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Chapter 600 - DISPLAY OF FLAGS

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Section 1 - Definitions

[I-600-1.1 - City Hall Display Flag Poles](#)

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I-600-1.1 - City Hall Display Flag Poles

"City Hall Display Flag Poles" shall mean those three (3) flag poles situated at the northeast corner of the intersection of Calaveras Boulevard and Milpitas Boulevard in front of City Hall. "City Hall Display Flag Poles" shall also refer to those four (4) flag poles located to the rear of City Hall and adjacent to the pond, and those three (3) flag poles located at the Veteran's Memorial at City Hall.

(Ord. 260 (part), 6/3/03)

I-600-1.2 - Ceremonial Flag Poles

"Ceremonial Flag Poles" shall mean those two (2) City-owned flag poles situated at the City-owned Higuera Adobe which the City has designated to be used by members of the community to conduct flag raising ceremonies.

(Ord. 260 (part), 6/3/03)

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Section 2 - City Hall Display Flag Poles

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I-600-2.1 - City Hall Display Flag Poles

City Hall Display Flag Poles shall at all times be used exclusively by the City of Milpitas as follows:

- (1) Those three (3) flag poles located at the front of City Hall shall at all times be used exclusively by the City for the purpose of the display of the flags of the United States of America, the State of California, and the City of Milpitas in accordance with all applicable federal and state regulations.
- (2) Those four (4) flag poles located at the rear of City Hall adjacent to the pond shall at all times be used exclusively by the City for the purpose of the display of four (4) flags of the United States of America.
- (3) Those three (3) flag poles located at the Veteran's Memorial at City Hall shall at all times be used exclusively by the City for the purpose of the display of the flags of the United States of America, the National POW/MIA flag recognized by United States Public Law 101-355, the State of California and the City of Milpitas in accordance with all applicable federal and state regulations.

(Ord. 260 (part), 6/3/03)

I-600-2.2 - Display of other flags at City Hall

The ceremonial display of flags other than the flags of the United States of America, State of California and City of Milpitas, on City Hall Display Flag Poles or within the Civic Center Complex and City of Milpitas Community Center is not permitted.

(Ord. 260 (part), 6/3/03)

I-600-2.3 - Exception—City Council Approved Ground Level Ceremonies

The City Council may, after a public hearing, direct City staff to permit the ground level display of a flag of another nation in existence after 1954, only at the following specified locations at the Civic Center complex or the City of Milpitas Community Center:

- (1) City Hall Rotunda
- (2) Area adjacent to pond at City Hall
- (3) City of Milpitas Community Center
- (4) City Council Chambers

Said flag display shall not be permitted on City Hall Display Flag Poles and shall only be permitted on a flagstaff, flagstand or similar device which does not cause the flag height to exceed ten (10) feet.

(Ord. 260 (part), 6/3/03)

I-600-2.4 - City Approval

All ground level ceremonies must be approved by the City Council. Any party intending to conduct a ground level ceremony at one of the designated locations shall submit an application to the Office of the City Manager, on a form approved by the City Council, at least forty-five (45) days prior to the requested ceremony date. A public hearing will be held regarding each ground level ceremony application prior to its approval or denial by the City Council.

(Ord. 260 (part), 6/3/03)

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Section 3 - Ceremonial Flag Poles

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I-600-3.1 - Location

The City's Ceremonial Flag Poles consist of two flag poles owned by the City of Milpitas and located at the Higuera Adobe in the City of Milpitas.

(Ord. 260 (part), 6/3/03)

I-600-3.2 - Use

The City's Ceremonial Flag Poles shall remain unused at all times other than during City-approved flag raising ceremonies. The Ceremonial Flag Poles shall be used only to conduct flag raising ceremonies in accordance with the provisions of this chapter.

