

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS DIRECTING STAFF TO FLY COMMEMORATIVE FLAGS AT CESAR CHAVEZ PLAZA FOR CITY-SPONSORED EVENTS IN 2021**

**WHEREAS**, on August 1, 2017, the City Council (the “City Council”) of the City of Milpitas Adopted Ordinance No. 260.2 relating to the display of flags on City-owned property; and

**WHEREAS**, pursuant to Milpitas Municipal Code Section I-600-2.30(3), the City Council may, by resolution, direct City staff to display Commemorative Flags as an expression of the City’s official sentiments by any of the following means: (i) display in lieu of the MIA/POW flag on one of the four City Hall Display Flag Poles located at the rear of City Hall adjacent to the pond, (ii) display in lieu of the flag of the State of California on one of the three flag poles located at Cesar Chavez Plaza, or (iii) display through ground level ceremonies at any of the following 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) Cesar Chavez Plaza
- (4) City Council Chambers; and

**WHEREAS**, the City of Milpitas will be sponsoring commemorative events, ceremonies and holidays planned for the 2021 calendar year in Cesar Chavez Plaza; and

**WHEREAS**, the City intends to fly certain Commemorative Flags in Cesar Chavez Plaza as part of the sponsored events, ceremonies and holidays, as follows:

- Black History Month – February 1 – 28, 2021,
- Cesar Chavez Birthday – March 30 – 31, 2021,
- Vietnamese Heritage Month – April 1 – 30, 2021,
- Eritrea Independence Day – May 24, 2021,
- LGBTQ Pride Month – June 1 – June 30, 2021
- Juneteenth – June 19, 2021,
- Filipino American History Month, October 1 – 31, 2021, and
- Native American Heritage and Culture Month – November 1 - November 27, 2021.

**WHEREAS**, in accordance with the Milpitas Municipal Code, the Commemorative Flags shall be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, but no longer than 30 days.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. Pursuant to Milpitas Municipal Code Section I-600-2.30(3), the City Council hereby directs staff to fly the following Commemorative Flags in lieu of the flag of the State of

California at Cesar Chavez Plaza on the following dates and date ranges, after which staff shall resume flying the flag of the State of California unless the City Council directs otherwise by further resolution:

- Black History Month – February 1 – 28, 2021,
- Cesar Chavez Birthday – March 30 – 31, 2021,
- Vietnamese Heritage Month – April 1 – 30, 2021,
- Eritrea Independence Day – May 24, 2021,
- LGBTQ Pride Month – June 1 – June 30, 2021
- Juneteenth – June 19, 2021,
- Filipino American History Month, October 1 – 31, 2021, and
- Native American Heritage and Culture Month – November 1 - November 27, 2021.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Pam Caronongan, Acting City Clerk

\_\_\_\_\_  
Rich Tran, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher J. Diaz, City Attorney