

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, PROVIDING FOR HONORARY
FLAG-RAISING AND LIGHTING

WHEREAS, it is important to honor certain events, causes, and people of history;
and

WHEREAS, the Council desires to provide regulations and procedures for
honorary flag-raising and honorary lighting of City Hall and Eaton Plaza; and

WHEREAS, the City will choose the types of ceremonial lighting and flags that will
be raised at City Hall and Eaton Plaza to promote the interests of the City pursuant to the
regulations and procedures provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as
follows:

1. The City may have two locations available for ceremonial flag-raising, including the
City of Fresno flag pole at City Hall, and additional pole(s) at Eaton Plaza.
2. Flag poles and lighting shall be restricted to government speech items and are not
to create a public forum.
3. On an annual basis in January of each year, or at such other time as the City
Manager shall specify, the Fresno City Council shall adopt a schedule of approved
ceremonial flag-raising events for the following calendar year for both locations.
4. Upon adoption of the ceremonial flag-raising schedule by the Council, the City
Manager will work with individuals and/or organizations leading events approved for
ceremonial flag-raising and lighting events to plan, schedule, and coordinate logistics.

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval:  _____

Resolution No. _____

Should no individual or organization be leading efforts, the City is not required to conduct or staff all events listed on approved schedule.

5. Upon adoption of the ceremonial flag-raising schedule by the Council, no additional flag-raising ceremony requests will be considered for the calendar year for the City Hall flagpoles. For Eaton Plaza, at a Councilmember or Mayor's request, the City Manager shall retain the discretion to approve additional flag requests for a country or city, sports team, or civil rights recognition, including flags raised in response to spontaneous events prompted by news or current events that may happen during the year.

6. Individuals or organizations desiring to request a ceremonial flag-raising or lighting event may submit a request to the Mayor's Office of Community Affairs at least 30 days prior to the date set for Council consideration.

7. The Mayor's Office of Community Affairs will receive and review all requests for ceremonial flag-raising events and determine, in consultation with the City Attorney, if necessary, if requests comply with this Resolution and applicable Administrative Order(s) for ceremonial flag-raising and lighting events.

8. Upon determination by the Mayor's Office of Community Affairs that request(s) comply with adopted policies, the City Manager will submit the request to the City Council with a recommendation for approval for the following calendar year. The City Manager's recommendation will include a recommendation regarding the location of the flag and lighting location(s) based on whether the flag meets qualifications.

9. Upon determination by the Mayor's Office of Community Affairs that the request(s) do not comply with adopted policies, the City Manager will submit the request to the City Council with a recommendation for denial.

10. Honorary lighting at City Hall, and Eaton Plaza (including the Water Tower), may be permitted, and shall be funded by the Councilmember's office, City Manager, or Mayor's office making the request, by an appropriation of Council, or by an outside organization or person; lighting shall comply with all applicable codes and regulations, as supervised by the City Public Works Department.

11. The procedures for implementing this resolution are as follows:

- a. Approved flag may be flown daily for one to seven continuous days, once per calendar year.
- b. At Fresno City Hall, the chosen flag shall replace the Fresno City flag and be in compliance with Administrative Order 8-9.
- c. At Eaton Plaza, chosen flag(s) must conform with Administrative Order 8-9.
- d. City staff who regularly raise the U.S. and State flags daily, shall also raise approved ceremonial flags, if provided in advance. Alternatively, others as specified by the official making the request, may take responsibility for daily raising and lowering of a ceremonial flag.
- e. Approved lighting may be directed to take place daily for 1 to 30 continuous days per calendar year, but efforts should be made to accommodate multiple conflicting concurrent requests.

12. Limitations upon flag-raising and/or lighting are as follows:

- a. This resolution is not intended to create any public forum, but at most shall constitute government speech and be available solely for use as provided in this resolution.
- b. Ceremonial flags shall be limited to those of countries and cities; civil rights

recognitions; local sports teams; other special event recognitions as may be approved by Council. Flags and/or lighting shall not be utilized to support or oppose any political candidate, ballot issue, legislative item, or private business or commercial venture, and shall be compliant with the Fresno Municipal Code and the United States and State of California Constitutions and statutes.

- c. Only one request will be accepted per individual or organization per year, and honorary lighting or ceremonial flags for a particular event, cause, or person of history may be flown no more than once per calendar year.

13. Council hereby directs the Administration, Staff, and the City Attorney to take all actions necessary to implement this resolution.

14. The City Manager may issue additional regulations not inconsistent with this resolution concerning ceremonial flags and lighting.

15. All prior ceremonial flag-raising and lighting resolutions are hereby repealed.

16. This resolution shall become effective upon adoption.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the day of _____, 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2022
Mayor Approval/No Return: _____, 2022
Mayor Veto: _____, 2022
Council Override Vote: _____, 2022

TODD STERMER
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Douglas Sloan Date
City Attorney