



CONSENT ITEM

E-7

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

VIA: TROY L. BUTZLAFF, ICMA-CM, CITY MANAGER

FROM: LOUIE F. LACASELLA, MANAGEMENT ANALYST
MARTIN QUIROZ, NEIGHBORHOOD IMPROVEMENT COORDINATOR

DATE: SEPTEMBER 19, 2016

SUBJECT: APPROVE A MILITARY BANNER PROGRAM ESTABLISHING GUIDELINES AND CRITERIA FOR THE PLACEMENT OF MILITARY BANNERS WITHIN THE CITY

SUMMARY:

Earlier this year, the City Council adopted a comprehensive Downtown Street Light Banner policy establishing guidelines pertaining to the circumstances, character, location and other standards under which the City allowed streetlight poles to be used for the display of banners promoting events or occasions that have a direct and substantial civic and/or community benefit. A privately organized group of volunteers has operated a Military Banner Program for a number of years. The Military Banner Program pays tribute to the men and women that are actively serving in the military, veterans and those who have made the ultimate sacrifice, by displaying a prestigious banner in the City as a way to publicly express the gratitude and support of the armed services. This program is consistent with the Downtown Street Light Banner policy adopted by the City Council. Recently, the primary organizer of the Military Banner Program asked if the City would be able to take over the program. This action approves a City Military Banner Program establishing a set of guidelines and criteria for the placement of Military Banners within the City.

RECOMMENDATION:

Staff recommends that the City Council take the following action:

- 1) Approve the Military Banner Program establishing a set of guidelines and criteria for the placement of Military Banners within the City.

DISCUSSION:

A group of volunteers has operated a Military Banner Program for nearly a decade. Recently, the primary organizer of the Military Banner Program asked if the City would be able to manage the program going forward. Many cities operate banner programs to honor citizens who serve or have served in the Armed Forces.

In evaluating the existing Military Banner Program, City Staff determined that there was no set of established guidelines for determining eligibility, how applications are processed, where banners are placed, what happens to retired banners and other criteria for managing the program. Staff undertook a review of Military Banner programs adopted by other neighboring cities and found that while specific Military Banner Program guidelines vary greatly across cities, several elements appear in numerous adopted programs consistent with best practices and prudent administrative management. Individual community circumstances and characteristics greatly influence the actual guidelines; however, following are some of the common components found in many well-written Military Banner Program Guidelines:

- Requirement of an Application
- Banner Printing Requirements
- Determination of Eligibility Requirements
- Application Process
- Display Term and Retired Banners
- Banner Locations
- Duration of Banner Placement
- Application Fee

Staff has incorporated these common components into the attached program guidelines (Attachment 1) and program application (Attachment 2). The proposed guidelines permits Military banners to be placed in various locations in the downtown area and near Veterans Park as set forth in the schedule referenced in the City's Streetlight Banner policy (Attachment 3).

FISCAL IMPACT:

There is no fiscal impact associated to the City by approving the Military Banner Program since the production costs will be offset by an application fee. The fee is currently set at \$120, which covers the production of the banner.

Prepared by:

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Reviewed and Approved:

Louie F. Lacasella
Management Analyst

Reviewed and Approved:

Troy L. Butzlaff, ICMA-CM
City Manager

Attachments:

- 1) Military Banner Program Guidelines
- 2) Military Banner Program Application
- 3) City's Streetlight Banner Policy



MILITARY BANNER PROGRAM

1. PURPOSE

To introduced unified design elements and sizes for all Military banners and to honor the men and women that are actively serving in the military, veterans and those who have made the ultimate sacrifice for this country. This program also creates an effective administrative process to manage the Military Banner Program and monitor the overall condition of banners and actively change-out torn or damaged banners.

2. POLICY

The City of Azusa (“City”) permits the display of Military Banners at specified location, on City property, within City rights-of-way and/or on other public rights-of-way on a first come first served basis pursuant to established City policies. The display of Military Banners is permitted solely in conformances with established policy.

In establishing these guidelines, the sole purpose of this limited forum banner program is to recognize and honor the contributions of military personnel that reside in the City of Azusa by permitting the uniform display of banners containing the service person’s name, rank and service branch.

3. APPLICATION

This regulation is a subset of the City’s overall Banner Program and applies to all departments and employees of the City of Azusa who have the responsibility to oversee the permitted placement of Military Banners.

4. BANNER SPONSOR QUALIFICATIONS

Any person or organization can be a sponsor of a military banner. Requirements for sponsorship include full payment for the cost of the banner, which shall include design and production of the banner, material cost, hardware and installation at the time of the application submittal.

