

EXHIBIT A

DISPLAY OF FLAGS POLICY

1. **Purpose and Scope:** This Policy Resolution entitled “Display of Flags Policy” may be referred to herein as “this Policy.” The purpose of this Policy is to establish guidance for the display of flags at City Facilities, including the display of commemorative flags.

2. **Definitions:** The following definitions shall apply to this Policy:

“California Flag” means the State Flag of California (also known as the “Bear Flag”), as defined by California Government Code Section 420.

“City Facility” means any real property that is owned or operated by the City at which Flag Law requires the City to display the U.S. Flag or the California Flag.

“City Flag” means the official flag of the City of Napa, as defined by California Government Code Section 435, and as established by City Council resolution.

“Commemorative Flag” means any flag other than the U.S. Flag, the POW/MIA Flag, the California Flag, or the City Flag.

“Flag Law” means the applicable laws and policies of the federal government, the State of California, and the City of Napa, including: (a) U.S. Code Title 4, Chapter 1; (b) California Government Code Sections 420 and 430 – 439; and (c) and the City of Napa, including this Policy.

“POW/MIA Flag” means the flag of the National League of POW/MIA Families, as defined by California Military and Veterans Cod Sections 1830 and 1831.

“U.S. Flag” means the flag of the United States, as defined by 4 USC 1.

3. **Implementing Compliance with Flag Law through Administrative Regulations:**

3.1. Each flag that is authorized or required to be displayed at a City Facility in accordance with this Policy shall be displayed in accordance with Flag Law.

3.2. The City Manager is hereby authorized to establish and maintain written administrative regulations to document the procedures by which City staff will display flags in accordance with Flag Law.

4. **Displaying the U.S. Flag, POW/MIA Flag, California Flag, and City Flag:**

4.1. The City shall display the U.S. Flag and the California Flag at City Facilities.

4.2. The City Manager is hereby authorized to display the POW/MIA Flag at Veteran’s Park and the City’s Corporation Yard, as a symbol of the City’s commemoration and recognition of the sacrifices of those members of the United States Armed Forces, as well as nonmilitary personnel and civilians from the United States, who remain prisoners of war or are missing in action.

4.3. The City Manager is hereby authorized to display the City Flag at City Facilities.

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5. Displaying Commemorative Flags:

- 5.1. The City shall display Commemorative Flags at City Facilities as “government speech” (as that phrase is used in People for the Ethical Treatment of Animals, Inc. v. Gittens (2005) 414 F.3d 23), only to extent that City Council has adopted a resolution to authorize City staff to implement the communication of a particular City message, in accordance with this Policy.
- 5.1.1. Any member of City Council may request the City Manager to schedule an action to be taken by the City Council, at a duly noticed public meeting, to consider approval of a resolution to authorize the display of a Commemorative Flag in accordance with this Policy.
- 5.1.2. The only City Facility at which a Commemorative Flag is authorized to be displayed is at a flagpole in front of City Hall.
- 5.1.3. No more than one Commemorative Flag will be displayed at a time.
- 5.1.4. The dates for display of a Commemorative Flag shall be reasonably related to the City message that is intended to be communicated.
- 5.1.5. The resolution authorizing the display of a Commemorative Flag shall document compliance with all elements of this Policy, including: (a) the City message to be communicated, and (b) the dates for display of the flag.
- 5.2. The City Council hereby authorizes the City Manager to display a Commemorative Flag for one of the City’s Sister Cities to commemorate an event involving the sister city. The dates for the display shall correspond to the event being commemorated. The current list of official Sister Cities for the City of Napa include: Launceston, Tasmania, Australia; Iwanuma, Japan; and Casablanca Valley, Chile.