

RESOLUTION 2020-061

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING A POLICY ON DISPLAY OF FLAGS

WHEREAS, the City of San Pablo currently displays the United States Flag and the State of California Flag at the San Pablo City Hall and is constructing a new City Hall that has three flagpoles; and

WHEREAS, the City of San Pablo does not have a policy regarding the display of flags; and

WHEREAS, on April 20, 2020, the City Council added the following task to the Council Priority Workplan: *Civic Center Flag Display Policy*; and

WHEREAS, the City Council desires to establish a policy that provides guidance and standards for the indoor and outdoor display of flags at City facilities, including commemorative flags other than the United States, State of California, and City flags; and

WHEREAS, in adopting this Policy, the City Council desires to reflect the dignity of the flags flown at City-owned or City-maintained facilities, as well as the role of the San Pablo City Hall as an inclusive gathering location and local symbol of government and democracy; and

WHEREAS, in adopting this Policy, the City Council declares that flags and flagpoles owned or maintained by the City of San Pablo are not intended to serve as a forum for free expression 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 as an expression of the City Council's official sentiments (government speech); and

WHEREAS, in adopting this Policy, the City Council declares that the following flags should not be considered commemorative flags that can be displayed or flown on City owned or maintained flagpoles: 1) flags of a particular religious movement or creed to avoid the appearance of City government endorsing religion or a particular religious movement or creed; 2) flags of a political party to avoid the appearance of City government endorsing a political party; and 3) flags advocating a certain outcome in an election.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of San Pablo approves the Policy on Display of Flags, attached and incorporated as Exhibit A.

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

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ADOPTED this 18th day of May 2020, by the following votes:

AYES:	COUNCILMEMBERS:	Pineda, Xavier and Cruz
NOES:	COUNCILMEMBERS:	Kinney and Pabon-Alvarado
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:

/s/ LaTanya Fisher
LaTanya Fisher, Acting Deputy City Clerk

/s/ Arturo M. Cruz
Arturo M. Cruz, Mayor