



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: June 2, 2015

Agenda Item 6G

Approvals:

City Manager jm
Dept. Head _____
Attorney MR
Finance SV

Department: City Manager

Prepared By: James Makshanoff, City Manager

Subject: *CONSIDERATION OF SUPPORT LETTER – SENATE CONSTITUTIONAL AMENDMENT 2 (SCA2) TO PROHIBIT BANNING U.S. FLAG ON CALIFORNIA STATE FUNDED COLLEGE CAMPUSES*

Fiscal Impact: None.

Summary: Senate Constitutional Amendment 2 (SCA2) introduced by Senator Janet Nguyen would prohibit banning the United States flag on state-funded college campuses and universities in California.

Background: SCA2 was introduced in response to the "flag-banning" "incident" that occurred earlier this year at the University of California, Irvine—wherein six members of the Legislative Student Council voted to ban all flags, including the US flag, from being displayed in the Student Government building, a move that was vetoed days later by student leaders.

Discussion: In a letter to the City of San Clemente seeking support for SCA 2, Senator Nguyen said "For more than 200 years, millions of brave service men and women have made great sacrifices so that we can fly the American flag with dignity and pride." The American flag has also served as a way to honor our country's veterans.

SCA 2 would ensure that no student or anyone else could attempt to prohibit the flag's appearance on campus again. If the amendment is passed by the State Legislature and approved by California voters on the November 2016 ballot, it would prohibit all University of California, California State University and Community Colleges campuses from banning the United States flag.

Recommended

Action: STAFF RECOMMENDS THAT the City Council:
1) Support SCA2.
2) Approve the support letter and have the letter signed by the Mayor on behalf of the City Council.
3) Send the letter to Senator Janet Nguyen and distribution list.

Attachments: Draft Support Letter
Current Bill Status

Notification: Senator Janet Nguyen
League of California Cities
League of California Cities, Orange County Division

AMENDED IN SENATE APRIL 20, 2015

AMENDED IN SENATE MARCH 17, 2015

Senate Constitutional Amendment

No. 2

Introduced by Senators Nguyen, Bates, and Huff

(Principal coauthors: Assembly Members Harper and Wagner)

**(Coauthors: Senators Anderson, Berryhill, Fuller, Gaines,
Morrell, Nielsen, Stone, and Vidak)**

(Coauthors: Assembly Members Brough and Olsen)

January 29, 2015

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 10 to Article IX thereof, relating to public postsecondary education.

legislative counsel's digest

SCA 2, as amended, Nguyen. Public postsecondary education: United States flag.

Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as the 3 segments of public postsecondary education in this state.

This measure would provide that the display of the Flag of the United States *of America* on the grounds of a campus of the University of California, the California State University, or the California Community Colleges shall not be prohibited.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

1 *Resolved by the Senate, the Assembly concurring,* That the
2 Legislature of the State of California at its 2015–16 Regular
3 Session commencing on the first day of December 2014, two-
 thirds

4 of the membership of each house concurring, hereby proposes to
5 the people of the State of California, that the Constitution of the
6 State be amended as follows:

7 That Section 10 is added to Article IX thereof, to read:

8 SEC. 10. Display of the Flag of the United States *of America*
9 shall not be prohibited on the grounds of a campus of the
 University
10 of California, the California State University, or the California
11 Community Colleges.

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City Councilmembers

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Chris Hamm, *Mayor*
Robert "Bob" Baker, *Mayor Pro Tem*
Tim Brown, *Councilmember*
Lori Donchak, *Councilmember*
Kathy Ward, *Councilmember*

James Makshanoff, *City Manager*

May 19, 2015

The Honorable Janet Nguyen
California State Senate, 34th District
State Capitol
Sacramento, CA 95814

RE: SENATE CONSTITUTIONAL AMENDMENT 2 (SCA 2)

Dear Senator Nguyen,

On behalf of the City of San Clemente and the citizens of San Clemente, we are pleased to support your Senate Constitutional Amendment 2 (SCA 2) which would prohibit banning the United States flag on state-funded college campuses and universities in California. It is necessary, especially in our present circumstances that an effort be made to protect our country's flag.

SCA2 was introduced in response to the "flag-banning" "incident" that occurred earlier this year at the University of California, Irvine—wherein six members of the Legislative Student Council voted to ban all flags, including the US flag, from being displayed in the Student Government building, a move that was vetoed days later by student leaders. We agree that we must acknowledge the 200 plus years of sacrifices made by millions of brave service men and women and fly the American flag with dignity and pride.

SCA 2 would ensure that no student or anyone else could attempt to prohibit the flag's appearance on campus again. The American flag symbolizes freedom, liberty and human rights and by supporting SCA 2, we support your efforts to prevent University of California, California State University and Community Colleges campuses from banning the United States flag. Thank you for your efforts.

Sincerely,

Chris Hamm
Mayor

cc: San Clemente City Council