MEMORANDUM LOCAL AGENCY FORMATION COMMISSION

TO: Local Agency Formation Commission

FROM: Shannon Costa, Deputy Executive Officer

SUBJECT: LAFCo File No. 23-03 - City of Chico – Chico Canyon Road Annexation No. 8 - Certification of Termination of Proceedings

DATE: November 28, 2023 for the meeting of December 7, 2023

SUMMARY

At its February 2, 2023, meeting, the Commission adopted Resolution No. 06 2022/23 approving the 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 forms received from 40% of the registered voters in the affected territory. As such, the annexation would need to be confirmed by the registered voters residing in the territory.

Pursuant to Government Code Section 57000(d), the City Election's Official conducted a special municipal election on October 3, 2023, on the matter of the annexation. The Elections Official received a total of 130 ballots, including 11 ballots in favor of the proposal and 119 ballots opposed. As such, the special election for Chico Canyon Road Annexation No. 8 was not approved by the registered voters.

The City of Chico elections official called for the certification of the election results at the November 7, 2023 Chico City Council meeting. Pursuant to Government Code Section 57179, the Commission must now adopt a Certificate of Termination of Proceedings.

ACTION REQUESTED: Adopt the Certificate of Termination of Proceedings for LAFCo File No. 23-03 - Chico Canyon Road Annexation No. 8.

Respectfully submitted,

Shannon Costa

Shannon Costa Deputy Executive Officer

<u>Attachments:</u> Attachment A: Certificate of Termination of Proceedings Attachment B: City of Chico Certification of Election Results

<u>Distribution:</u> Brendan Vieg, City of Chico (Brendan.vieg@chicoca.gov) Requested by and when recorded mail to: BUTTE LOCAL AGENCY FORMATION COMMISSION 1453 Downer Street, Suite C, Oroville, CA 95965

Exempt from fees per Gov Code 6103

Attest:

The following _____ page document is a correct copy of the original on file and of record in the LAFCO office.

By_____, Deputy

CERTIFICATE OF TERMINATION OF PROCEEDINGS

The following proposal entitles:

City of Chico – Chico Canyon Road Annexation No. 8

has been terminated due to:

_____ MAJORITY WRITTEN PROTEST PURSUANT TO GOVERNMENT CODE SECTION 57078.

X REJECTION BY MAJORITY OF VOTERS IN A MUNICIPAL ELECTION PURSUANT TO GOVERNMENT CODE SECTION 57179.

I hereby certify that as the Executive Officer for the Butte Local Agency Formation Commission, the above proposal has been terminated pursuant to Government Code Section 57179 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

By: ______STEPHEN LUCAS, Executive Officer

Dated: December 7, 2023

RESOLUTION NO. 66-23

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON OCTOBER 3, 2023

WHEREAS, the City Council called a special municipal election to be held on October 3, 2023, for the purpose of determining the matter of the Chico Canyon Road Annexation No. 8; and WHEREAS, the City Clerk of the City of Chico conducted a special election on October

23, 2023, certified the returns for the matter submitted to the voters at that election, filed those returns pursuant to section 10262 (b) and certified the results to the City Council; and

WHEREAS, the City Council now desires to formally declare the results of that election pursuant to the California Elections Code.

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NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHICO DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Based on the canvass of the returns of the special municipal election held on October 3, 2023, the City Council has determined that Chico Canyon Road Annexation No. 8 was not approved by voters; and

Section 2. The whole number of votes cast at such election, the number of votes given in the City for and against the measure are set forth in **Exhibit A** attached hereto and by this reference incorporated herein.

The foregoing resolution was adopted by the City Council of the City of Chico at its meeting held on the 7th day of November, 2023 by the following vote:

AYES: Bennett, Morgan, van Overbeek, Winslow, Reynolds, Coolidge NOES: None
ABSENT: Tandon ABSTAIN: None
DISQUALIFIED: None

APPROVED AS TO FORM: ATTEST: hosen John W. Lam, City Attorney* Deborah R. Presson City Clerk *Pursuant to the Charter of the City of Chico Section 906(e)

OFFICE OF THE CITY CLERK



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(530) 896-7250 Fax: (530) 895-4825

Certification of Election Results

State of California County of Butte } ss. City of Chico

I, Deborah R. Presson, City Clerk and Elections Official of the City of Chico, do hereby certify the following results of the October 3, 2023, Special Election for the Chico Canyon Annexation No. 8, which was not approved by voters. There were 119 voting against and 11 in favor of the measure herein set forth as provided by the City Clerk and Elections Official on this day. The whole number of votes cast in the annexation territory was 130.



I affix my hand and official seal this 7th day of November 2023.

Deborah R. Presson, MMC City Clerk & Elections Official