

MEMORANDUM

LOCAL AGENCY FORMATION COMMISSION

TO: Local Agency Formation Commission

FROM: Shannon Costa, Deputy Executive Officer

SUBJECT: **LAFCo File 23-03 – City of Chico – Chico Canyon Road Annexation No. 8 – Consideration of Impartial Analysis**

DATE: June 28, 2023 for the meeting of July 6, 2023

Summary

At its February 2, 2023, meeting, the Commission adopted Resolution No. 06 2022/23 approving the annexation of Chico Canyon Road Annexation No. 8 subject to completion of protest proceedings. The proposal involves the annexation of 107 parcels approximately 177 acres in size to the City of Chico, and the detachment of the CSA 164 (Butte County Animal Control). The territory is 100% surrounded by the City of Chico.

Protest proceedings concluded on March 29, 2023, resulting in protest ballots received from 40% of the registered voters in the affected territory. As such, the annexation must be confirmed by the registered voters residing in the territory.

At its May 4, 2023, meeting, the Commission adopted Resolution No. 22 2022/23 informing the Chico City Council of the results of the protest proceedings and requesting that the City Council direct the Elections Official to conduct the necessary election.

At its June 6, 2023, meeting, the Chico City Council called for a special mailed ballot-only municipal election on Tuesday, October 3, 2023, and subsequently considered the elections calendar at its meeting of June 20, 2023 (**Attachment A**).

Impartial Analysis

Pursuant to §57144 and §56898 of the Government Code, the Executive Officer has prepared for the Commission’s review an Impartial Analysis of the proposed annexation; after the Commission has approved or modified the Impartial Analysis, it shall direct the Executive Officer to submit the analysis to the election’s official no later than the last day for submission of ballot arguments.

Included in this report is a draft Impartial Analysis (**Attachment B**) that will be provided to the City Elections Official to be included with the ballot pamphlet.

Action Requested:

Consider, modify as needed, and approve the Draft Impartial Analysis and direct staff to provide the Impartial Analysis to the City Elections Official at the appropriate time.

Attachments:

- A. City Election Calendar
- B. Draft Impartial Analysis for the Chico Canyon Road Annexation No. 8 Election



DRAFT

MEASURE “M”

CALENDAR OF EVENTS

CHICO CANYON ROAD ANNEXATION NO. 8

SPECIAL MAILED BALLOT ELECTION

OCTOBER 3, 2023

DATES	EVENTS
JUNE 6 E-119	CALL FOR ELECTION Date for when the Chico City Council adopts a resolution calling for a Special Mailed Ballot Election to be held on October 3, 2023. The resolution placing this measure on the ballot shall contain the ballot wording which cannot exceed 75 words . (E. C. §§ 10402 and 13247)
JUL 14 E-81	IMPARTIAL ANALYSIS – LAST DAY TO SUBMIT TO CITY CLERK Recommended last day for LAFCo to transmit the impartial analysis of Measure M to the City Clerk ARGUMENTS — LAST DAY TO SUBMIT TO CITY CLERK Last day to submit arguments “FOR” or “AGAINST” any city measure to the City Clerk. Arguments may not exceed 300 words in length. (E. C. §§ 9282 and 9286 (a))

DATES**EVENTS**

JUL 15**PUBLIC EXAMINATION PERIOD FOR BALLOT MEASURE MATERIALS**

Recommended period for the City Clerk to make available for public examination, a copy of ballot measure text, impartial analysis, and arguments for a measure. A fee may be charged to any candidate/person obtaining a copy of the materials.

During this period any person may file a writ of mandate or an injunction to require any or all of the data/material to be amended or deleted.

(E. C. § 9295)

JUL 21
E-74**REBUTTALS — LAST DAY TO SUBMIT TO CITY CLERK**

Recommended last day for authors of arguments “FOR” and “AGAINST” any city measure to submit rebuttals (if permitted) to the City Clerk. A rebuttal may not exceed **250 words**.

(E. C. § 9285)

(For inclusion in the Official Sample Ballot Booklet.)

JUL 22**PUBLIC EXAMINATION PERIOD FOR REBUTTALS**

Recommended period for the City Clerk to make available rebuttals for public examination. A fee may be charged to any candidate/person obtaining a copy of the data/material.

During this period any person may file a writ of mandate or an injunction to require any or all of the data/material to be amended or deleted.

(E. C. § 9285)

DATES

EVENTS

Aug 4
E-60

August 21
E-45

MILITARY AND OVERSEAS BALLOTS

First and last day for the county elections official to transmit ballots and balloting materials to absent military or overseas voters who have requested them by this date.

