

RESOLUTION NO. 11707

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE ORDERING THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO A PROPOSED CITY CHARTER FOR ADOPTION AT THE NOVEMBER 3, 2026, GENERAL MUNICIPAL ELECTION AS CALLED BY RESOLUTION NO. 11669

WHEREAS, the City of Orange was incorporated as a general law city in 1886; and

WHEREAS, pursuant to authority provided by the California Constitution, Article XI and the Government Code, Title 4, Division 2, Chapter 2 (commencing at § 34450), including § 34458, and the Elections Code, Division 9, Chapter 3, Article 3 (commencing at § 9255) of the State of California, the City Council of the City of Orange desires to submit to the voters a proposed charter; and

WHEREAS, pursuant to authority provided by the Elections Code, Division 1, Chapter 1, Article 1, § 1415 of the State of California, a proposed charter submitted by the governing body must be submitted to the voters at a statewide general election held not less than 88 days after the order of election; and

WHEREAS, the City Council has determined that adoption of a municipal charter would provide the City with greater local control over municipal affairs as authorized by Article XI of the California Constitution; and

WHEREAS, on May 26, 2026, the City Council adopted Resolution No. 11669 calling a General Municipal Election on Tuesday, November 3, 2026; and

WHEREAS, on May 26, 2026, the City Council also adopted Resolution No. 11673 requesting that the County of Orange Board of Supervisors consolidate the General Municipal Election with the Statewide General Election to be held on November 3, 2026, and permit the Registrar of Voters to perform certain services in conjunction with the City's election; and

WHEREAS, the City Council has prepared and approved the text of a proposed Charter for the City of Orange and desires to submit the proposed Charter to the voters for their consideration; and

WHEREAS, the City Council finds that placing the proposed Charter before the voters will allow the electorate to determine whether the City should become a charter city pursuant to the California Constitution.

NOW, THEREFORE, the City Council of the City of Orange does hereby resolve, declare, determine and order as follows:

SECTION 1. That the above recitals are true and correct and incorporated herein by this reference.

SECTION 2. That the City Council, pursuant to its right and authority, does hereby order submitted to the voters at the General Municipal Election to be held on November 3, 2026, the following question:

Proposed Charter for the City of Orange Shall the proposed Charter for the City of Orange, establishing the City as a charter city under the California Constitution and providing the City's governing document for municipal affairs, be adopted?	YES
	NO

SECTION 3. The full text of the proposed Charter submitted to the voters is attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 4. That the vote requirement for the measure to pass is a majority of the votes cast on the measure (50% plus one (50% + 1)).

SECTION 5. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in the time, form and manner as required by law.

SECTION 7. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

ADOPTED this _____ day of July 2026

Daniel R. Slater, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

APPROVED AS TO FORM:

Nathalie Adourian, City Attorney,
City of Orange

Attachment: Exhibit A

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the 14th day of July 2026 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

Pamela Coleman, City Clerk, City of Orange

EXHIBIT A

SIMPLE HOME RULE CHARTER

City of Orange, California

We, the people of the City of Orange, seeking to preserve local control, strengthen fiscal responsibility, protect taxpayer resources, and ensure that decisions affecting our community are made by the people closest to those decisions, do hereby adopt this Charter under the Constitution of the State of California.

It is our intent to establish a flexible Home Rule Charter that preserves the Council-Manager form of government, maintains transparency and accountability, protects public safety and neighborhood quality of life, and provides the City with greater authority over municipal affairs including contracting, procurement, elections, and local governance.

This Charter shall be interpreted broadly in favor of municipal self-governance and local control.

ARTICLE I INCORPORATION AND POWERS

Section 100. Name

The City of Orange shall continue to be a municipal corporation under its present name of the “City of Orange.”

Section 101. Boundaries

The boundaries of the City shall continue as established unless changed in the manner authorized by law.

Section 102. Powers

The City shall have all powers possible for a Charter City under the Constitution and laws of the State of California, including the full power to make and enforce all laws and regulations with respect to municipal affairs.

The enumeration of powers in this Charter shall not be deemed exclusive and shall not restrict the authority of the City to govern local affairs.

Section 103. Continuation of Existing Laws

All lawful ordinances, resolutions, rules, regulations, contracts, rights, obligations, and liabilities existing at the time this Charter takes effect shall remain in full force unless modified pursuant to this Charter.

