacaville hosts dozens of events, forums, and meetings that honor traditions, develop shared understanding of values and individual experiences, and create space for understanding, acceptance, and respect; and

WHEREAS, the City Council of the City of Vacaville aims to embrace, support, include, and safeguard our interconnectedness and individual differences that collectively weave our community into a vibrant fabric; and

WHEREAS, the City Council adopted a Flag Display Policy on November 15, 2023, with the intent to establish a process for selecting commemorative flags to be flown at the School Street Bridge Flag Monument at the first regular meeting in January 2024; and

WHEREAS, the City Council of the City of Vacaville desires to establish guidelines, standards, and criteria for display of commemorative flags other than the United States, State of California, and City flags flown at the School Street Bridge flag monument; and

WHEREAS, the City Council establishes the annual flying of select commemorative flags in connection with and during periods of days and/or months of recognition; and

WHEREAS, in adopting this amended Policy, the City Council of the City of Vacaville declares that flags and flagpoles owned or maintained by the City of Vacaville are not intended to serve as a forum for free expression of speech by the public, but rather as a nonpublic forum for the display of the United States, State of California, and City Flags, and any Commemorative Flag authorized by the City Council of the City of Vacaville as an expression of the City Council's official statements (government speech).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Vacaville does hereby amend the City of Vacaville Flag Display Policy as set forth in Exhibit A which is attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED that the foregoing recitals are true and correct and are included herein by reference as findings.

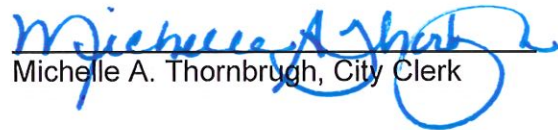
I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 9th day of January 2024, by the following vote:

AYES: Councilmembers Stockton, Ritchie, Silva, Chapman, Roberts, Vice Mayor Wylie, and Mayor Carli

NOES: None

ABSENT: None

ATTEST:


Michelle A. Thornbrugh, City Clerk

ATTACHMENTS:

Exhibit A: Vacaville Flag Display Policy

City of Vacaville Flag Display Policy

Background:

This policy is designed to establish a policy regarding: (1) the outdoor display of the United States Flag, the California State Flag, and the City of Vacaville Flag at City facilities; and (2) the outdoor display of commemorative flags at the School Street Bridge Flag Monument.

In adopting this policy, the City Council declares that the City of Vacaville's flagpoles **are not** intended to serve as a forum for free expression of the public, but rather for the display of Federal, State, and City Flags, and any commemorative flag as may be authorized by the City Council as an expression of the City Council's official sentiments.

Purpose:

The purpose of this policy is to provide procedural guidance for the outdoor display of flags at City facilities. Nothing in this policy is intended to control the City's indoor display of flags, including commemorative flags, within City facilities.

Policy:

I. Standards

Flags shall be displayed at City facilities in accordance with this Policy and with all Federal and State statutes and local rules, including, but not limited to, Title 4, Chapter 1 of the United States Code and Sections 430 through 439 of the California Government Code, and this policy.

II. Procedure

A. Displaying the United States Flag, California State Flag, and City Flag

1. The City shall display the U.S. Flag and the California Flag at City Facilities.
2. The City Manager may display the City Flag at City Facilities.
3. No other flag shall be placed above or to the right of the United States Flag and no other flag shall be larger than the United States Flag. The United States Flag shall always be at the peak unless ordered to be flown at half-staff.
4. When flags are displayed on a single pole, the order from top to bottom shall be: the United States Flag, the California State Flag, the City of Vacaville flag, and any commemorative flag approved by the City Council.
5. When a number of flags of States or localities are displayed as a group on staffs, the United States Flag should be at the center and at the highest point of the group.
6. When ordered by the President of the United States, the United States Flag (the "Flag") shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other persons or foreign

dignitaries, the Flag shall be displayed at half-staff if ordered by the President, or in accordance with recognized customs or practices not inconsistent with the law.

