

# Livermore Area Recreation and Park District Staff Report

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TO: Chair Pierpont and Board of Directors

FROM: Mat Fuzie, General Manager

PREPARED BY: Mat Fuzie, General Manager

DATE: February 10, 2021

SUBJECT: District Notice 0006 – District Flag Policy

COMMITTEES: N/A

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Recommendation: That the Board of Directors adopt Resolution No. \_\_\_\_ approving District Notice 0006, District Flag Policy

This District Notice (DN) supersedes Policy No. FAC-09-51309 Policy on Display of Flags at District Facilities.

**Background:** The District received several requests from individuals and organizations for the District to prominently fly flags other than the United States Flag and the California State Flag on the official Flag Poles at District Facilities. A Review of our current flag policy allows the General Manager to determine the appropriateness of these requests and to allow or deny the requests. The current flag policy also deviates through this policy from a strict following of Federal and State Law. In discussions with legal counsel the District has recommended the flag policy be revised to clarify the district policy and procedures and to remove any ambiguity in policy.

**Purpose:** To clarify the responsibilities and processes regarding the display of Flags at designated district facilities in compliance with Federal and State law, and to maintain consistency and ensure proper respect for the flags.

## **DISTRICT NOTICE 0006 – DISTRICT FLAG POLICY**

This District Notice (DN) supersedes Policy No. FAC-09-51309 Policy on Display of Flags at District Facilities.

Flags should be displayed in conformance with Federal and State law, 4 U.S.C.A § 1 et seq. and the State of California Government Code § 430 - 439.

To establish a policy with respect to the location, time, and manner the flags should be displayed, the following procedures should be followed.

The General Manager shall be responsible for ensuring the proper execution of this policy at all district facilities.

### **Procedures:**

#### **Location of the flags**

- a) Only the flag of the United States (“National flag”) and the flag of the State of California (“State flag”) shall be prominently displayed. The only exception will be the addition of the Missing in Action, Prisoner of War flag at the Veterans Hall.
  - 1) In all rooms where the Board of Directors holds official Board Meetings open to the public.
  - 2) At designated buildings belonging to the district.
  - 3) The flags should be displayed daily on or near the main entrance of the building.

#### **Display of the flags**

- a) The National flag and State flag shall be the same size.
- b) If only one flagpole is used for the display of both flags, the National flag shall be placed above the State flag and the State flag shall be hung in such a manner as not to interfere with any part of the National flag. The National flag shall be placed in the higher position than the State flag at all times.
- c) Flags flown outdoors shall be all-weather flags.

#### **Time of Display**

- a) The National flag and State flag should only be displayed outdoors from sunrise to sunset, unless the flags are properly illuminated during the hours of darkness.

- b) If the flags are not illuminated then they shall be raised after sunrise, and lowered prior to sunset from the flagpole daily.

### **Days of Display**

- a) The flags should be displayed on all days,
- b) The flags should be flown at half-staff on days designated by The President, or Governor.
- c) The term “half-staff” means the position of the flag when it is one-half the distance between the top and bottom of the staff
- d) Flags should also be flown at half-staff upon the death of a United States president, California State Governor, or other principal figure of the United States or State Government as a mark of respect to their memory. In the event of the death of other officials, foreign dignitaries, or a member of the Armed Forces, the flag is to be displayed at half-staff according to President (or Governor) instructions.
- e) To display the flag at half-staff, first raise it briskly to the full height, and then lower it ceremoniously to half-staff. When a district office is closed, and no staff is available to lower the flag to half-staff, then the flag should not be flown.
- f) The flying of flags at half-staff shall be coordinated among the district's offices. The General Manager shall be responsible for coordinating. Except for the days listed in Section b above, approval shall otherwise be obtained from [Department] Director prior to flying flags at half-staff. When a staff member is aware of a situation, which would seem to be appropriate to fly the flags at half-staff, he/she should advise the [Department] Director and obtain direction.
- g) The State flag or any other flag shall never be placed above the National flag; thus, all other flags shall also fly at half-staff when the National flag flies at half-staff or shall be removed.

### **Care and Removal of the flags**

- a) The flags should be hoisted briskly and lowered ceremoniously.
- b) Upon being removed from the flagpole, the National flag should be properly folded into the shape of a triangle. It should be folded as follows:
  - 1) Begin by holding the flag so that its surface is parallel to the ground.
  - 2) Fold the flag in half twice, length-wise.
  - 3) Fold one corner into the opposite side of the flag, forming a triangle.
  - 4) Repeat this triangular folding until only a strip of the star field shows.

- 5) Tuck the remaining strip into the triangle.
- 6) When the flag is completely folded, only a triangular blue field of stars should be visible.
- c) Note that the folding procedure identified in Section b above only applies to the National flag, not the State flag.
- d) When not on the flagpole, the flags should not be left unfolded, nor should they be allowed to touch or lie on the ground. Flags should be properly stored to ensure their safekeeping. Flag should never be stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.
- e) Questions regarding the display or care of the flags should be directed to the General Manager.

### **Retirement of Flags**

Upon the determination that a flag should be retired, the District must follow retirement procedures as set forth in statute. The flag will be folded properly and placed in the City Hall Flag Retirement Portal for a formal retirement ceremony by a certified organization.