ARTICLE II

MUNICIPAL AFFAIRS AND GENERAL LAWS

Section 200. Municipal Affairs

The City of Orange has the power to make and enforce all laws respecting its municipal affairs as described by this Charter and established by the California Constitution, California statutes, and judicially defined law. This power is limited only as set forth in this Charter and the California Constitution.

Such powers are in addition to those granted or prescribed by applicable law for municipal corporations within the State of California. Each responsibility of governance set forth in this Charter is declared to be a municipal affair or concern.

The enumeration by this Charter of any particular power shall not constitute a limitation upon the City's general grant of powers under applicable law.

Section 201. General Laws

In addition to the powers granted by this Charter and the California Constitution, the City has the power and authority to adopt, make, exercise, and enforce all legislation, laws, and regulations and to take all actions and exercise any and all rights, powers, and privileges allowed by law. To the fullest extent permitted by the California Constitution, in the event of a conflict regarding a municipal affair, the provisions of this Charter shall control.

Section 202. Enactment of Laws and Exercise of Authority

Elected and appointed officials who exercise the powers granted by this Charter are prohibited from favoring or unlawfully discriminating against persons based upon a legally protected classification.

When enacting laws pursuant to this Charter, the City Council shall include findings that such laws promote public health, safety, welfare, fiscal responsibility, and the long-term interests of the residents of the City of Orange.

Section 203. Land Use

Except as otherwise provided by ordinance of the City Council, the City shall continue to be governed by California law as it applies to general law cities with respect to land use matters, including without limitation General Plan consistency, zoning regulations, subdivision laws, and housing law compliance.

Section 204. Open Space Reserve Protection

Establishment of the Open Space Reserve.

The Open Space Reserve is hereby established to preserve the City's significant open space lands,

parcs, hillsides, canyons, creek corridors, wildlife habitat, scenic vistas, equestrian character, trails, and other natural resources for the benefit of present and future generations. The Open Space Reserve shall consist of all real property designated by ordinance or resolution of the City Council as part of the Open Space Reserve, together with any property thereafter so designated.

Permitted Uses.

Property within the Open Space Reserve shall be maintained and used exclusively for open space preservation, passive recreation, parks, trails, equestrian uses, habitat restoration, conservation, watershed protection, wildlife protection, educational uses, agriculture, grazing, public safety, public utilities, flood control facilities, and other public improvements or uses that are compatible with and preserve the property's natural, scenic, recreational, environmental, or rural character.

Prohibited Uses.

The City shall not approve, construct, permit, lease, sell, transfer, redesignate, subdivide, or otherwise authorize any residential, commercial, industrial, or mixed-use development within the Open Space Reserve that is inconsistent with the purposes of this Section. This prohibition includes, but is not limited to, single-family residential, multifamily residential, mixed-use residential, affordable housing, supportive housing, transitional housing, accessory dwelling units, mobile homes, or any other form of residential development.

Removal from the Open Space Reserve.

No property included within the Open Space Reserve may be removed from the Reserve, redesignated for another use, sold, exchanged, leased for an inconsistent purpose, or otherwise disposed of unless first approved by a majority of the electors voting on the measure at a regularly scheduled municipal election.

Consistency Finding.

Before approving any improvement or use within the Open Space Reserve, the City Council shall find that the proposed action is consistent with the purposes of this Section and will not materially impair the natural, scenic, recreational, environmental, or conservation value of the property.

Emergency and Maintenance Activities.

Nothing in this Section shall prohibit emergency response activities or the repair, maintenance, replacement, or improvement of existing public facilities, trails, utilities, flood control facilities, or other public infrastructure, provided such activities are reasonably necessary to protect public health, safety, welfare, or the long-term stewardship of the Open Space Reserve.

Replacement Open Space.

If the electors approve the removal of property from the Open Space Reserve, the City Council shall, to the maximum extent feasible, acquire or permanently preserve replacement open space of

equal or greater public, recreational, environmental, or conservation value.

Permanent Protection.

The restrictions contained in this Section shall run with the land. This Section may be amended or repealed only by a majority vote of the electors of the City of Orange voting on the measure at a regularly scheduled municipal election.

**ARTICLE III
FORM OF GOVERNMENT**

Section 300. Council-Manager Form of Government

The municipal government established by this Charter shall be known as the Council-Manager form of government.