(E. C. § 3114)

Sept 5
E-29

Sept 26
E-7

MAILING OF VOTE BY MAIL BALLOTS

No later than 29 days before the day of the election, the county elections official shall begin mailing the materials required by Section 3010.

(E. C. § 3001(b), 3010 and 3206)

Sept 5
E-29

PROCESSING VOTE BY MAIL BALLOTS

The processing of vote by mail ballots may commence on the **29th day** before the election but the results of the tally shall not be released until after the vote centers close.

(E. C. § 15101(b))

Sept 18
E-15

CLOSE OF REGISTRATION

Last day to transfer or register to vote in the election.

(E. C. §§ 2102 and 2107)

Sept 19
E-14

Oct 3
ELECTION
DAY

NEW CITIZEN ELIGIBILITY TO REGISTER AND VOTE

A new citizen is eligible to register and vote at the office of, or at another location designated by, the county elections official at any time beginning on the 14th day before an election and ending at the close of polls on the election day following the date on which that person became a citizen.

(E.C. § 3500)

DATES

EVENTS

Sept 22
E-10*

TALLY CENTER LOCATION — PUBLICATION

On or before this date a notice specifying the public place to be used as the central tally location for counting the ballots shall be published once in a newspaper of general circulation within the jurisdiction.

The Tally Center location will be 411 Main Street, 3rd Floor Lobby at 1:00 p.m. on October 4.

(E. C. § 12109)

Oct 3
5:00 P.M.
ELECTION
DAY

ELECTION DAY

(E. C. §§ 1201 and 14212)

VOTE BY MAIL BALLOTS RETURNED — 5:00 P.M.

Last day for Vote By Mail ballots to be received or turned in personally by the voter to the City Clerk's Office, 411 Main Street, Chico. An authorized representative may return the voted ballot under specified conditions.

(E. C. §§ 3017 and 3020)

Any Vote By Mail ballot cast under this division shall be timely cast if it is received by the voter's elections official via the United States Postal Service or a bona fide private mail delivery company no later than 7 days after election day in addition to the provisions set forth in E. C. 3020, Sections 1 and 2.

(E. C. § 3020(b) Section 1 and 2)

Oct 5
E+2

OFFICIAL CANVASS

By law, the canvass of election returns shall commence no later than the first Thursday following the election

(E. C. §§ 10262 and 15301)

Oct 13
E+10

COMPLETION OF OFFICIAL CANVASS

On **October 13**, the City Clerk & Elections Official is tentatively scheduled to certify the election results. On **November 7, 2023**, the City Council is tentatively scheduled to declare the election officially concluded.

**BUTTE LOCAL AGENCY FORMATION COMMISSION
IMPARTIAL ANALYSIS OF THE PROPOSED
CHICO CANYON ROAD ANNEXATION No. 8**

A “yes” vote on the measure will confirm the decision of the Butte Local Agency Formation Commission to annex the island area referred to as Chico Canyon Road Annexation No. 8 to the City of Chico. A “no” vote on the measure indicates opposition to the annexation proposal. If confirmed, the Certificate of Completion would be recorded in August 2026, consistent with the Island Annexation Agreement executed between the City of Chico and Butte LAFCo and at that time, the annexation territory would be a part of the City’s jurisdiction.

The City of Chico proposes to annex approximately 107 parcels and adjacent road right-of-way to the City of Chico. The purpose of the annexation is to consolidate the City’s jurisdictional boundaries and encourage the efficient delivery of urban services including, but not limited to, police, fire, public works, code enforcement, and wastewater treatment. A successful annexation will also allow affected residents to serve on and elect members of the City Council and other boards and commissions.

The annexation territory is generally located southeast of Upper Bidwell Park and northwest of California Park Subdivision. The annexation territory is 100% surrounded by the City’s jurisdiction. As a result of the annexation, the territory would be detached from County Service Area 164 (Butte County Animal Control District) as this service is provided by the City of Chico.

The City of Chico has rezoned the parcels consistent with their existing land use. Parcels south of Manzanita Avenue are rezoned R1-10 (Low Density Residential with 10,000 square foot minimum lot size). Parcels north of Manzanita Avenue are rezoned RS-1 (Rural Suburban with 1-acre minimum lot size). Parcels on Falcons Pointe Drive are rezoned RS-1-FDSD (Rural Suburban, 1-acre minimum lot size, Foothill Design Standards Overlay).

The annexation is subject to the terms and conditions in Butte Local Agency Formation Commission Resolution No. 06 2022/23.

The above statement is an impartial analysis of Measure M. If you desire a copy of the proposition, please call the elections official's office at 530-896-7250 and a copy will be mailed at no cost to you.