



CITY OF SAN MATEO

City Hall
330 W. 20th Avenue
San Mateo CA 94403
www.cityofsanmateo.org

Agenda Report

Agenda Number: 7

Section Name: {{section.name}}

Account Number: 10-1511

File ID: {{item.tracking_number}}

TO: City Council
FROM: Alex Khojikian, City Manager
PREPARED BY: City Clerk's Office
MEETING DATE: September 03, 2024
SUBJECT:
Flag Policy – Adoption

RECOMMENDATION:

Adopt a Resolution to approve the Flag Policy to standardize the display of the Flag of the United States of America, the Flag of the State of California, and non-governmental flags at City facilities and authorize the City Manager to make non-substantive changes as needed.

BACKGROUND:

The City of San Mateo customarily displays the United States Flag and the California State Flag in accordance with United States Code, Title 4, Chapter 1 (Flag Code) and California Government Code Sections 430-439. However, the San Mateo City Council has occasionally directed the display of non-governmental flags to symbolically support official City sentiments.

While the display of non-governmental flags at City Hall has been Council-directed in the past, an administrative policy is necessary to formally establish protocol and affirm flag displays on city property as a medium for expressing the City's sentiments, as opposed to private expression or speech by individuals, groups, and organizations that can raise issues under the First Amendment.

Presently, flag display inquiries are coordinated by the City Clerk's Office and the intent to display non-governmental flags is declared in a Ceremonial proclamation read by the Mayor. This proposed policy establishes parties responsible for the care and compliance of flag displays – delegating approval power to the City Council, and delegating coordination and compliance responsibilities to the City Manager's Office and City Clerk's Office respectively. Department Heads will designate City staff to maintain flag displays at City facilities and coordinate with the aforementioned parties to ensure compliance with this policy.

The proposed policy also defines procedures and circumstances for the flying of flags at half-staff during Federal or State occasions. Additionally, Local Prerogative, authorized by Presidential Proclamation 3044, allows for half-staff displays under locally relevant circumstances. These scenarios may include the death of prominent community member, staff member, and current or former Council Members; occasions of mourning and remembrance; death of a resident servicemember killed in the line of duty; or extraordinary loss of life or loss of public safety members nationwide. Half-staff displays under these circumstances may be directed by the City Manager without Council approval. Half-staff displays at police and fire stations for fallen members may also be directed by the Police Chief or Fire Chief of the San Mateo Consolidated Fire Department.

Procedures outlined in this policy pertain to outdoor flag displays but are applicable to indoor displays in the Council Chamber, auditoriums, and meeting halls. The policy declares that the City is responsible for the purchase and care of flags

and shall follow U.S. Flag Code procedures for the honorable stowage and respectful disposal of retired flags governmental flags.

The policy further affirms that the display of non-governmental flags shall be directed by City Council and adopted in conjunction with official actions, ceremonial items, or proclamations. Adoption of this policy does not encroach on an individual's right to wear, carry, or display a flag on their own private property.

BUDGET IMPACT:

The City will take responsibility for obtaining and paying for any approved non-governmental flags.

ENVIRONMENTAL DETERMINATION:

This policy is not a project subject to CEQA, because it can be seen with certainty that it will not cause a physical change in the environment. (Public Resources Code Section 21065.)

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – Proposed Resolution

STAFF CONTACT

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