5. BANNER PRINTING

5.1 Only the name (first, last, suffix, if any), rank and American armed forces branch (Army, Navy, Air Force, Marines, and Coast Guard) will be permitted on the banner.

- 5.2 A military service person's name cannot appear on more than one banner.
- 5.3 No advertisement shall be permitted on the banner.

6. ELIGIBILITY CRITERIA

To qualify to have a banner placed pursuant to these guidelines, an application, provided by the City, must be completed and returned to the City. The designated honoree named on the banner must be an active duty member of the armed forces or a service person that has given their life in the most recent military conflict; and must be City of Azusa resident.

7. DETERMINATION OF ELIGIBILITY

7.1 The application must include a copy of a driver's license or other identification satisfactory to the City, showing the address of the military service person or his or her immediate family member's address as being in the City of Azusa.

7.2 The application must also include satisfactory documentation (e.g. copy of military identification or military orders) establishing the name, armed services branch, and active duty status of the person whose name is to appear on the banner. Banners for service people who have lost their lives in the current military conflict will not require proof of active duty status.

8. APPLICATION PROCESS

8.1 Once an application is approved, the military service person's name, rank and armed forces branch will be printed on the banner which currently measures 24" x 60". The lettering of the name, rank, military branch and sponsor will be sized to fit the banner. No other information whatsoever is permitted on the banner.

8.2 Approval of a banner application only entitles the banner to be hung and displayed by the City pursuant to these guidelines. The City shall have no obligation to perform any major maintenance to a banner.

8.3 The banner sponsor shall have no right to access the banner provided. However, the sponsor may request the removal of the banner. Once removed following such a request, the banner sponsor shall have no further rights pursuant to this policy.

8.4 A banner can be sponsored anytime, provided a location is available. Once the application is approved, the installation shall occur within approximately six (6) weeks.

8.5 The applicant will be required to execute a hold harmless agreement as provided in the application. The City shall not be responsible for damage to or thefts of banners.

- 8.6 The right to have a banner displayed pursuant to this policy may not be transferred or assigned. If a banner is removed at the request of the banner sponsor, the banner sponsor may not replace the banner except by re-applying for a new banner.
- 8.7 The City reserves the right to revise this policy, discontinue the Military Banner Program, and/or revise applicable fees without prior notice. If the program is discontinued, each banner will be returned to the honoree's family.

9. DISPLAY TERM AND RETIRED BANNERS

- 9.1 A banner will be installed and displayed for one (1) year based on the schedule included within the City's Streetlight Banner Policy and with the following exceptions:
- The banner becomes damaged by wind, age or other reasons as solely determined by the City.
 - The military service person no longer meets the eligibility criteria.
 - In the event the Military Banner Program is discontinued for any reason at the discretion of the City Council.
- 9.2 Retired banners are returned to the Neighborhood Improvement Coordinator's office. The sponsor will then be notified that the banner is available for pick up. After three notices, the unclaimed banner will be discarded.

10. BANNER LOCATIONS

Banners may be displayed on Azusa Avenue between 5th Street to 9th Street during specified times of the year and around the City Hall Campus as set forth in the City's Streetlight Banner Policy. Available space is determined on a first-come, first-served basis. All banner locations shall be determined solely by the City. A banner sponsor may not select a specific location.



CITY OF AZUSA
MILITARY BANNER RECOGNITION APPLICATION



THE CITY OF AZUSA WANTS TO HONOR RESIDENTS WHO ARE CURRENTLY SERVING ON ACTIVE DUTY IN THE MILITARY. THE SERVICE PERSON WILL BE HONORED WITH A BANNER THAT WILL DISPLAY HIS/HER NAME AND BRANCH OF SERVICE AND WILL BE PROUDLY HUNG ALONG AZUSA AVENUE OR AT A SIMILAR SITE OF HONOR WITHIN THE CITY LIMITS.

PLEASE FILL OUT APPLICATION AND RETURN TO MARTIN QUIROZ, CITY MANAGER'S OFFICE, 213 E. FOOTHILL BLVD., AZUSA 91702 OR E-MAIL TO MQUIROZ@CIAZUSA.CA.US 626-812-5178.