(Ord. 260 (part), 6/3/03)

I-600-3.3 - Flag Raising Ceremony

Flag raising ceremonies shall be conducted in accordance with all applicable provisions of federal and state laws, including provisions of the United States Code and California Government Code relating to the proper display of flags. During an approved flag raising ceremony, one pole shall at all times be used to raise and display the flag of the United States of America. The other flag pole shall be used to raise and display the flag of another nation in existence since 1954. The flag of the United States of America displayed during a flag raising ceremony shall be equal to or larger in size and dimension than the other flag.

(Ord. 260 (part), 6/3/03)

I-600-3.4 - City Approval

All flag raising ceremonies must be approved by the City Council. Any party intending to conduct a flag raising ceremony at the City's designated Ceremonial Flag Poles shall submit an application to the Office of the City Manager, on a form approved by the City Council, at least forty-five (45) days prior to the requested ceremony date. A public hearing will be held regarding each flag raising ceremony application prior to its approval or denial by the City Council.

(Ord. 260 (part), 6/3/03)

I-600-3.5 - Limitation on Use

No individual or organization shall have more than one (1) flag raising ceremony per calendar year.

(Ord. 260 (part), 6/3/03)

X. Discussion on Ceremonial Flags flown at City Hall and possible update to the Flag Ordinance – Chair Weisgerber

Chair Weisgerber reported to the Commission that he had met with Commissioner Grilli to discuss the possibility of updating the Flag Ordinance. Chair stated that the current ordinance does not allow foreign countries to fly their flags at the Veterans location when they are visiting on a delegation. There was discussion on which flag could be taken down to allow another flag to fly. Commissioner Hinshaw stated that if other flags are able to be flown then there should be some parameters set. Such as: When would the flag be flown; how long would it fly, on which flagpole. It was agreed to send the request to the City Attorney office to review and make recommendations.

Commission Hinshaw moved, and Commissioner Grundstrom seconded, to approve the City Attorney's office to make changes to the Flag Ordinance. The motion carried unanimously.

XI. Commission Announcements - none

XII. Future Agenda Items

Homeless shelter data

Review and update work plan

Discussion on participation at the Veterans Day Ceremony – tasks etc.

XIII. Liaison Reports - none

XIV. Next Meeting: October 5, 2011

XV. Adjournment: 6:15 p.m.

**CITY OF MILPITAS
SISTER CITIES COMMISSION UNAPPROVED MINUTES**

MINUTES: Meeting of the Sister Cities Commission (SCC)
DATE OF MEETING: September 22, 2011
PLACE OF MEETING: Milpitas City Hall, 455 E. Calaveras Blvd., Room 7/8 Community Center

I. ROLL Chair Grilli called the meeting to order at 7:05 P.M.
Commissioners/Alternates Present: Galvan, Grilli, Hardin, Serpa, Tran & Mateo.
Commissioners Absent: Arefi, Arbaugh, Quejado & Ortega.
City Council Liaison present: Vice Mayor McHugh
MUSD Liaison présent: Alisantosa
Staff Present: Clark, Stobbe

II. ALTERNATES Alternate commissioner Hardin & Galvan was seated.

III. PLEDGE There was no flag present in meeting room.

IV. MINUTES **MOTION** to approve the Minutes of June 23,2011
M/S: Serpa/Tran AYES: All

V. AGENDA **MOTION** to approve the Agenda for September 22, 2011.
M/S: Serpa/Tran AYES: All

VI. ANNOUNCEMENTS AND CORRESPONDENCE
None

VII. PUBLIC FORUM
Tsukba Japan Photo exchange slide show presentation to commissioners from Kseniya Bulavko

NEW BUSINESS

1. Flag Ordinance change.

Requesting for the City Council to modify the current position of flying of a foreign flag on flagpoles around City Hall during a delegation visit.

MOTION To recommend for discussion at the next Veterans commission meeting and forward to the city attorney to update the current foreign flag ordinance for visiting sister City Delegations.

M/S: Mateo/Serpa AYES: All