



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Human Resources

Prepared by: Alissa Curtin
Administrative Services Analyst

City Manager Approval: _____

TOPIC: LGBTQIA+ PRIDE MONTH AND DISPLAY OF PRIDE FLAG

SUBJECT: RESOLUTION DELCARING JUNE 2023 AS LGBTQIA+ PRIDE MONTH AND AUTHORIZING THE ANNUAL DISPLAY OF THE PRIDE FLAG DURING THE MONTH OF JUNE ON THE CITY HALL FLAGPOLE

RECOMMENDATION:

Adopt the resolution to proclaim June 2023 as LGBTQIA+ Pride Month and approve the annual display of the Pride Flag on the City Hall flagpole for the month of June.

BACKGROUND:

Over the past two years, the City Council has declared by proclamation the month of June as Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex, Asexual, and more (LGBTQIA+) Pride Month in the City of San Rafael.

In accordance with the City’s Revised Outdoor Flag Display Policy (October 2021), the City has raised the commemorative Pride Flag on the City Hall flagpole during the month of June each year. This policy allows for the display of commemorative flags when the request is brought forth by a City Council member.

Mayor Kate Colin requested the display of the Pride Flag on the City Hall flagpole for the month of June 2023, to commemorate Pride Month.

In addition, Mayor Kate Colin made the request to establish the annual permanent action of displaying the Pride flag on the City Hall flagpole at the start of the month of June and for the duration of the month, unless withdrawn by a future resolution.

ANALYSIS:

The annual proclamation of June as LGBTQIA+ Pride Month will be further committed through this resolution to declare June 2023 as LGBTQIA+ Pride Month and by the approval of the annual display of the Pride Flag during the month of June. This will allow the flag to be displayed beginning the first of June, through the end of the month, in perpetuity, unless withdrawn by a future resolution.

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

FISCAL IMPACT:

There is no fiscal impact associated with this report.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt resolution.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt the resolution to proclaim June 2023 as LGBTQIA+ Pride Month and approve the annual display of the Pride Flag on the City Hall flagpole for the month of June.

ATTACHMENTS:

1. Resolution
2. Outdoor flag policy (October 2021)

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AUTHORIZING THE DECLARATION OF JUNE 2023 AS LGBTQIA+ PRIDE MONTH AND AUTHORIZING THE ANNUAL DISPLAY OF THE PRIDE FLAG DURING THE MONTH OF JUNE ON THE CITY HALL FLAGPOLE

WHEREAS, the City of San Rafael has celebrated LGBTQIA+ Pride Month in June and wishes to declare June 2023 as LGBTQIA+ Pride Month; and

WHEREAS, whereas the October 2021 revised Outdoor Flag Display Policy states that if requested by a City Council member, and with the authorization of the City Council at a meeting of the City Council, a commemorative flag can be flown on the City Hall flagpole for a reasonable period but no longer than thirty-one days; and

WHEREAS, Mayor Kate Colin has requested the display of the Pride Flag on the City Hall flagpole for the month of June 2023, to commemorate Pride Month; and

WHEREAS, Mayor Kate Colin made the request to establish the annual permanent action of displaying the Pride flag on the City Hall flagpole for the month of June, unless withdrawn by a future resolution.

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby authorizes the declaration of June 2023 as LGBTQIA+ Pride Month and authorizes the annual display of the Pride Flag during the month of June on the City Hall flagpole.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Monday, the 5th day of June 2023, by the following vote, to wit:

AYES: **Councilmembers:**
NOES: **Councilmembers:**
ABSENT: **Councilmembers:**

Lindsay Lara, City Clerk

CITY OF SAN RAFAEL
POLICIES AND PROCEDURES



Subject:	Flag Protocol Policy
Issue Date:	December 2006
Revision Date:	October 7, 2021
Prepared By:	Thomas Wong, Analyst
Approved By:	Jim Schutz, City Manager

OUTDOOR FLAG DISPLAY POLICY

PURPOSE:

The purpose of this flagpole policy is to provide procedural guidance for the outdoor display of flags on City-owned and maintained flagpoles.

In adopting this policy, it is the intent of the City of San Rafael that the City's flag displays are not intended to serve as a forum for free expression of the public but rather for the display of Federal and State flags and any commemorative flag as may be authorized by the City Council as an expression of the City Council's official sentiments.

RESPONSIBILITY:

City Manager, Police, Fire, Public Works and Library and Recreation departments.

REFERENCES:

Title 4, Chapter 1 of the United States Code and California Government Code Section 430-439.

DEFINITIONS:

None.

POLICY:

Flags shall be displayed in accordance with Federal and State statutes, including, but not limited to, Title 4, Chapter 1 of the United States Code and Sections 430 through 439 of the California Government Code, and this policy.

PROCEDURE:

A. United States Flag, California State Flag, and City of San Rafael Flag

1. No other flag shall be placed above the United States Flag, and no other flag shall be larger than the United States Flag. Other flags may be flown at the same height and in the same size according to this policy. Where both the United States Flag and the California State Flags are flown, they shall be of the same size.

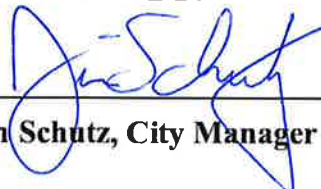
Flag Protocol Policy

2. When flags are displayed on a single pole, the order from top to bottom shall be; the United States Flag, the California State Flag, and if displayed, the City of San Rafael Flag.
3. Flags shall be displayed during operating hours on all days the City is open for business, and on national and state holidays, at a minimum. Flags may be displayed twenty-four (24) hours a day if they are illuminated during darkness.
4. Only the U.S. President, Governor of California, Mayor of San Rafael, or a majority vote of the San Rafael City Council can order the United States, California State, or City of San Rafael Flags to fly at half-staff. It shall be City custom to follow the lead of the federal and state governments when the President and/or Governor orders the flags to be flown at half-staff. Whenever the U.S. Flag is flown at half-staff, all displayed flags shall also be flown at half-staff.

B. Commemorative Flags

1. The City's flag displays are not intended to serve as a forum for free expression by the public. The City shall display commemorative flags only if authorized by the City Council to express the City's official sentiments. Any such authorization shall be given at a duly noticed meeting of the City Council.
2. The City Council shall only consider a request to display a commemorative flag if the request is made by a member of the San Rafael City Council.
3. Commemorative flags shall be displayed for a reasonable or customary period for the subject that is to be commemorated, but no longer than thirty-one (31) continuous days.
4. Commemorative flags shall be displayed exclusively on San Rafael City Hall flagpoles.
5. A commemorative Tree City USA – Arbor Day Foundation flag shall be the only commemorative flag to be displayed at the flag poles located at the Central San Rafael Northbound US Highway 101 Exit at Irwin Street and Second Street.
6. Commemorative flags displayed on the San Rafael City Hall flagpoles shall be displayed in the last position of honor unless otherwise directed by the City Council. To the extent, such display does not conflict with federal law, state law, or this policy.

APPROVED BY:



Jim Schutz, City Manager

10-7-21

Date