THIS BANNER IS FOR :

Last Name	First Name	Middle Name
Branch	Rank	End of Service Date
Base or Deployment Location		E-mail Address

THIS BANNER IS BEING SPONSORED BY:

First or Company Name	Last Name	Address
Relationship to Serviceperson		Mailing Address, City, State and Zip code
E-mail Address		Telephone or Cellular Number

**THIS BANNER APPLICATION MUST BE ACCOMPANIED WITH A CHECK FOR \$120 MADE OUT TO:
 CITY OF AZUSA MILITARY BANNER PROGRAM**

FOR CITY USE ONLY

Banner Location: _____ Installation Date _____ Initials _____

Applicants Discharge or Leave Date _____ Date or Presentation at site by Council _____

Additional Comments _____

_____ Staff Approval _____

_____ holds harmless City of Azusa, its officers, officials, employees, and volunteers from and against any and all liability, claims, damage, cost, expenses, awards, fines, judgments, and attorney fees (including, without limitation, costs, attorney fees, expert witness fees, and other expenses of litigation) of every nature arising out of or in connection with this banner program.

STREETLIGHT BANNER POLICY

1. PURPOSE

It is the purpose of this policy to articulate regulations pertaining to the circumstances, character, location and other standards under which the City will permit the use of streetlight poles to display banners promoting events or occasions that have a direct and substantial civic and/or community benefit and enrich the aesthetic and visual appearance of Azusa's thoroughfares. Permitting the placement of such banners should in no way be construed as establishment of a public forum for expression or promotion of ideas or opinions. The display of streetlight banners is limited to cultural, educational, patriotic and civic events which contribute to the community's quality of life; community events or special programs which lend a special character to the City of Azusa; increasing awareness of City-sponsored activities and events, promoting economic development; and notifying the public of charitable endeavors which benefit the community.

2. POLICY

This policy shall cover the installation of banners on all City-owned street light poles in conformity with the conditions and restrictions set forth below.

- A. Banners may only convey a noncommercial message and promote civic, patriotic, cultural and educational activities, celebrations or events. No banners with the main intent of commercial advertising will be allowed.
- B. By enactment and administration of this policy, the City does not intend to designate City streetlights or the banners for expressive activities or designate them as a public forum for expressive activities. Neither the streetlights, banners nor the content of the banners are "forums" for expressive activity by the public.
- C. Banners cannot be visually distracting or have excessive wording such as to cause distractions to motorists. City Staff will review designs for appropriate design criteria and recommend any modifications necessary prior to production and upon City Manager's application approval
- D. Requests for dates and placement of banners are on a first come, first serve basis. If requested dates conflict, priority will be given in the following order:
 - Events run by the City of Azusa;
 - Events cosponsored by the City of Azusa;
 - Events geographically located within the City;

3. DEFINITIONS

- A. Sponsoring Organization – Any non-profit organization that is exempt from taxes under federal law (e.g. of these groups are organized for fraternal, charitable, religious, educational organization, the Chamber of Commerce, civic or social welfare organizations and veterans groups that serve the City of Azusa or any organization sponsoring an event approved or sanctioned by the City is considered an eligible Sponsoring Organization under this policy.
- B. City Manager – Chief administrative officer for the City of Azusa who is responsible for the proper management of the City Hall Campus and Downtown Streetlight Banner Program.
- C. City Hall Campus Streetlights– All City owned streetlight poles bounded by Foothill Blvd. to the south, Ninth Street to the north, Alameda Avenue to the west and Dalton Avenue on the east.
- D. Downtown Streetlights – All City owned street light poles bounded by Fifth Street on the south, Ninth Street on the north along Azusa Avenue
- E. Transit Square – All City owned street and parking light poles in and around the Foothill Gold Line Station (Azusa Station) including the downtown parking structure.

4. ELIGIBILITY: Sponsoring Organizations, or the event, must be located or held within the corporate boundary of the City of Azusa to be eligible. The City may request proof of eligibility from the Sponsoring Organization.
5. APPLICATION PROCESS: The Sponsoring Organization or business shall make a written application and present it to the City Manager's office six (6) weeks prior to a planned installation date. The City Manager will share the each application with the City's Code Enforcement Department, Business License Department and Neighborhood Improvement Coordinator, which may take up to three weeks to review and make recommendations back to the City Manager.

