

**CITY OF ORLAND  
RESOLUTION NO.2024-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND  
(1) CALLING AND GIVING NOTICE OF A MUNICIPAL ELECTION TO BE HELD  
ON NOVEMBER 5, 2024 TO SUBMIT TO THE QUALIFIED VOTERS A QUESTION  
INCREASING THE CURRENT TRANSACTIONS AND USE TAX RATE FROM 1/2  
CENT TO ONE CENT TO BE IMPLEMENTED AS A GENERAL TAX; (2)  
REQUESTING THAT THE GLENN COUNTY BOARD OF SUPERVISORS APPROVE  
CONSOLIDATION OF THE CITY’S MUNICIPAL ELECTION WITH THE COUNTY-  
ADMINISTERED STATEWIDE GENERAL ELECTION OF THE SAME DATE; (3)  
REQUESTING THAT THE GLENN COUNTY CLERK RENDER SPECIFIC SERVICES  
AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATED  
TO THE CONDUCT OF THE CITY’S MUNICIPAL ELECTION; AND (4) SETTING  
ELECTION PROCEDURES FOR THE FILING OF WRITTEN ARGUMENTS AND  
REBUTTALS REGARDING THE MEASURE AND DIRECTING  
THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS**

**WHEREAS**, on November 8, 2016, the voters of the City of Orland approved a 1/2 cent Transactions and Use Tax; and,

**WHEREAS**, the City Council (Council) of the City of Orland (City), within the County of Glenn, California (County), desires to place a ballot measure before the voters at the November 5, 2024 election to adopt a Transactions and Use Tax (Sales Tax) Ordinance (the “Ordinance”), as authorized by California Revenue and Taxation Code section 7285.9, increasing the rate of the Transactions and Use Tax from 1/2 cent (0.5 ¢) to one cent (1 ¢); and,

**WHEREAS**, the Ordinance imposes a one cent (1 ¢) transactions and use tax to be collected in the manner set forth in the Ordinance, and deposited into the General Fund for general municipal purposes; and,

**WHEREAS**, in order for the Sales Tax rate increase to become effective, it must be approved by a simple majority of the electorate of the City; and,

**WHEREAS**, the Council is authorized to request and order that this election be consolidated with other elections to be held on the same day and in the same territory (California Elections Code 10400 et seq.); and,

**WHEREAS**, the City Council has agreed to submit to the voters a question relating to approval of Ordinance No. 2024- , amending Chapter 3.10 to the Orland Municipal Code regarding a transactions and use tax to be administered by the State Board of Equalization upon adoption by the voters; and,

**WHEREAS**, on March 19, 2024 the Council held a public hearing and introduced Ordinance No. 2024- , amending Chapter 3.10 of the Orland Municipal Code to increase the tax rate from 0.5 ¢ to 1.0 ¢; and,

**WHEREAS**, on April 2, 2024 the Council adopted the Ordinance amending Chapter 3.10 of the Orland Municipal Code, subject to voter approval; and,

**WHEREAS**, the tax provided for by the proposed Ordinance shall be enacted solely to raise revenue for general purposes and shall be placed into the City's General Fund, and is not intended for regulation; and,

**WHEREAS**, the City Council desires, on its own motion, to submit to the qualified voters of the City at the General Municipal Election on November 5, 2024 a question relating to the increase in the City's Sales Tax rate from 0.5 ¢ to 1.0 ¢; for general purposes; and,

**WHEREAS**, to minimize the expense of conducting the election, the City Council desires to consolidate this election with a statewide election.

**NOW, THEREFORE**, the City Council of the City of Orland, California, does declare, determine, resolve, request and order as follows:

**SECTION 1:** The foregoing recitals are true and correct, and this Council so finds and determines.

**SECTION 2:** That, pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Orland, California, on Tuesday, November 5, 2024, a municipal election.

**SECTION 3:** That, pursuant to Elections Code section 10403, the City of Orland hereby requests to the Glenn County Board of Supervisors that this municipal election be consolidated with the statewide election of Tuesday, November 5, 2024.

**SECTION 4:** That notice of the holding of said election is hereby given and the City Clerk and the County Elections Official are authorized, instructed and directed to give further and/or additional notice of the election in the time, form and manner as required by law.

**SECTION 5:** That the Board of Supervisors of the County of Glenn is hereby requested to consent and agree to permit the Glenn County elections official to render specified services to the City of Orland relating to the conduct of an election as set forth herein pursuant to Elections Code section 10002.

**SECTION 6:** That the Board of Supervisors of the County of Glenn is hereby requested to consent and agree to the consolidation of said election with the statewide general election taking place on said date pursuant to Elections Code section 10403.

