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RESOLUTION NO. 63-23

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO (1) CALLING FOR A SPECIAL ELECTION ON MARCH 5, 2024, FOR THE SUBMISSION OF VALLEY’S EDGE REFERENDUM ON RESOLUTION 08-23 AND RESOLUTION 09-23; (2) REQUESTING CONSOLIDATION OF THAT ELECTION WITH THE STATEWIDE PRESIDENTIAL PRIMARY ELECTION TO BE HELD ON MARCH 5, 2024; AND (3) SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND REBUTTALS THEREOF, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS**

**WHEREAS**, on January 3, 2023, the City of Chico (“City”) City Council took action to approve the proposed Valley’s Edge project and related land use actions which included a General Plan Amendment (Resolution No. 08-23) and approval of a Specific Plan (Resolution No. 09-23); and

**WHEREAS**, a referendum petition was turned into the City Clerk’s Office by the deadline of February 13, 2023, on the General Plan Amendment (Resolution No. 08-23), with 6,444 valid signatures, and on the approval of the Specific Plan (Resolution No. 09-23), with 6,372 valid signatures. These valid signatures represented 10% or more of the registered voters of the city; and

**WHEREAS**, the City Council of the City of Chico hereby calls a Special Municipal Election to be held on March 5, 2024, for the purpose of submission of Valley’s Edge Referendum on Resolution 08-23 and 09-23; and

**WHEREAS**, at such Special Municipal Election the following questions will be submitted to the qualified voters of the City of Chico:

1. Shall Resolution No. 08-23 “Resolution of the City Council of the City of Chico Approving General Plan Amendment 22-03,” which approved the Valley’s Edge General Plan Amendment on January 3, 2023, providing for the strategic and planned development of the Valley’s Edge area of the City, be adopted?	<b>YES</b>
	<b>NO</b>

<p>1            2. Shall Resolution No. 09-23  2            “Resolution of the City Council of the City of  3            Chico Adopting the Valley’s Edge Specific  4            Plan (SP 19-01),” which adopted the Valley’s  5            Edge Specific Plan on January 3, 2023,  6            providing for the strategic and planned  7            development of the Valley’s Edge area of the  8            City, be adopted?</p>	<p><b>YES</b></p>
	<p><b>NO</b></p>

9            ; and

10           **WHEREAS**, it is desirable that the Special Election be consolidated with the Statewide  
11           Presidential Primary election to be held on the same date and that within the City the precincts,  
12           polling places and election officers of the two elections be the same, and that the County Election  
13           Department of the County of Butte canvass the returns of the Special Election and that the election be  
14           held in all respects as if there were only one election;

15           **WHEREAS**, Section 9280 of the California Elections Code authorizes the City Council to  
16           direct the City Attorney to prepare an impartial analysis of the measure showing the effect of the  
17           measure on the existing law and the operation of the measure; and

18           **WHEREAS**, Section 9282 of the California Elections Code authorizes the City Council, by  
19           majority vote, to adopt provisions to provide for the filing of written arguments for and against, and  
20           rebuttals thereof, for city measures at a municipal election.

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

23           **Section 1.** That pursuant to the requirements of the laws of the State of California, there is  
24           called and ordered to be held in the City of Chico, California, on March 5, 2024, a Special  
25           Municipal Election for the purpose of placing on the ballot the following two measures:

<p>1 1. Shall Resolution No. 08-23 “Resolution of 2 the City Council of the City of Chico 3 Approving General Plan Amendment 22-03,” 4 which approved the Valley’s Edge General 5 Plan Amendment on January 3, 2023, 6 providing for the strategic and planned 7 development of the Valley’s Edge area of the 8 City, be adopted?</p>	<p><b>YES</b></p>
<p>9 2. Shall Resolution No. 09-23 “Resolution of 10 the City Council of the City of Chico 11 Adopting the Valley’s Edge Specific Plan (SP 12 19-01),” which adopted the Valley’s Edge 13 Specific Plan on January 3, 2023, providing 14 for the strategic and planned development of 15 the Valley’s Edge area of the City, be 16 adopted?</p>	<p><b>NO</b></p>

17 **Section 2.** Pursuant to Elections Code §10403, the Board of Supervisors of the County of  
18 Butte is hereby requested to consent and agree to the consolidation of this Special Election with the  
19 Statewide Presidential Primary Election to be held on March 5, 2024, in all precincts of the County  
20 of Butte within the incorporated territory of the City of Chico.

21 **Section 3.** Pursuant to Elections Code §10403, the Board of Supervisors of the County of  
22 Butte is hereby requested to authorize the County Clerk to cause all necessary ballots to be printed,  
23 appoint all necessary election officials, make arrangements for precinct polls and vote-by-mail  
24 ballots, procure and furnish to election officials all necessary supplies and equipment, and perform  
25 all other acts required to conduct this election on behalf of the City of Chico.

