



County of Santa Cruz 0067

BOARD OF SUPERVISORS

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SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 10/23/01

October 12, 2001

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: REQUEST FOR PERMISSION TO USE IMAGE OF THE COUNTY FLAG

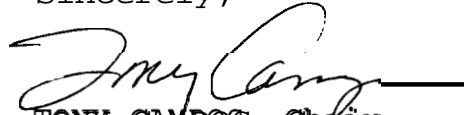
Dear Members of the Board:

A request was recently received by the Board for permission to use an image of the Santa Cruz County flag on the World Wide Web. The individual requesting use of the image, Michael P. Smuda, is a computer programmer interested in the field of vexillology--the study of flags. By submitting the attached letter, Mr. Smuda is complying with the requirements of County Code Section 1.06.020 in formally requesting authorization by the Board to use an image of the County flag on his personal web site and by the international vexillological society known as the Flags of the World.

In response to my request to County staff for assistance in determining an appropriate procedure to authorize use of the image of the County flag, Chief Assistant County Counsel Rahn Garcia provided the attached information. As Mr. Garcia indicates, in September, 2000, the Board authorized the use of the County seal on patient identification cards issued by the County's California Children's Services program through an item placed on the Consent Agenda. Similarly, this method of placing an item on the Board's agenda for consideration would meet the need for "express authorization" identified in Section 1.06.020 through the issuance of a minute order by the Clerk of the Board if the item receives Board approval.

While I believe that this would be an appropriate procedure for considering requests for use of the image of the County flag, I believe we should also limit any authorization to a period of five years. Further, if the Board has authorized use of the image for a five year period, and the individual or group so authorized is interested in requesting an extension for another five year period, it would be necessary for the Board to consider a new request at that time. Accordingly, I recommend that the Board authorize the use of an image of the County flag by Michael P. Smuda and the society known as the Flags of the World for a period of five years from the date of authorization.

Sincerely,


TONY CAMPOS,, Chairman
Board of Supervisors

TC:ted
Attachments

cc: Michael P. Smuda
Rahn Garcia, Chief Assistant County Counsel
County Administrative Officer

2793A6

552 Celia Street
Hayward CA 94544-5818
August 16,2001

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz CA 95060-4003

Dear Sirs:


In accordance with County Code Chapter 1.06, Section 1.06.020, I am requesting permission to use an image of the Santa Cruz County flag on web pages for the sole purpose of education with no monetary exchange.

My name is Michael P. Smuda, a resident of Hayward, California. I am a computer programmer with a hobby in the field of vexillology (the study of flags). Part of that hobby involves making information about flags available via the World Wide Web.

As a personal project, I am creating a collection of web pages about governmental and semi-governmental flags of California which will include county, city and governmental agency flags with information about their form, creation and usage. For this purpose, I request permission to display the Santa Cruz county flag on my personal site.

In addition, I am a member of an international vexillological society known as the Flags of the World (FOTW), which maintains the largest collection of flag information available through the web and has recently been granted membership in the International Federation of Vexillological Associations (FIAV). This is a not-for-profit organization whose goal is to provide vexillological information for free. The FOTW would also like to include your county flag in its collection, and as a member I request permission for FOTW to display the flag.

Thank you for your consideration.



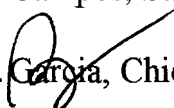
Michael P. Smuda

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

CONFIDENTIAL
ATTORNEY-CLIENT INFORMATION

DATE: October 10, 2001

TO: Tony Campos, Santa Cruz County Board of Supervisors Chairman

FROM: ~~Rahn Garcia~~ , Chief Assistant County Counsel

SUBJECT: REQUEST FOR PERMISSION TO USE IMAGE OF COUNTY FLAG

You have asked this Office to recommend a procedure for seeking authorization from the Board of Supervisors for making use of the County's flag. Section 1.06.020 of the Santa Cruz County Code prohibits the unauthorized or improper use of the County's officially adopted flag:

No person, group, corporation, association or profit organization, association or political committee shall cause to be prepared, distributed or published, or permit the preparation, distribution or publication of, any letter, advertisement, bumper sticker, flyer, pamphlet, handbill or other material containing a representation of the ~~Santa~~ Cruz County flag, or any other similar flag, without the express authorization of the Board of Supervisors of the County.

Violation of this provision is deemed an infraction. County Code Section 1.06.030. The protections afforded the County's flag are almost identical to those provided for the County's Official Seal. See Chapter 1.08.020 of the Santa ~~Cruz~~ County Code. Use of either the County's flag or seal require the "...express authorization of the Board of Supervisors of the County of Santa Cruz."

Your Board has recently taken action to authorize the use of the County seal on the patient identification cards issued by the County's California Children Services (CCS) program. See Board of Supervisor's Agenda item 32, September 26, 2000. A similar approach could be

employed for persons requesting authorization to make use of the County's flag. A member of the public could request authorization to use the County flag by contacting one or more members of the Board. It would then be within the individual discretion of a Board member so contacted to decide whether the requested use was appropriate. The member would then place the matter on the Board's agenda for consideration by the entire Board. If the proposed use is approved, documentation of the Board's "express authorization" as required by Section 1.06.020, would be in the form of a minute order.

Please contact me if you have any further questions regarding this matter.

cc: County Administrative Officer