Section 301. Powers Vested in City Council

All powers of the City shall be vested in the City Council except as otherwise provided by this Charter or by law.

**ARTICLE IV
CITY COUNCIL**

Section 400. Composition

Policy Options for Council Consideration

Option 1 – Preserve District Elections

This option establishes district-based elections in the Charter while leaving the operational details to the Municipal Code.

The City Council shall consist of the Mayor and the number of Council Members established by ordinance.

The Mayor shall be elected at large by the voters of the City.

Council Members shall be elected by district in accordance with applicable state and federal law. The City Council shall establish and adjust district boundaries as required by law.

The manner of election, district boundaries, terms of office, qualifications, vacancies, and related election procedures shall be established by ordinance and consistent with applicable state and federal law.

Option 2 – Maximum Local Flexibility

This option allows the City to determine the method of election by ordinance, subject to applicable state and federal law.

The City Council shall consist of the Mayor and the number of Council Members established by ordinance.

The Mayor and Council Members shall be elected in the manner established by ordinance and in compliance with applicable state and federal law.

If district-based elections are utilized, the City Council shall establish and adjust district boundaries as required by law.

The manner of election, district boundaries, terms of office, qualifications, vacancies, and related election procedures shall be established by ordinance.

Option 3 – Minimal Charter Language

This option leaves the method of election entirely to the Municipal Code, allowing the Charter to remain largely organizational in nature.

The City Council shall consist of the Mayor and the number of Council Members established by ordinance.

The Mayor and Council Members shall be elected in the manner prescribed by ordinance and in accordance with applicable state and federal law.

Section 401. Mayor

The Mayor shall serve as the presiding officer of the City Council and shall have all rights, powers, and duties of a Council Member.

Section 402. Mayor Pro Tempore

The City Council shall annually select one of its members to serve as Mayor Pro Tempore.

Section 403. Eligibility

No person shall be eligible to hold the office of Mayor unless he or she is, and has been for at least thirty (30) days immediately preceding the filing of nomination papers or appointment, a registered voter and resident of the City.

No person shall be eligible to hold the office of Council Member unless he or she is, and has been for at least thirty (30) days immediately preceding the filing of nomination papers or appointment, a legally registered voter and resident of the City and, if elected by district, a registered voter and resident of the district from which he or she seeks election or appointment.

Each elected Mayor and Council Member shall remain a registered voter and resident of the City, and each Council Member elected by district shall remain a registered voter and resident of the district represented, throughout the term of office. Loss of any required qualification shall create a vacancy in accordance with applicable law.

No creation of a district or change to district boundaries shall terminate the term of any Council Member elected prior to such change.

ARTICLE V TERM LIMITS

Section 500. Mayor

No person shall serve as Mayor for more than two four-year terms in a lifetime.

Section 501. Council Members

No person shall serve as a member of the City Council for more than three four-year terms in a lifetime.

Section 502. Partial Terms

Service of more than two years of an unexpired term shall be considered a full term for purposes of term limits.

Section 503. Application of Term Limits

Pursuant to California Government Code Section 36502, the term limits established by this Article shall apply prospectively from the effective date of this Charter.

Service as Mayor or Council Member completed before the effective date of this Charter shall not be counted for purposes of calculating the term limits established by this Article.

No term being served on the effective date of this Charter shall be shortened or terminated by the adoption of this Article.

Only terms of office commencing after the effective date of this Charter shall count toward the term limits established by this Article.

ARTICLE VI
MUNICIPAL AFFAIRS, PROCUREMENT, AND LOCAL CONTROL

Section 600. Procurement and Contracting

The City shall have full authority over municipal contracting procedures, public works procurement, bidding thresholds, design-build authority, best-value procurement, alternative project delivery methods, professional services selection, and all other contracting methods allowed to Charter Cities under the California Constitution, including authority to establish exemptions from state public contracting statutes where permitted to charter cities.

Such procedures may be established, modified, or waived by ordinance or resolution of the City Council where permitted by law.

Section 601. Prevailing Wage

The City Council may establish by ordinance the procedures applicable to public works contracting and prevailing wage requirements for municipal affairs consistent with constitutional authority and applicable law.

Nothing in this section shall be construed to prohibit the City from applying state prevailing wage requirements where required by law or where determined by the City Council to be in the public interest.

