



CITY MANAGER'S OFFICE

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CITY COUNCIL STAFF REPORT

Date: April 7, 2026

Subject

Consider adopting Resolution No. 26-___ to establish a Policy on Flags on City Property

Recommended Action

Adopt Resolution No. 26-___ to establish a Policy on Flags on City Property

Reasons for Recommendation and Available Options

The City displays Federal, State, and City flags at various City facilities daily as well as commemorative flags from time to time. In 2023, staff created an administrative policy governing the display of commemorative flags on City property. While that policy provided direction for a specific category of flag displays, it did not address broader City practices related to the display of federal, state, and City flags, or other ceremonial uses. The absence of a unified policy has resulted in ambiguity regarding permissible flag displays across City facilities.

To inform the development of this policy (Attachment A), staff reviewed flag policies from peer jurisdictions, including San Jose, to identify best practices in clarity, legal defensibility, and administrative implementation.

The proposed policy establishes comprehensive guidelines governing two primary categories of flag displays on City property:

- Federal, State, and City flags
- Ceremonial and commemorative flags

This policy ensures that the City remains compliant with federal and state laws including the U.S. Flag Code, and sets standards for the proper placement, order of precedence, and daily display of the United States, California State, and City of Cupertino flags across designated City facilities. The policy also formalizes procedures for recognized holidays and half-staff protocols. In addition, it defines commemorative flags as expressions of the City's official sentiment and clarifies that it is not a forum for public expression. The policy requires City Council approval for any such display, thereby ensuring consistency, transparency, and adherence to legal standards in all flag-related practices.

Sustainability Impact

No sustainability impact.

Fiscal Impact

No fiscal impact.

City Work Program (CWP) Item/Description

None

Council Goal

Public Engagement and Transparency

California Environmental Quality Act

No California Environmental Quality Act impact.

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Reviewed by: Kirsten Squarcia, Deputy City Manager
Floy Andrews, Interim City Attorney

Approved for Submission by: Tina Kapoor, City Manager

Attachments:

A – Draft Resolution

B – Draft Policy on Flags on City Property