



Staff Report

File #: 16-349, Item #: 8.1

Meeting Date: 12/14/2016

Westminster City Council

To: Honorable Mayor and City Council
Thru: Eddie Manfro, City Manager
From: Mayor Tri Ta and Council Member Tyler Diep
Reviewed by: Sherry Johnson, Finance Director
Prepared by: Mayor Tri Ta and Council Member Tyler Diep

SUBJECT:

Resolution Opposing the Display of the Flag of the Social Republic of Vietnam.

RECOMMENDED ACTION/MOTION:

Mayor Ta and Council Member Diep recommend that the City Council adopt a Resolution entitled, "A Resolution of the City of Westminster Opposing the Display of the Flag of the Socialist Republic of Vietnam in the City of Westminster."

BACKGROUND/DISCUSSION:

California is home to the largest Vietnamese-American population in the United States and Westminster is home to a higher percentage of Vietnamese-American residents than any other California city.

The vast majority of the Vietnamese-Americans who fled Vietnam do not recognize or condone the Vietnam Communist regime, which has demonstrated a pattern of consistent violations of human rights and religious freedom and oppression for the past 41 years. In contrast, the City of Westminster has a strong history of uniting as a community to advance the cause of freedom and democracy.

While the current flag of the Social Republic of Vietnam is the official flag of the Vietnam communist government, it is not recognized by the Vietnamese Nation. The Vietnamese Nation recognizes and honors the former Republic of Vietnam consisting of three horizontal stripes of red on gold.

The proposed resolution reaffirms the Mayor and City Council's prior recognition of the flag of the former Republic of Vietnam as the official flag of the Vietnamese Nation and formally expresses the Mayor and City Council's opposition to displaying the Socialist Republic of Vietnam flag within city limits and on any property owned by the City.

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

1 - Proposed Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF WESTMINSTER, OPPOSING THE DISPLAY
OF THE FLAG OF THE SOCIALIST REPUBLIC OF
VIETNAM IN THE CITY OF WESTMINSTER

WHEREAS, for the past 41 years, the Socialist Republic of Vietnam has demonstrated a pattern of consistent violations of human rights and religious freedom by imprisonment of many intellectuals, bloggers, writers, and doctors who have raised concerns regarding human rights in Vietnam; and

WHEREAS, the flag of the Socialist Republic of Vietnam is a symbol of dictatorship and tyranny; and

WHEREAS, the vast majority of the Vietnamese-Americans who fled Vietnam do not recognize or condone the Vietnam Communist regime; and

WHEREAS, the State of California is home to the largest Vietnamese-American population in the United States of America, and the City of Westminster is home to a higher percentage of Vietnamese-American residents than any other California city; and

WHEREAS, the people of the former Republic of Vietnam were valiant in their resistance to the aggression of communist North Vietnam, and refugees from the Republic of Vietnam who emigrated to the United States of America and settled in the City of Westminster should be honored and remembered for their sacrifices such that the only flag depicting the Nation of Vietnam should be the flag of the former Republic of Vietnam; and

WHEREAS, the flag of the free Vietnamese people is the flag of the former Republic of Vietnam, which consists of three horizontal stripes of red (gules) upon a field of gold (or); and

WHEREAS, the flag of the one-party regime currently holding power in occupied Vietnam may be the flag of a government, but it is not the flag of the Vietnamese Nation; and

WHEREAS, the culture and history of the Vietnamese people should be celebrated and honored with the flag of the Vietnamese Nation, not the flag of the current tyrannical regime; and

WHEREAS, the flag of the Vietnamese Nation remains a poignant reminder of the threat of communism, and the imperative to remain vigilant in opposition to tyranny of all forms, and to actively support human rights; and

WHEREAS, the City of Westminster has a strong history of standing together as a community to advance the cause of freedom and democracy; and

WHEREAS, for these reasons the Mayor and City Council desire to express opposition to the display of the flag of the Socialist Republic of Vietnam in the City of Westminster.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council of the City of Westminster does resolve as follows:

SECTION 1. The Mayor and City Council hereby reaffirm the City's prior recognition of the flag of the former Republic of Vietnam as the official flag of the Vietnamese Nation, and that this flag may be displayed on any city-owned property at any city-controlled or sponsored Vietnamese-American event, subject to compliance with the City's standard permitting requirements.

SECTION 2. The Mayor and City Council further express that they are opposed to the display of the flag of the Socialist Republic of Vietnam within Westminster City limits. This flag has historically and continually served as a symbol of dictatorship and tyranny, and for this reason the Mayor and City Council further resolve that it should not be displayed by the City on any of its properties.

SECTION 3. The City Clerk shall certify to the passage and adoption hereof.

PASSED, APPROVED AND ADOPTED this 14th day of December 2016, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

TRI TA, MAYOR

ATTEST:

AMANDA JENSEN, CMC
CITY CLERK

APPROVED AS TO FORM:

RICHARD D. JONES, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF WESTMINSTER)

I, AMANDA JENSEN, hereby certify that I am the duly appointed City Clerk of the City of Westminster; that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Westminster held on the 14th day of December 2016.

Amanda Jensen, CMC, City Clerk

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