Upon approval of the City Manager (or designee), the Flag may also be placed at half-staff when a current employee dies. The Flag will remain at half-staff until the funeral services have been concluded. In circumstances where a City of Vacaville employee's death takes place in a line of duty incident (regardless of the employee's length of service to the City), the City Manager (or designee) may order the Flag to be flown at half-staff for the time period deemed appropriate by the City Manager.

In the event of a line of duty death of a firefighter or police officer, not employed with the City of Vacaville, where the President or Governor has not ordered the Flag to be placed at half-staff, the City Manager (or designee) may order the Flag at half-staff for the affected City Departments for the time period deemed appropriate by the City Manager.

The Flag, when flown at half-staff, should be first hoisted to the peak of the flagpole for a moment and then lowered to the half-staff position. The Flag should be again raised to the peak before it is lowered for the day.

B. Displaying Commemorative Flags at School Street Bridge Flag Monument

1. The City's flagpoles are not intended to serve as a forum for free expression by the public. The City may display commemorative flags at the School Street Bridge Flag Monument as "government speech". The City shall display commemorative flags only if authorized by simple motion of the City Council as government speech expressing the City's official sentiments. Any such authorization shall be given at a duly noticed meeting of the City Council and shall include a description of the flag to be displayed and the dates for the display of the flag. Following adoption of the Flag Display Policy and the establishment of the initial list of commemorative flags to be flown, the City Council shall only consider a request to modify the list of flags by removing or adding the display of a commemorative flag if the request is made by a member of the City Council subject to the process in section II.B.12. below.
 2. Commemorative flags shall be displayed at the School Street Bridge Flag Monument for a period of time that is reasonable or customary for the subject that is to be commemorated as determined by the City Council as part of its approval, but no longer than thirty-one (31) continuous days.
 3. Due to capacity of the flag poles, commemorative flags may be removed during times when the United States Flag, The State of California Flag, and/or the City of Vacaville Flag are flying at half-staff.
 4. Commemorative flags shall be displayed exclusively at the School Street Bridge Flag Monument.
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5. No more than one commemorative flag will be displayed at a time.
 6. Commemorative flags displayed on the School Street Bridge Flag Monument flagpole shall be in the last position of honor beneath the United States Flag, the State of California Flag, and the City of Vacaville Flag. Commemorative flags shall be displayed on the same pole as the City of Vacaville Flag and below the City of Vacaville Flag.
 7. Only the POW/MIA flag (if selected to be flown) may be flown below the US Flag when the other two staffs have a commemorative flag.
 8. A "commemorative flag" shall be consistent with the City's vision, mission and priorities. The following are not allowed as Commemorative Flags and will not be considered by the City Council:
 - a) Flags of a particular religious movement or creed to avoid the appearance of City government endorsing religion or a particular religious movement or creed;
 - b) Flags of a political party to avoid the appearance of City government endorsing a political party; and
 - c) Flags advocating a certain outcome in an election.
 9. Commemorative flags shall be procured by the City of Vacaville.
 10. Commemorative flags shall be equal to or of lesser size than the City of Vacaville flag.
 11. In adopting this Policy, the City Council establishes the list of Commemorative Flags to be flown on an annual basis, and desires to reflect the dignity and contributions of the people who have added to the community and character of the United States and the City of Vacaville. The recognized days and commemorative months focus special attention on groups that are conspicuously absent or underrepresented and are designed to provide cultural awareness to everyone.
 12. Members of the City Council may propose to modify the established List of Commemorative Flags as follows:
 - a) Requests to agendaize a modification to the established List of Commemorative Flags shall be made during Council Comments at least sixty (60) days prior to the requested date to allow time to add to the City Council agenda.
 - b) If approved to be agendaized:
 1. the following shall be submitted to the City Clerk within 3 calendar days:
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- a A description of the group/event being commemorated;
and
 - b A picture of the official flag; and
 - c The preferred length of time or dates during which the
flag is requested to be displayed.
2. Multiple requests shall be handled on a first come, first
served basis.
 3. To become effective, a majority of the City Council present
at the meeting must vote affirmatively, by simple motion, to
modify the established list.

END OF POLICY

List of Recognized Commemorative Flags to be attached.