**SECTION 7:** That, pursuant to the requirements of the laws of the State of California relating to General Law Cities, the City Council does order submitted to the voters at the municipal election the following question:

<p>City of Orland Ambulance, Streets, Parks, Recreation and Library Services Tax Measure</p> <p>To fund Orland Ambulance Services, construction and maintenance of Orland Streets, Orland Parks and Recreation, and Orland Library Services, and other general funded City services, shall the measure to raise the current city sales tax rate of 0.5¢ to 1.0¢, providing approximately \$1,500,000, annually, all money locally controlled, with published annual audits, starting April 1, 2025, until ended by voters, be adopted?</p>	<p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
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**SECTION 8:** That the foregoing question requires the approval of a simple majority of those casting votes at the municipal election called for November 5, 2024. The City further requests the following letter designation for the ballot measure: “B”

**SECTION 9:** That the text of the ordinance submitted to the voters for approval is attached as Exhibit A. The City Council hereby approves this Ordinance, the form thereof, and its submission to the voters of the City at the November 5, 2024 election, as required by Revenue and Taxation Code section 7285.9. The Ordinance specifies that the rate of the transactions tax shall be one percent (1.0%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in the City and specifies that the rate of the use tax shall be one percent (1.0%) of the sales price of tangible personal property stored, used or otherwise consumed in the City; and that the State Board of Equalization shall collect the tax from retailers subject to the tax and remit the funds to the City.

**SECTION 10:** That should the question set forth in SECTION 7 be approved by the requisite vote, the ordinance described in SECTION 9 shall be enacted, effective and adopted. The City Council shall timely certify the election results following the municipal election and if it is confirmed that the question set forth in SECTION 7 has been approved by a simple majority of the voters, the City Council shall affirm its adoption and the same shall take effect in the manner prescribed therein and within the timeframe prescribed by law. Upon voter approval and concomitant City Council certification of the vote, the Ordinance described in SECTION 9 shall be codified as Chapter 3.10 of the Orland Municipal Code. If upon certification of the votes cast following the November 5, 2024 municipal election it is determined that the question set forth in SECTION 7 did not receive a simple majority of votes cast, the ordinance shall not be approved and the transactions and use tax rate increase shall not take effect and the transactions and use tax rate will remain at .5 ¢.

**SECTION 11:** That the City Council hereby directs the City Clerk to transmit a copy of the Ordinance described in SECTION 9 to the City Attorney. The City Attorney shall prepare an

impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the Ordinance on the existing law and the operation of the measure, and shall transmit that impartial analysis to the City Clerk.

**SECTION 12:** That arguments for or against the ballot measure set forth in SECTION 7 shall be submitted as provided by the Glenn County elections official and the City Clerk.

**SECTION 13:** That the City Council adopts the provisions of Elections Code section 9285(a) to permit rebuttal arguments, if arguments have been filed in favor or against the ballot measure.

**SECTION 14:** That the City will reimburse the County for the actual cost incurred in conducting the election.

**SECTION 15:** That the City acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418.

**SECTION 16:** That the ballots to be used at the election shall be in the form and content as required by law.

**SECTION 17:** That the City Clerk and County Clerk are authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**SECTION 18:** That the City Clerk is hereby directed to issue any instructions to the County Elections Official to take any and all steps necessary for the holding of the election.

**SECTION 19:** That the polls for the election shall be open at seven o'clock (7:00) a.m. of the day of the election and shall remain open continuously from that time under eight o'clock (8:00) p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

**SECTION 20:** That the County Elections Official is authorized to canvass the return of said election. The election shall be held in all respects as if there were only one election, and part and parcel of the Glenn County administered statewide general election of the same date, and only one form of ballot shall be used.

**SECTION 21:** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 22:** That 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 time, form and manner as required by law.

**SECTION 23:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**SECTION 24:** That the Clerk of the City is hereby authorized and directed to cause to be delivered and filed, no later than 88 days prior to the date set for the statewide election, one certified copy of this Resolution to the Elections Official of the County of Glenn and one certified copy of this Resolution to the Board of Supervisors of the County of Glenn.

**SECTION 25:** That the City Council hereby finds and determines that the Measure relates to the organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and is therefore not a project within the meaning of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, section 15378(b)(5).

**SECTION 26:** That the provisions of this resolution are severable and if any provision of this resolution is held invalid, that provision shall be severed from the resolution and the remainder of this resolution shall continue in full force and effect, and not be affected by such invalidity.

**PASSED AND ADOPTED** by the City Council of the City of Orland this \_\_\_ day of \_\_\_\_\_, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
Chris Dobbs, Mayor  
City of Orland

ATTEST:

\_\_\_\_\_  
Jennifer Schmitke, City Clerk

\_\_\_\_\_  
Greg Einhorn, City Attorney