Application shall include:

- Name of special event
 - Name of business or sponsoring organization
 - Date of special event
 - Time period requested for banner exposure
 - Banner design
 - Number of Streetlight banners requested
 - Location of banners
6. APPROVAL TIME: Once reviewed by the City's Code Enforcement, Business License and Neighborhood Improvement staff, applications for placement of banners shall be returned to the City Manager's Office with their recommendation and explanation as to either approve or deny a Sponsoring Organization's application. Every effort will be made to render a decision at least (3) weeks before the desired placement date of the Sponsoring Organization's request.
 7. BANNER INFORMATION CONTENT: All banner designs should be artistic in nature and graphically or symbolically represent the design objectives for the season, event or programs. Banners can include text for dates, activities and/or the title of events. Banners are not to be used for commercial advertising purposes or to advertise or promote political candidates, parties or issues. However, professionally placed logos of a business or corporation sponsoring an event may be included on the banners. No more than ten percent of the banners area may be used for sponsor's logos.
 8. BANNER DESIGN: The graphic design of all banners in the City of Azusa program must be developed by each individual sponsoring organization under the banner program guidelines in this policy.
 9. BANNER SPECIFICATIONS: All banners shall comply with the following banner specifications:
 - A. All banners shall be printed on both sides
 - B. All banners in the program shall be made of marine acrylic or heavy reinforced vinyl which is resistant to ultraviolet rays, mold and mildew. Each banner shall have two (2) double reinforced two inch hems. Banners shall be 24" x 48" in size.
 - C. Banner brackets are in place on both Downtown and City Hall Campus locations on the streetlight poles. If a sponsoring agent wishes to place additional brackets on poles, they shall first secure the City Manager's approval and purchase the brackets of the same type and style currently in use by the City. Azusa Parks and Family Services personnel will install said brackets at no cost to the sponsors when they install the banners on the existing brackets. Once installed, the brackets shall become the property of the City.
 10. BANNER PLACEMENT: The City has three (3) specific locations where banners can be installed. These locations and there specific theme are identified in Section 12 below. A Sponsoring Organization requesting installation at a specific location(s) should indicate both a first choice and also a second choice for the placement

of their banner(s). The City reserves the right to limit the number of banners used by any Sponsoring Organization. The City's Public Works or Recreation and Family Services staff will be responsible for placement and retrieval of approved streetlight banners. The Azusa City Council shall establish a charge for the installation and removal of special event banners for each event. Installation fees shall be submitted to the City before banner(s) placement is permitted. There are no provisions for cross street (building to building) banners in this policy. Any unpermitted or out of compliance banner(s) may be removed by the City at any time and held in the Code Enforcement Department for retrieval by owner.

11. DURATION OF BANNER PLACEMENT: Banners may be hung for a period not to exceed sixty (60) days. The City Manager may extend the time period for an additional thirty (30) days. In no event shall the time period exceed ninety (90) days.

12. LOCATION

LOCATION	THEME
Downtown	February – April Economic Development
	May – July Veterans/Patriotic Pride
	August – October Economic Development
	October – November Veterans/Patriotic Pride
	November – January Holiday Celebration
City Hall Campus	To celebrate and showcase civic events and/or activities; promote services and programs offered by the City; recognize veterans or events and/or programs that promote patriotic themes.
Transit Square	To support and brand civic, cultural and educational events, promote the community and to special events held within the City

13. **BANNER FEES:** Fees for placing banners at various locations as identified in this policy shall be set by the City Council as part of the City's Comprehensive Schedule of Fees and Charges. Fees may be waived for city-sanctioned special events and/or activities that promote economic development, civic or patriotic themes. Fees for other significant public special events can only be waived by the City Manager, or his designee, at his discretion.
14. **BANNER CONDITION:** The City Manager has the authority to refuse the placement of streetlight banners which are in poor or substandard condition. In addition, the City Manager has the authority to order the removal of banner(s) which have become frayed, ripped, discolored or otherwise unsightly, prior to the expiration of the banner placement term.
15. **IDEMNIFICATION:** The sponsoring organization shall sign a waiver and hold harmless agreement with the City.
16. **APPEALS:** The City Manager is authorized by the Azusa City Council to approve, or deny the design and or placement of banners authorized under this policy. If a banner design or placement is denied by the City Manager, the sponsoring organization or business may appeal this decision directly to the City Council by asking to be placed on the agenda for the next available City Council Meeting.
17. **STORAGE LIABILITY:** The City shall not be responsible for storing banners. Banners must be furnished to the City, by a representative of the sponsoring organization, five (5) business days prior to their scheduled installation and picked up by a representative of the sponsoring entity within fifteen (15) business days after their scheduled removal. The City reserves the right to dispose of banners that have not been picked up within said fifteen (15) business day period.
18. **RISK OF LOSS:** The sponsoring organization displaying a banner(s) shall at all times bear any risk of loss, damage or destruction of or to the entity's banner(s), and under no circumstances shall the City be responsible to any person or entity for damage to or loss of any banner(s), including loss of the value of the banner should this policy, either existing or as subsequently modified, prohibit its display.