

March 10, 2026
City Council Meeting

PowerPoint Presentations

CHARTER CITY DISCUSSION



COMPARING GENERAL LAW AND CHARTER LAW CITIES

General Law Cities	Charter Law Cities
Draw much of their authority from State statutes.	Draw some authority from a locally adopted charter as well as State law.
Must follow standardized rules and procedures pursuant to State law.	May create local rules for elections, contracting, governance structure, and local programs.
Must abide by State law regardless if the issue is purely local	Can rely on locally adopted charter to address issues deemed to be a <u>“municipal affair.”</u>

WHAT IS A “MUNICIPAL AFFAIR?”

This is an important distinction that underscores 1) the difference between Charter and General Law cities; and 2) the overall benefits of adopting a City Charter.

Two Primary Sources:

- I. The Courts: Four-Part test developed by the California Constitution.
- II. California Constitution:
 - A. City Police Force.
 - B. Subgovernment in all or part of the City.
 - C. Conduct of City Elections; and
 - D. The way municipal officers and employees are elected or appointed.

Non-exhaustive and fluctuating list

Ambiguity in the California Constitution coupled with court decisions and legislation have resulted in a changing (and often dwindling) list of issues deemed to be a “municipal affair.”

Municipal Affair	Statewide Concern
Police Authority	Traffic Control
Municipal Elections	Numerous Housing Laws
Qualifications for local officials	Brown Act, Public Records Act, and Political Reform Act
Public Contracting	Prevailing Wage Law

DRAFT CHARTER FOR POLICY DISCUSSION

The proposed charter includes 13 articles detailing general policy statements for City Council and public review and feedback. Generally, the draft Charter can be summarized into the following categories:

1. Incorporation of Powers and authority over Municipal Affairs (Article I)

- ❖ Article I – Incorporation, Succession, and Powers.

2. Election Procedures (Articles III, IV, V, XI)

- ❖ Article III – Elections
- ❖ Article IV – Elected Officers
- ❖ Article V – Term Limits
- ❖ Article XI – Political Reform

3. City Council Authority and Administration (Articles VII, VIII)

- ❖ Article VII – Vacancies in Office
- ❖ Article VIII – Compensation of Elected Officials

4. City Administration (Articles II, VI, and XIII)

- ❖ Article II – Expenditures of Taxpayer Money
- ❖ Article VI – Appointed Officers and Employees
- ❖ Article XIII – Legal Provisions

5. Commissions/Boards (Article IX)

- ❖ Article - Appointive Boards, Commissions, and Committees

6. City Assets and Taxation (Articles X and XII)

- ❖ Article X – Taxation
- ❖ Article XII – Miscellaneous

TWO PATHWAYS FOR CHARTER ADOPTION

City Drafts the Charter:

1. Develop a draft charter
2. Conduct at least two public hearings and receive public feedback
3. Call election so the proposed charter may be considered by Orange voter in November 2026.
4. Voter Decision – If approved, file the charter with the Secretary of State, at which point, it becomes effective.

Charter Commission Drafts the Charter:

1. The City Council calls an election asking voters whether to form a charter and simultaneously elects 15 commissioners.
2. If the Commission is approved, the top 15 candidates receiving the highest number of votes serve on the Commission. The Commission would draft the draft Charter and file the draft with the City Clerk. This would need to be completed in two years.
3. Second Election: The draft Charter is placed on a subsequent ballot for voter consideration.
4. Adoption: If approved, the City files the charter with the Secretary of State, at which point it becomes effective.

DRAFT CHARTER FOR POLICY DISCUSSION

City Council Initiated Charter: Draft Ballot Measure Timeline

Step	Deadline
Draft Ballot Measure	March Through Early April
Notice First Public Hearing	April 9, 16, and 21, 2026
Conduct First Public Hearing	Tuesday, May 12, 2026
Notice Second Public Hearing	May 21, 28, 2026 and June 2, 2026
Conduct Second Public Hearing	Tuesday, June 23, 2026
Conduct Vote to Submit Charter Measure to Voters	Tuesday, July 14, 2026
Signed Resolutions Sent to the Orange County Registrar of Voters	Friday, July 17, 2026
Last Day to Submit Direct Arguments and Impartial Analysis	Friday, July 31, 2026
Election Day	Tuesday, November 3, 2026

GOING FORWARD

Staff is seeking direction from the City Council on two items:

1. Should the City move forward with refining the sample charter and prepare to place this on the November 2026 ballot?; and
2. If the Council would like to move forward with a charter, staff is seeking feedback and policy direction on items they would like included with the charter for staff and legal evaluation. This would come back at the first public hearing scheduled for May 12th.