



Legislation Details (With Text)

File #: 23-192

Type: Consent Calendar **Status:** Passed

File created: 2/22/2023 **In control:** City Council/Public Financing Authority

On agenda: 3/7/2023 **Final action:** 3/7/2023

Title: Adopt Ordinance No. 4283 Adding Chapter 13.07 of the Huntington Beach Municipal Code Relating to Government Flags on City Property - Approved for Introduction 2/21/2023, Vote: 4-3 (Kalmick, Moser, Bolton - No)

Attachments: 1. Att#1 Ord 4283 - Flags, 2. PPT - Ordinance 4283, 3. 2/17 Sup Com - Blue Shield Letter, 4. 2/17 Sup Com, 5. 2/21 Sup Com - Part 1, 6. 2/21 Sup Com - Part 2, 7. Communications - Ordinance No. 4283, 8. 3/3 Sup Com, 9. 3/7 Sup Com - HBYB Letter, 10. 3/7 Sup Com - Equality California Letter, 11. 3/7 Sup Com - LGBTQ Center Letter, 12. 3/7 Sup Com

| Date | Ver. | Action By | Action | Result |
|----------|------|---|----------|--------|
| 3/7/2023 | 1 | City Council/Public Financing Authority | approved | Pass |

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Al Zelinka, City Manager

VIA: Travis K. Hopkins, Assistant City Manager

PREPARED BY: Catherine Jun, Assistant to the City Manager

Subject:
Adopt Ordinance No. 4283 Adding Chapter 13.07 of the Huntington Beach Municipal Code Relating to Government Flags on City Property - Approved for Introduction 2/21/2023, Vote: 4-3 (Kalmick, Moser, Bolton - No)

Statement of Issue:
 At the February 7, 2023 Council meeting, the City Attorney was directed by City Council to return with an ordinance adding a chapter in the Huntington Beach Municipal Code relating to government flags on City property.

Financial Impact:
 There is no fiscal impact to adopt this Ordinance.

Recommended Action:
 Adopt Ordinance No. 4283, “An Ordinance of the City of Huntington Beach Amending Title 13 Public Property of the Huntington Beach Municipal Code Adding Chapter 13.07 Relating to Government Flags on City Property.”

Alternative Action(s):

Do not adopt Ordinance No. 4283.

Analysis:

On February 7, 2023, the City Council directed the City Attorney to return with an ordinance related to the City's display of government flags on City property. City Council direction included limiting the City's display of flags on City property to the following governmental flags: United States, State of California, City of Huntington Beach, and POW/MIA flags. The City would also be permitted to display the County of Orange and the six branches of the military flags on City property, as needed basis.

Proposed Ordinance No. 4283 would accomplish the direction provided above. Furthermore, it states that it does not limit the free speech of any individual or business by flying any flag they choose on private or public property, so long as it is flown in accordance with existing laws.

If approved, a second reading of Ordinance No. 4283 would return to City Council on March 7, 2023 for adoption, and the ordinance would go into effect 30 days thereafter. At that time, the City would also update Administrative Regulation 705 (Citywide Flag Policy) accordingly.

Environmental Status:

Pursuant to CEQA Guidelines Section 15378(b)(5), administrative activities of governments that will not result in direct or indirect physical changes in the environment do not constitute a project

Strategic Plan Goal:

Non Applicable - Administrative Item

Attachment(s):

1. Ordinance No. 4283
2. Presentation Deck