

Town of Yountville

Resolution Number 22-4123

A RESOLUTION OF THE TOWN COUNCIL APPROVING THE ANNUAL DISPLAY OF THE RAINBOW FLAG AND TRANSGENDER FLAG ON THE TOWN'S CEREMONIAL FLAGPOLE PURSUANT TO THE TOWN'S FLAG POLICY FOR THE MONTH OF JUNE IN RECOGNITION OF LGBTQ PRIDE MONTH.

Recitals

- A. At the Town Council meeting held June 4, 2019, the Council established a uniform policy regarding (1) the display of the United States Flag, the California State Flag, the POW-MIA Flag, and any current or future Town of Yountville flag on Town-owned property; (2) the display of non-governmental ceremonial flags ("Ceremonial Flags") on Town-owned property; and (3) the flying of the National, State and Town flags at half-staff on Town-owned property.
- B. In adopting this policy, the Town Council declares that the Town's flagpoles are not intended to serve as a forum for free expression of the public, but rather for the display of Federal, State, and Town (if any) Flags, the POW-MIA Flag, and any Ceremonial Flag as may be authorized by written resolution of the Town Council as an expression of the Town's official sentiments.
- C. The Ceremonial Flagpole is located at Town Hall to the left of the front entrance and is separate from the flagpole on which the National and State flag is flown.
- D. The Rainbow Flag is a nationally recognized flag that was created in 1978 to represent the gay community and has become an internationally recognized symbol for LGBTQ rights.
- E. LGBTQ Pride Month is celebrated annually in the month of June to honor the Stonewall Riots in New York City, which marked a pivotal point for LGBTQ rights in the United States.
- F. The Town desires to display the Rainbow Flag at Town Hall annually starting June 1 to June 30 in recognition of Pride Month and to celebrate diversity and inclusion.
- G. In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the proposed 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.

Now, therefore, the Town Council of the Town of Yountville does resolve as follows:

- 1. Hereby Adopts this Resolution approving the annual display of the Rainbow Flag and Transgender Flag on the Town's Ceremonial Flagpole pursuant to the Town's Flag Policy for the month of June in recognition of LGBTQ Pride Month.
- 2. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 17th day of May 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN: None

John F. Dunbar, Mayor

ATTEST:

Eddy Gomez, Town Clerk

Exhibit A

Policy on Flying Flags at Half-Staff on Town-Owned Property

Purpose

The purpose of this administrative policy is to establish a uniform policy to govern the flying of the United States, State of California and Town of Yountville (if any) flags at half-staff on Town-owned property.

General

National, State, and Town flags may be flown on any flag pole(s) located on Town-owned property. At Veterans Memorial Park, the PIA/MIA flag may also be flown in addition to the National and California flags.

Applicability

1. National flags on Town-owned property shall be flown at half-staff upon order of the President of the United States and may be flown at half-staff upon authorization of the Governor of California and on designated legal holidays.
2. National, State, and/or Town flags on Town-owned property may also be flown at half-staff at the direction of the Mayor upon the death of:
 - A Town Councilmember, past or present;
 - A Town employee whose death occurred during the discharge of duty;
 - A Town employee or retiree having served the Town for 25 or more years; 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.

Public Notice

The public shall be notified of the reason for flying the National, State, and/or Town flags at half-staff, when reasonably feasible. This notice may include posting information on the Town's web site.

Exhibit B

Policy on the Display and Siting of Non-Governmental Ceremonial Flags

Purpose

The purpose of this administrative policy is to allow for the discretionary display of Ceremonial Flags when the Town Council makes a determination such display is an expression of the Town's official sentiments and promotes (1) appropriate public awareness, (2) non-profit organizations and/or (3) local cultural celebrations under certain circumstances.

Process

1. Any Council Member may submit a request to agendize the consideration of displaying a Ceremonial Flag. The request shall include the type and design of the flag, brief information supporting the display of the flag (taking into consideration the factors set forth in No. 3 following) and the time period suggested for display. The Town Manager shall agendize the request for consideration by the Town Council. The Town will not display a Ceremonial Flag based solely on a request from a third party and will not use its flagpoles to sponsor the expression of a third party.
2. Ceremonial Flags may be displayed only as authorized by written resolution of the Town Council.
3. In determining whether to display a particular Ceremonial Flag, the Council may consider any relevant factors, including but not limited to whether the proposed flag:
 - a. Promotes profit-making ventures, products or entities;
 - b. Promotes events or organizations with a direct relationship to the Town;
 - c. Suggests the Town's affiliation with any political cause or purpose; and/or
 - d. Promotes the interests of the Town's residents.
4. Ceremonial Flags shall be displayed for only a period of time that is reasonable or customary for the subject that is to be commemorated, but no longer than 31 continuous days.
5. Ceremonial Flags shall be displayed exclusively at Town Hall, on a ceremonial flag pole sited immediately outside the building; Ceremonial Flags may not be displayed on any other Town property. The Town may either fly a Town of Yountville flag on the ceremonial flag pole or remove the ceremonial flag pole when there is not a Ceremonial Flag on display. The Town Council has sole discretion to determine which flags are flown on the ceremonial flagpole and when they will be flown. The Town's ceremonial flagpole is not intended to serve as a forum for free expression by the public.