

City of Calistoga Staff Report

TO: Honorable Mayor and City Council
FROM: Dylan Feik, City Manager
DATE: June 5, 2018
SUBJECT: Consideration of Displaying the Rainbow Flag from June 8, 2018 to June 15, 2018 and the Transgender Flag from June 18 to June 24, 2018 on the Ceremonial Flag Pole.

APPROVAL FOR FORWARDING:



Dylan Feik, City Manager

-
- 1 **ISSUE:** Consideration of Displaying the Rainbow Flag from June 8, 2018 to June 15,
 - 2 2018 and the Transgender Flag from June 18 to June 24, 2018 on the Ceremonial Flag
 - 3 Pole.
 - 4
 - 5 **RECOMMENDATION:** By motion, approve the display of the Rainbow Flag, a Non-
 - 6 Governmental Flag, on the City ceremonial flag pole from June 8 to June 15, 2018 and
 - 7 the Transgender Flag, a Non-Governmental Flag, on the City ceremonial flag pole from
 - 8 June 18 to June 24, 2018.
 - 9
 - 10 **BACKGROUND/DISCUSSION:** Mayor Canning is requesting the Rainbow Flag be
 - 11 flown on the City of Calistoga’s Ceremonial Flag Pole from June 8, 2018 to June 15,
 - 12 2018 and the Transgender Flag be flown on the City of Calistoga’s Ceremonial Flag
 - 13 Pole from June 18, 2018 to June 24, 2018, in honor of Napa Valley LGBTQ Pride Week.
 - 14
 - 15 **FISCAL IMPACT:** There is no fiscal impact to the City with allowing this flag to be
 - 16 flown.
 - 17
 - 18 **Attachment:**
 - 19 1. Email from Mayor Chris Canning
 - 20 2. Non-Governmental Flag Policy

Kathy Flamson

Subject: FW: City Council Request to Fly LGBTQ Flags

From: Chris Canning
Sent: Thursday, May 24, 2018 4:18 PM
To: Kathy Flamson <kflamson@ci.calistoga.ca.us>
Subject: Re: City Council Request to Fly LGBTQ Flags

Yes.

Chris Canning
Mayor, City of Calistoga
Cell: (707) 815-2105

From: Susan Napoliello
Sent: Thursday, May 3, 2018 10:58 AM
To: Kathy Flamson <kflamson@ci.calistoga.ca.us>
Cc: Rosemarie <pflagnapa@gmail.com>; Eduardo Rivera <eduardo@lgbtqconnection.org>; Ian Stanley Posadas <ian@lgbtqconnection.org>; Chris Canning <ccanning@ci.calistoga.ca.us>
Subject: City Council Request to Fly LGBTQ Flags

Dear Calistoga City Council,

On behalf of PFLAG Napa-UpValley Support Group* and LGBTQ Connection**, two organizations that offer support and services to the LGBTQ community and their families in Calistoga, I would like to request that our Rainbow Flag be flown on the Calistoga City flag pole the week of June 4-10 which includes June 9th when the LGBTQ Connection Youth Leadership Group will be hosting the PRIDE Picnic in Pioneer Park and the Transgender Flag flown the week of June 18-24th which includes June 24th when many PRIDE month celebrations will take place in the greater Bay Area. Please let us know when we can present the flags to the City Council at one of your upcoming meetings.

If you have any questions regarding this request please direct them to me. Thank you for your consideration and response.

Susan Napoliello, Facilitator
PFLAG Napa UpValley Support Group
415-734-1355

Eduardo Rivera , Program Coordinator
LGBTQ Connection
707-320-8116

*PFLAG Napa

RESOLUTION NO. 2014-043

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, RESCINDING RESOLUTION NO. 2014-025 AND REPLACING THE POLICIES FOR THE OUTDOOR DISPLAY OF GOVERNMENTAL AND NON-GOVERNMENTAL FLAGS ON CITY PROPERTY

WHEREAS, the City desires to establish a uniform policy to govern the flying of the National, State and City flags on City-owned properties at half-staff to pay homage to the deceased; and

WHEREAS, the City also desires to establish a uniform policy to govern the display of non-governmental flags on specified City-owned flagpoles; and

