



CITY OF CALISTOGA

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Irene Camacho-Werby, City Clerk
DATE: September 3, 2019
SUBJECT: Request approving the Display of the Flag of Mexico the week of September 15, 2019, on the City's Ceremonial Flagpole.

Approved by

A handwritten signature in blue ink that reads 'Michael Kirn'. The signature is written in a cursive style.

Michael Kirn, City Manager

DESCRIPTION:

Consider Displaying the Flag of Mexico the week of September 15, 2019, on the City's Ceremonial Flagpole.

RECOMMENDATION:

Consider approving the request.

SUMMARY:

Councilmember Lopez-Ortega is requesting the flag of Mexico be flown on the City of Calistoga's Ceremonial Flagpole the week of September 15, 2019, in honor of the sixth annual Napa Valley Latino Heritage Month. This is celebrated annually on September 15th through October 15th valley-wide with proclamations and many activities. These observances will coincide with the long-standing civic and cultural tradition of National Hispanic Month.

ATTACHMENTS:

1. Correspondence dated August 27, 2019
2. Non-Governmental Flag Policy

Irene Camacho-Werby

From: Irais Lopez-Ortega
Sent: Tuesday, August 27, 2019 12:09 PM
To: Irene Camacho-Werby
Subject: Re: Latino Heritage Month Agenda Item

Hello Irene

Yes you are getting a request very soon from the Adelante group
I meet with them last night I just receive a letter in Spanish from them
They are sending you their request very soon.
Also they will come to receive then proclamation.

September 3rd.

Thank you

Irais

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From: Irene Camacho-Werby <icamacho-werby@ci.calistoga.ca.us>
Sent: Tuesday, August 27, 2019 10:28:12 AM
To: Irais Lopez-Ortega <ilopez-ortega@ci.calistoga.ca.us>
Subject: Latino Heritage Month Agenda Item

Good morning Irais,

I would like to confirm that you would like the Flag of Mexico flown on the City's ceremonial flagpole the week of September 15, 2019, in honor of Latino Heritage month.

Sincerely,

Irene Camacho-Werby, CMC

City Clerk

Ph. (707) 942-2807

icamacho-werby@ci.calistoga.ca.us

City of Calistoga 1232 Washington Street
Calistoga, CA 94515 www.ci.calistoga.ca.us
Office Hours: **Monday-Friday 8am- 4:30pm**



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