Attachment 1 to the City's Flag Policy
[NOTE: this list is a stand-alone document]

RECOGNIZED COMMEMORATIVE FLAGS

Effective Date: January 10, 2024

	<i>Commemorative Flag</i>	<i>Commemoration Time Period</i>
<i>January</i>		
<i>February</i>		
<i>March</i>		
<i>April</i>	POW/MIA (under US Flag)	Apr 9
<i>May</i>		
<i>June</i>	Army Birthday	Jun 14
	Junteenth	Jun 19

	LGBTQ+ Pride (Progressive Flag)	Jun 1-30*
<i>July</i>		
<i>August</i>	Coast Guard Birthday	Aug 4
<i>September</i>	Air Force Birthday	Sept 18
	POW/MIA (under US Flag)	3 rd Friday in Sept
<i>October</i>	Navy Birthday	Oct 13
<i>November</i>	Marine Corps Birthday	Nov 10
<i>December</i>	National Guard Birthday	Dec 13
	Space Force Birthday	Dec 20
<p>*In accordance with the policy, only one flag will be displayed at a time; therefore this flag will not be displayed on dates that are approved for other flags to be displayed.</p>		

RESOLUTION NO. 2023-149

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE ADOPTING THE CITY OF VACAVILLE FLAG DISPLAY POLICY

WHEREAS, the City of Vacaville currently displays the United States Flag, the State of California Flag, and the City Flag on City flagpoles; and

WHEREAS, the City of Vacaville celebrates diversity, with one of its five strategic plan goals highlighting the need to promote community engagement and increased equity and inclusion; and

WHEREAS, the City of Vacaville accepts each individual for their uniqueness, their values, their culture, their beliefs, and all the qualities that collectively make Vacaville a wonderfully diverse community; and

WHEREAS, the City of Vacaville hosts dozens of events, forums, and meetings that honor traditions, develop shared understanding of values and individual experiences, and create space for understanding, acceptance, and respect; and

WHEREAS, the City Council of the City of Vacaville aims to embrace, support, include, and safeguard our interconnectedness and individual differences that collectively weave our community into a vibrant fabric; and

WHEREAS, the City of Vacaville does not presently have a policy regarding the display of commemorative flags; and

WHEREAS, the City Council of the City of Vacaville desires to establish a policy that provides guidance, standards, and criteria for display of flags at City facilities, including commemorative flags other than the United States, State of California, and City flags flown at the School Street Bridge flag monument; and

WHEREAS, in adopting this Policy, the City Council of the City of Vacaville declares that flags and flagpoles owned or maintained by the City of Vacaville are not intended to serve as a forum for free expression of speech by the public, but rather as a nonpublic forum for the display of the United States, State of California, and City Flags, and any Commemorative Flag authorized by the City Council of the City of Vacaville as an expression of the City Council's official statements (government speech).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Vacaville does hereby approve the City of Vacaville Flag Display Policy, attached, and incorporated by reference as Exhibit A.

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct and are included herein by reference as findings.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a special meeting of the City Council of the City of Vacaville, held on the 15th day of November 2023, by the following vote:

AYES: Councilmembers Ritchie, Silva, Chapman, Roberts, Vice Mayor Wylie

NOES: Councilmember Stockton, Mayor Carli

ABSENT: None

ATTEST:

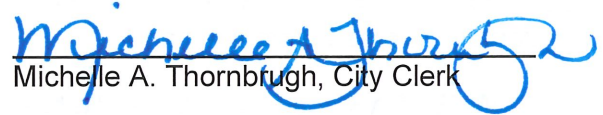

Michelle A. Thornbough, City Clerk

Exhibit A: City of Vacaville Flag Display Policy

City Council of the City of Vacaville Flag Display Policy

Background:

This policy is designed to establish a policy regarding: (1) the outdoor display of the United States Flag, the California State Flag, and the City of Vacaville Flag at City facilities; and (2) the outdoor display of commemorative flags at the School Street Bridge flag monument.

In adopting this policy, the City Council declares that the City of Vacaville's flagpoles **are not** intended to serve as a forum for free expression of the public, but rather for the display of Federal, State, and City Flags, and any commemorative flag as may be authorized by the City Council as an expression of the City Council's official sentiments.

