



RESOLUTION NO. 2025-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE ELECTIONS TO DISTRICT-BASED ELECTIONS FOR MEMBERS OF THE CITY COUNCIL PURSUANT TO ELECTIONS CODE SECTION 10010

WHEREAS, the City of Orland ("City") is a general law city organized and existing under and by virtue of the Constitution and laws of the State of California; and

WHEREAS, the City Council of the City of Orland is currently elected through an at-large election system in which all five members of the City Council are elected by voters of the entire City; and

WHEREAS, the California Voting Rights Act of 2001 ("CVRA"), codified in Elections Code Sections 14025-14032, prohibits the use of an at-large election system that impairs the ability of a protected class to elect candidates of its choice or otherwise influence the outcome of an election; and

WHEREAS, a violation of the CVRA may be established by showing the existence of racially polarized voting, and the CVRA does not require proof of discriminatory intent; and

WHEREAS, since the enactment of the CVRA, no jurisdiction in California has successfully defended a CVRA lawsuit through a final judgment on the merits; and

WHEREAS, the CVRA provides for an award of reasonable attorney's fees and litigation expenses to a prevailing plaintiff, and such awards in CVRA cases have ranged from hundreds of thousands to millions of dollars; and

WHEREAS, the City will be permanently protected from CVRA litigation upon completion of the transition to district-based elections; and

WHEREAS, over 185 California cities and nearly 400 other jurisdictions have transitioned from at-large to district-based elections, the vast majority without litigation; and

WHEREAS, the City Council desires to act proactively and in the best interests of the City and its residents by voluntarily transitioning to district-based elections in a manner that avoids the costs and uncertainties of litigation; and

WHEREAS, by adopting this Resolution now, the City will secure the safe harbor protections and cost savings available under Elections Code Section 10010, while allowing the City Council to make an informed decision on implementation timing at a subsequent meeting; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORLAND DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Declaration of Intent. Pursuant to Elections Code Section 10010(e)(3)(A), the City Council hereby declares its intention to transition from at-large elections to district-based elections for members of the City Council.

Section 2. Specific Steps. The City Council commits to undertaking the following specific steps to facilitate the transition to district-based elections:

- a) Retain a qualified demographer to assist the City in analyzing demographics, facilitating public input, and drawing proposed district boundaries;
- b) Conduct at least two public hearings to receive input on the composition of districts and communities of interest before any draft maps are prepared;
- c) Publish at least one draft district map and make it available for public review at least seven days before any hearing at which the map will be considered;
- d) Conduct at least two additional public hearings to receive input on the draft district map(s) and the proposed sequence of elections;
- e) Conduct community outreach, including to non-English-speaking communities, to encourage public participation in the districting process;
- f) Adopt an ordinance establishing district-based elections and approving a final district map at least six months before the targeted election.

Section 3. Publication of Tentative Schedule. Within ten (10) days of the adoption of this Resolution, the City Clerk shall prepare and publish on the City's website a tentative schedule of public hearings to be held pursuant to this Resolution and Elections Code Section 10010. The tentative schedule shall note that hearing dates are subject to revision pending City Council direction on implementation timing.

Section 4. CEQA Finding. The City Council finds that the adoption of this Resolution and the subsequent transition to district-based elections are exempt from review under the California Environmental Quality Act pursuant to CEQA Guidelines Sections 15061(b)(3) (common sense exemption), 15320 (changes in the organization or reorganization of local governmental agencies), and 15378(b)(5) (organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment).

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

Section 6. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Orland, California, at a regular meeting held on the 2nd day of December, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

Jennifer Schmitke, City Clerk

APPROVED AS TO FORM:

Scott Drexel, City Attorney