Section 602. Eminent Domain

The City may not exercise the power of eminent domain to acquire private property for conveyance to another private party without the owner's consent, except where necessary for mitigation of impacts caused by a public project or for the development, operation, or maintenance of facilities owned or operated by the City.

Section 603. Property Rights Protection Measure

Policy Option for Council Consideration

The City shall not enact or enforce any measure which mandates the price or other consideration payable to the owner in connection with the sale, lease, rent, exchange or other transfer by the owner of real property. Any such measure is hereby repealed.

The word "mandates" as used in this section includes any measure taken by ordinance, resolution, administrative regulation or other action of the City to establish, continue, implement or enforce any control or system of controls on the price or other terms on which real property in the city may be offered, sold, leased, rented, exchanged or otherwise transferred by its owner. The words "real property" as used in this section refers to any parcel of land or site, either improved or unimproved, on which a dwelling unit or residential accommodation is or may be situated for use as a home, residence or sleeping

place.

This Section shall not apply to:

1. any real property which contains serious health, safety, fire or building code violations, excluding those caused by disasters, for which a civil or criminal citation has been issued by the City and remains unabated for six months or longer;
2. any real property owned by a public entity, and real property where the owner has agreed by contract with the public entity, including the City and any of its related agencies, to accept a financial contribution or other tangible benefit including without limitation, assistance under the Community Redevelopment Law;
3. any planning or zoning power of the City as relates to the use, occupancy or improvement of real property and to any real property which the City or any of its related agencies may acquire by eminent domain, purchase, grant or donation;
4. any power of the City to require a business license for the sale or rental real property, whether for regulation or general revenue
5. any dwelling unit or accommodation in any hotel, motel or other facility when the transient occupancy of that dwelling unit or accommodation is subject to a transient occupancy tax; or
6. to impair the obligation of any contract entered into prior to the of this Section or otherwise required by State

Or

Section 603. Protection of Private Property Rights

Except as otherwise required by the California Constitution or applicable state or federal law, the City shall not adopt, impose, or enforce any ordinance, resolution, regulation, or other legislative or administrative action that establishes mandatory controls on the price, rent, or other financial consideration payable in connection with the sale, lease, rental, exchange, or other transfer of privately owned residential real property.

Nothing in this Section shall be construed to:

- (a) Limit the City's authority to regulate land use, zoning, planning, subdivision, development standards, or building regulations;
- (b) Limit the City's authority to enter into voluntary development agreements, affordable housing agreements, or other contractual arrangements authorized by law;
- (c) Prohibit the City from implementing or enforcing requirements expressly mandated by state

or federal law; or

(d) Affect the City's authority to acquire, own, lease, sell, or dispose of property or to exercise the power of eminent domain as otherwise authorized by this Charter or applicable law.

Any provision of the Orange Municipal Code inconsistent with this Section is repealed to the extent of such inconsistency.

Section 604. Sales of City Assets

Pursuant to Government Code Section 37350, the City may purchase, lease, receive, hold, and dispose of real and personal property for the common benefit consistent with all notice, hearing, and voter approval requirements required by law.

Section 605. Public Utilities

Pursuant to applicable law, the City Council may sell and dispose of any public utility owned by the City, subject to all requirements of state law and voter approval where required.

Section 606. Liberal Construction

This Charter shall be liberally construed in favor of the exercise of authority by the City over municipal affairs.

The powers granted by this Charter are intended to be permissive rather than restrictive, and the enumeration of any specific power shall not be construed as limiting the general authority of the City to govern local affairs.

ARTICLE VII VACANCIES IN OFFICE

Section 700. Permanent Vacancy

In the event of a vacancy in an elected office, as defined by California Government Code Section 1770, the City Council shall fill the vacancy by appointment within sixty (60) days or call a special election in accordance with applicable law.

The person appointed or elected to fill the vacancy shall serve the remainder of the unexpired term.

Notwithstanding the California Elections Code, a person appointed to fill a vacancy who seeks election to the same office in a subsequent general municipal election shall not be required to use the word "Appointed" in conjunction with the title of that City office as part of the ballot designation filed in the nomination documents.

Section 701. Temporary Vacancy, Suspension, and Ethical Misconduct

Pending trial or formal proceedings, the City Council may, by a three-fourths vote of the full City Council, suspend any elected or appointed officer against whom felony criminal proceedings have formally commenced, or where formal judicial or administrative proceedings involving corruption, fraud, abuse of office, official misconduct, or violations of ethics and conflict-of-interest laws are pending and suspension is authorized by applicable law.