Purpose:

The purpose of this policy is to provide procedural guidance for the outdoor display of flags at City facilities. Nothing in this policy is intended to control the City's indoor display of flags, including commemorative flags, within City facilities.

Policy:

I. Standards

Flags shall be displayed at City facilities in accordance with this Policy and with all Federal and State statutes and local rules, including, but not limited to, Title 4, Chapter 1 of the United States Code and Sections 430 through 439 of the California Government Code, and this policy.

II. Procedure

A. Displaying the United States Flag, California State Flag, and City Flag

1. The City shall display the U.S. Flag and the California Flag at City Facilities.
2. The City Manager may display the City Flag at City Facilities.
3. No other flag shall be placed above or to the right of the United States Flag and no other flag shall be larger than the United States Flag. The United States Flag shall always be at the peak unless ordered to be flown at half-mast.
4. When flags are displayed on a single pole, the order from top to bottom shall be: the United States Flag, the California State Flag, the City of Vacaville flag, and any commemorative flag approved by the City Council.
5. When ordered by the President of the United States, the United States Flag (the "Flag") shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other persons or foreign dignitaries, the Flag shall be displayed at half-staff if ordered by the President, or in accordance with recognized customs or practices not inconsistent with the law.

Upon approval of the City Manager (or designee), the Flag may also be placed at half-staff when a current employee dies. The Flag will remain at half-staff until

the funeral services have been concluded. In circumstances where a City of Vacaville employee's death takes place in a line of duty incident (regardless of the employee's length of service to the City), the City Manager (or designee) may order the Flag to be flown at half-staff for the time period deemed appropriate by the City Manager.

In the event of a line of duty death of a firefighter or police officer, not employed with the City of Vacaville, where the President or Governor has not ordered the Flag to be paced at half-mast, the City Manager (or designee) may order the Flag at half-staff for the affected City Departments for the time period deemed appropriate by the City Manager.

The Flag, when flown at half-staff, should be first hoisted to the peak of the flagpole for a moment and then lowered to the half-mast position. The Flag should be again raised to the peak before it is lowered for the day.

B. Displaying Commemorative Flags at School Street Bridge Flag Monument

1. The City's flagpoles are not intended to serve as a forum for free expression by the public. The City may display commemorative flags at the School Street Bridge flag monument as "government speech". The City shall display commemorative flags only if authorized by resolution of the City Council as government speech expressing the City's official sentiments. Any such authorization shall be given at a duly noticed meeting of the City Council and shall include a description of the flag to be displayed, the message to be communicated, and the dates for the display of the flag. The City shall only consider a request to display a commemorative flag if the request is made by a member of the City Council.
2. Commemorative flags shall be displayed at the School Street Bridge flag monument for a period of time that is reasonable or customary for the subject that is to be commemorated as determined by the City Council as part of its approval, but no longer than thirty-one (31) continuous days.
3. Commemorative flags shall be displayed exclusively at the School Street Bridge Flag Monument.
4. No more than one (1) commemorative flag will be displayed at a time.
5. Commemorative flags displayed on the School Street Bridge Flag Monument flagpole shall be in the last position of honor beneath the United States Flag, the State of California Flag, and the City of Vacaville Flag.
6. A "commemorative flag" shall be consistent with the City's vision, mission and priorities. The following are not allowed as Commemorative Flags and will not be considered by the City Council:

- a) Flags of a particular religious movement or creed to avoid the appearance of City government endorsing religion or a particular religious movement or creed;
 - b) Flags of a political party to avoid the appearance of City government endorsing a political party; and
 - c) Flags advocating a certain outcome in an election.
7. In adopting this Policy, the City Council desires to reflect the dignity and contributions of the people who have added to the community and character of the United States and the City of Vacaville. These recognized days and commemorative months focus special attention on groups that are conspicuously absent or underrepresented and are designed to provide cultural awareness to everyone. The initial list of commemorative observances will be set forth during the first meeting in January 2024 by the City of Vacaville City Council.
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