WHEREAS, at its regular meeting on April 1, 2014, the City Council adopted Resolution No. 2014-025 establishing policies about the display of governmental and non-governmental flags on City-owned properties and flagpoles; and

WHEREAS, the City Council wishes to rescind Resolution No. 2014-025 and replace it with revised policies for the outdoor display of governmental and non-governmental flags on City-owned property and flagpoles as an expression of the City's official sentiments.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Calistoga, as follows:

1. Recitals. The recitals are true and correct and material to this Resolution.
2. Environmental Review. In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the City Council hereby finds that the adoption of this Resolution and its policies are not subject to CEQA because it can be seen with certainty that there is no possibility that they could have a significant effect on the environment.
3. Rescission. The City Council hereby rescinds Resolution No. 2014-025 in its entirety and replaces it with this Resolution.
4. Adoption of Policies. The City Council hereby adopts the policies on flying Governmental and Non-Governmental Flags as shown in Exhibits A and B, which are attached hereto and incorporated herein by this reference.
5. Severability. If any action, subsection, clause or phrase of this Resolution or the policies in Exhibits A and B shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Resolution or of the policies adopted by this Resolution that can be given effect without the invalid provisions.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this 3rd day of June, 2014 following vote:

AYES: Councilmember Barnes, Vice Mayor Dunsford,
Councilmembers Lopez-Ortega and Kraus and Mayor
Canning
NOES: None
ABSTAIN: None
ABSENT: None



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, Deputy City Clerk

EXHIBIT A

Policy on Flying Flags on City Property at Half-Staff

Purpose

The purpose of this administrative policy is to establish a uniform policy to govern the flying of the United States, California, and City of Calistoga flags ("Governmental Flags") at half-staff on City-owned property to pay homage to the deceased. The City's flagpoles are not intended to serve as a forum for free expression by the public.

Applicability

1. National flags and/or California flags on City-owned property shall be flown at half-staff upon order of the President of the United States or authorization by the Governor of California, and on Memorial Day until noon.
2. National, California, and/or City flags on City-owned property may also be flown at half-staff at the direction of the Mayor upon the death of:
 - A City Councilmember, past or present;
 - A City employee whose death occurred during the discharge of duty;
 - A City employee or retiree having served the City for 25 or more years; and/or
 - A prominent citizen not holding or having held elected public office, whose accomplishments and contributions to the community clearly demonstrated a commitment over and beyond that which would be normally associated with the performance of work.

For the above circumstances, flags will be flown at half-staff as soon as practicable following the notification of a death, and will ordinarily be continued for 48 hours.

3. Nothing set forth in this Policy is intended to prohibit or curtail individuals from displaying a flag on private property under his or her control or to wear or carry a flag.

EXHIBIT B

Policy on the Display of Non-Governmental Flags on City Property

Purpose

The purpose of this administrative policy is to establish a uniform policy to govern the flying of certain flags other than the National, California and/or City flag ("Non-Governmental Flags") as an expression of the City's official sentiments on City-owned flagpoles which are not otherwise dedicated to the display of the National, California and/or City flag ("Ceremonial Flagpoles"). The City's flagpoles are not intended to serve as a forum for free expression by the public.

Applicability

1. The Mayor and/or a member of the City Council may submit a request to the City Manager in writing to display a Non-Governmental Flag on a Ceremonial Flagpole in conjunction with official actions, ceremonial items, or proclamations of the City Council. The request shall specify: (a) the type of flag to be displayed, (b) how display of the flag would relate to a prior or proposed official action, ceremonial item or proclamation of the City Council, and (c) the proposed time, place and manner of display. Upon receipt of such a request, the matter shall be agendaized for consideration by the City Council.
2. Following consideration of a request, if the Council approves the request, either by minute order or in conjunction with adoption of some other official action, ceremonial item, or proclamation, the City shall display the requested Non-Governmental Flag on a Ceremonial Flagpole at the time, place and manner so directed by the Council. If the Council does not approve a request, it shall be deemed to have been denied and shall not be reconsidered for a period of six (6) months.
3. When a Ceremonial Flagpole is not displaying a Non-Governmental Flag, the City flag may be flown upon the order of the City Manager, in his or her discretion.
4. Nothing set forth in this Policy is intended to prohibit or curtail individuals from displaying a flag on private property under his or her control or to wear or carry a flag.

END OF POLICY