By a majority vote of the full City Council, the City Council may terminate the suspension at any time and restore the officer to office.

The suspension shall automatically terminate, and the officer shall be restored to office, upon acquittal, dismissal of charges by the prosecuting authority, dismissal of charges by a court of competent jurisdiction, or final resolution of the matter without disqualification from office. In the event of a hung jury, the City Council may, by a three-fourths vote of the full City Council, extend the suspension unless the prosecuting authority confirms that charges will not be refiled. Nothing in this section shall authorize removal from office except where disqualification occurs by operation of law, including conviction of specified crimes, judicial findings of official misconduct, or violations of ethics and conflict-of-interest laws where removal is authorized by applicable law.

The City Council may adopt by ordinance additional procedures consistent with due process, applicable law, and this Charter.

Any action taken pursuant to this section shall be subject to review by the City Attorney and shall be consistent with all applicable provisions of state law.

ARTICLE VIII FISCAL RESPONSIBILITY

Section 800. Fiscal Policy

The City shall be managed in a fiscally prudent manner that promotes long-term financial sustainability, responsible stewardship of public resources, and the preservation of the City's financial capacity to provide essential municipal services to both current and future residents. In exercising its fiscal authority, the City Council shall strive to maintain the City's financial integrity while investing in public infrastructure, community priorities, and other long-term municipal needs.

Section 801. Structurally Balanced Budget

The City Council shall adopt a structurally balanced budget each fiscal year. A structurally balanced budget is one in which recurring operating revenues are sufficient to fund recurring operating expenditures without reliance on one-time revenues, reserve withdrawals, asset sales, or other non-recurring financing sources, except as expressly authorized by the City Council for declared emergencies or other extraordinary circumstances.

Nothing in this Section shall prohibit the appropriation or expenditure of accumulated reserves, dedicated funds, grants, impact fees, or other legally available revenues for capital improvements, infrastructure, equipment, or other one-time expenditures under a pay-as-you-go financing strategy, even if total expenditures exceed total revenues in a particular fiscal year, provided the City's ongoing operating budget remains structurally balanced.

Section 802. Independent Audit

An independent annual audit shall be conducted and presented to the City Council and made available to the public.

Section 803. Supermajority Vote Required to Submit New Taxes

Nothing in this Charter shall alter or supersede the voter approval requirements established by the California Constitution or other applicable law for the imposition, extension, or increase of any tax.

No ordinance or resolution proposing a City-sponsored measure to impose, extend, or increase a municipal tax shall be submitted to the voters unless approved by the affirmative vote of at least three-fourths (3/4) of the total membership of the City Council.

Section 804. Fiscal Priorities for Additional General Fund Revenues

To promote the long-term fiscal sustainability of the City, the City Council shall give priority to the use of additional recurring General Fund revenues for the following purposes:

- (a) Reducing unfunded pension and other post-employment benefit liabilities;
- (b) Repairing, replacing, and maintaining public infrastructure and capital assets;
- (c) Reducing outstanding debt and other long-term financial obligations of the City;
- (d) Replenishing and maintaining prudent financial reserves; and
- (e) Funding one-time capital improvements, equipment, technology, and other non-recurring investments that improve the City's long-term financial condition.

Nothing in this Section shall prohibit the City Council from appropriating revenues for essential municipal services or other lawful governmental purposes, provided the City's operating budget remains structurally balanced in accordance with this Charter.

ARTICLE IX LEGAL PROVISIONS

Section 900. Violations

A violation of this Charter or any ordinance of the City shall be subject to an administrative citation and/or misdemeanor in accordance with this Charter and the Orange Municipal Code.

Section 901. Amendment

Amendments to this Charter shall be proposed and submitted to the electors of the City in the manner provided by the Constitution of the State of California and applicable law.

Section 902. Definitions

“City” means the City of Orange.

"Open Space Reserve" means those City-owned properties designated by ordinance or resolution of the City Council pursuant to Section 204.

“Shall” is mandatory and “may” is permissive.

Section 903. Severability

If any provision of this Charter, or its application to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions or applications of this Charter that can be given effect without the invalid provision or application. To this end, the provisions of this Charter are declared to be severable.

Section 904. Effective Date

This Charter shall take effect upon voter approval and filing with the Secretary of State as required by law.