26 **Section 4.** Pursuant to Elections Code § 10002, the Board of Supervisors of the County of  
27 Butte is requested to authorize the County Clerk to cause all necessary ballots to be printed, prepare  
28 and distribute all sample ballot pamphlets and all absentee ballots, appoint all necessary election  
officials, make arrangements for precinct polls and vote-by-mail ballots, procure and furnish to  
election officials all necessary supplies and equipment, and perform all other acts required to  
conduct this election on behalf of the City of Chico.

**Section 5.** The Board of Supervisors of the County of Butte is requested to issue instructions  
to the County Elections Department to take any and all steps necessary for the holding of the  
consolidated election.

**Section 6.** Pursuant to Elections Code §10411, the Board of Supervisors of the County of  
Butte is further requested and authorized to canvass the returns of this general municipal election.

1           **Section 7.** That the polls for the election shall be open at seven (7) o'clock a.m. of the day  
2 of the election and shall remain open continuously from that time until eight (8) o'clock p.m. of the  
3 same day when the polls shall be closed pursuant to Election Code §10242, except as provided in §  
4 14212, 14401 of the Elections Code of the State of California.

5           **Section 8.** Any registered voter may vote using a vote-by-mail ballot instead of going to the  
6 polls on the day of the election. Vote-by-mail ballots that are mailed must be postmarked on or  
7 before the day of the election and received by County Elections Department no later than 7 days  
8 after the day of the election, pursuant to requirements in the State of California Elections Division.  
9 Vote-by-mail ballots that are personally delivered to a polling place or a ballot drop-off location  
10 must be delivered no later than the close of polls at eight (8) o'clock p.m. on the day of the election.

11           **Section 9.** That notice of the time and place of holding the election is given and the City  
12 Clerk is authorized, instructed and directed to give further or additional notice of the election, in  
13 time, form, and manner as required by law.

14           **Section 10.** The City Council directs the City Attorney to prepare an impartial analysis of  
15 the measure showing the effect of the measure on the existing law and the operation of the measure  
16 pursuant to Elections Code Section 9280.

17           **Section 11.** The City Council, as the legislative body, may file a written argument(s) not  
18 exceeding 300 words against the City Measures specified above, accompanied by the printed  
19 name(s) and signature(s) of the author(s) submitting it in accordance with Article 4, Chapter 3,  
20 Division 9 of the Elections Code of the State of California.

21           **Section 12.** Pursuant to Elections Code Section 9286, the City Clerk is authorized and  
22 directed to fix and determine November 6, 2023, as the reasonable date prior to the election for the  
23 submission to the City Clerk of arguments in favor of or against the City Measures. The arguments  
24 shall comply with Elections Code Sections 9282 and 9283. If more than one argument in favor or  
25 more than one argument against the measure is submitted within the time prescribed, the City Clerk  
26 shall select one of the arguments in favor and one of the arguments against the measure for printing  
27 and distribution to the voters, in accordance with Elections Code Section 9287.

28           **Section 13.** Pursuant to Section 9285 of the Elections Code, when the elections official has  
selected the arguments for and against the measure which will be printed and distributed to the  
voters, the elections official shall send a copy of an argument in favor of the measure to the authors

1 of any argument against the measure and a copy of an argument against the measure to the authors  
2 of any argument in favor of the measure immediately upon receiving the arguments.

3 **Section 14.** The author or a majority of the authors of an argument relating to the City  
4 measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in  
5 writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal  
6 argument may not be signed by more than five (5) persons. The rebuttal arguments shall be filed  
7 with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it,  
8 or if submitted on behalf of an organization, the name of the organization, and the printed name and  
9 signature of at least one of its principal officers, not more than 10 days after the final date for filing  
10 direct arguments, or November 27, 2023. Rebuttal arguments shall be printed in the same manner as  
11 the direct arguments. Each rebuttal argument shall immediately follow the direct argument it seeks  
12 to rebut.

13 **Section 15.** The City Clerk is directed to transmit a certified copy of this resolution to the  
14 Board of Supervisors and the County Clerk of the County of Butte.

15 **Section 16.** The City Council authorizes the City Clerk to administer said election and all  
16 reasonable and actual election expenses shall be paid by the City upon presentation of a properly  
17 submitted bill.

18 **Section 17.** The City Clerk shall certify the passage and adoption of this Resolution and  
19 enter it into the record.

20 **The foregoing** resolution was adopted by the City Council of the City of Chico at its  
21 meeting held on the 17<sup>th</sup> day of October, 2023 by the following vote:

22 AYES : Bennett, Morgan, Tandon, van Overbeek, Winslow, Reynolds, Coolidge

23 NOES: None

24 ABSENT: None

25 ABSTAIN: None

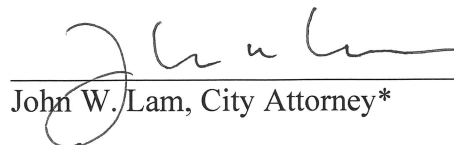
26 DISQUALIFIED: None

27 ATTEST:

28 

Deborah R. Presson  
City Clerk and Elections Official

APPROVED AS TO FORM:



John W. Lam, City Attorney\*

\*Pursuant to the Charter of the City of Chico  
Section 906(e)