

REGULAR

NUMBER: 288

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING CHAPTER 1 OF TITLE I OF THE MILPITAS MUNICIPAL CODE RELATING TO INSTALLATION OF THE NATIONAL MOTTO, "IN GOD WE TRUST" WITHIN THE CITY COUNCIL CHAMBERS AND OTHER PUBLIC BUILDINGS

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of August 5, 2014, upon motion by Councilmember Giordano and was adopted (second reading) by the City Council at its meeting of _____, upon motion by _____. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

RECITALS AND FINDINGS:

WHEREAS, “In God We Trust” became the United States national motto on July 30, 1956; and

WHEREAS, the words have been used on U.S. currency since 1864; and

WHEREAS, the same motto is engraved above the entrance to the Senate Chamber as well as above the Speaker’s dais in the House of Representatives; and

WHEREAS, the City desires the authority display this patriotic motto in the City Council Chambers and other public buildings as a way to solemnize public occasions and express confidence in our society.

NOW, THEREFORE, the City Council of the City of Milpitas does ordain as follows:

SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE I

A new Section 6 of Chapter 1 of Title I of the Milpitas Municipal Code is hereby added with the text below to read as follows:

Chapter 1 GENERAL PROVISIONS

Sections:

- Section 1 - Official Bonds
- Section 2 - City Council Meetings
- Section 3 - Official Seal
- Section 4 - Municipal Code
- Section 5 - Pledge of Allegiance
- Section 6 – National Motto

Section 6 National Motto

The City Manager is authorized to install the national motto, “In God We Trust” within the following locations:

- (a) Milpitas City Council Chambers;
- (b) Milpitas City Hall Committee Room;
- (c) Lobbies at the Milpitas Senior Center, Milpitas Community Center, and Milpitas Sports Center; and
- (d) Milpitas Police Department Community Room

SECTION 3. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

SECTION 4. EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.