

RESOLUTION 2026 -xxxx

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS AUTHORIZING THE DISPLAY OF THE PROGRESS PRIDE FLAG AS GOVERNMENT SPEECH

WHEREAS, the Town of Los Gatos displays the United States flag, the California State flag, and the Town flag on flagpoles located at Town facilities; and

WHEREAS, on December 16, 2025, the Town Council acted to direct staff to return with a Flag policy authorizing the erecting of commemorative flags and to return with a resolution authorizing raising the Progress Pride Flag for the month of June 2026; and

WHEREAS, the Town Council has determined that its flagpoles are not intended to serve as a forum for free expression by the public, but rather as a means for the Town to express its own official sentiments (Government Speech); and

WHEREAS, the first Pride flag was created by American artist and gay rights activist Gilbert Baker in 1978 to be a symbol for the LGBTQ+ community; and

WHEREAS, the Progress Pride Flag, designed by Daniel Quasar in 2018, adds a chevron of black, brown, light blue, pink, and white stripes to the standard six-color Rainbow Flag to represent marginalized people of color, trans individuals, and those living with HIV/AIDS; and

WHEREAS, the Town Council finds that the display of the Progress Pride Flag constitutes government speech in that the history and symbolism of the flag constitute a message of inclusion, equity, and diversity that the Town of Los Gatos desires to convey on behalf of its residents; and

WHEREAS, the display of this flag is consistent with the Town's 2025-2027 strategic priority to "Ensure all residents and visitors feel a sense of belonging in Los Gatos, maintaining and enhancing the Town as a welcoming, family-oriented, safe, and inclusive community," and does not convey any message promoting religion, political candidates, or commercial transactions.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Los Gatos as follows:

1. **Authorization:** The Town Manager is hereby authorized and directed to display the Progress Pride Flag on the official flagpole at Town Hall located at 110 E. Main Street, Los Gatos, CA during the month of June 2026.
2. **Government Speech Finding:** The Town Council expressly finds that this display is an exercise of the Town's government speech, meets the Town's governing interest in furthering its Strategic Priorities, and is not intended to create a public forum for private expression.

3. **Precedence:** The Progress Pride Flag shall be displayed in a position subordinate to the United States Flag and the California State Flag, in accordance with the United States Flag Code and Town policy.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the _____ day of _____ 2026, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA