



Legislation Text

File #: 22-235, **Version:** 1

FROM:

David P. Donery, Town Manager

SUBJECT

Consider Adopting a Resolution Declaring June 2022 LGBTQ Pride Month and Directing Staff to Fly the Rainbow Flag Throughout the Month of June at Town Hall

RECOMMENDATION

Adopt Resolution Declaring June 2022 LGBTQ Pride Month and Directing Staff to Fly the Rainbow Flag Throughout the Month of June at Town Hall

BACKGROUND

Pride Month is an annual month-long celebration of the LGBTQ community, currently observed in the month of June. The purpose of the commemorative month is to recognize the impact that lesbian, gay, bisexual, and transgender individuals have had on local, national, and international history.

At the June 8, 2021 Town Council meeting, the Town Council directed staff to bring forth on an annual basis an agenda item that would allow the Town of San Anselmo to further show support for Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) Pride Month by flying the Rainbow Flag during the month of June.

DISCUSSION

Under the government speech doctrine, the Town may advance its own speech without requiring viewpoint neutrality when the government itself is the speaker, so long as the Town does not show religious preference, encourage a certain vote in an election or otherwise violate the law.

As this request has originated from a Councilmember and subsequently by the full Council, and not by a third-party request, staff has determined that the flying of the Rainbow Flag on a Town Hall flagpole would be considered government speech and is consistent with the flagpole policy approved in 2021. Staff therefore sees Council approval to fly the Pride Flag for the full length of Pride Month in 2022.

FISCAL IMPACT

There is no fiscal impact associated with the proposed action.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The Council's discussion of this item is not a "project" under the California Environmental Quality Act, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065).

Attachment 1 - Proposed Resolution