

RESOLUTION 2022-58

**RESOLUTION OF THE CITY OF NEVADA CITY
CALLING A SPECIAL MUNICIPAL ELECTION ON NOVEMBER 8, 2022 FOR
THE SUBMISSION OF A PROPOSED ORDINANCE.**

WHEREAS, pursuant to the provisions of the Elections Code, a petition has been filed with the City of Nevada City (“City”), signed by more than 10% of the registered voters in the City to submit a proposed ordinance entitled the “Nevada City Historic Neighborhoods District Initiative” (“Ordinance”) relating to the creation of an historic neighborhood district; and

WHEREAS, the City’s Election Official has examined voter registration records and ascertained that the petition has been signed by the requisite number of voters, and has so certified; and

WHEREAS, the City Council has not voted in favor of adoption of the Ordinance; and

WHEREAS, the Elections Code requires the City Council to submit the Ordinance to the voters at a general or special election; and

WHEREAS, the City Council finds that it is in the public interest to hold a special municipal election on Tuesday, November 8, 2022 for the purpose of submitting to the voters the question of whether to adopt the Ordinance; and

WHEREAS, the City Council finds that whenever two or more elections are called to be held on the same day, in the same territory or in part of the same territory, such elections should be consolidated.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Nevada City, that:

Section 1. The text of the Ordinance is attached as Exhibit A.

Section 2. The question submitted shall appear on the ballot as follows:

Nevada City Historic Neighborhoods District Initiative. Shall an ordinance that amends the City’s General Plan and Zoning Code to establish an Historic Neighborhoods District be adopted?	YES	
	NO	

Section 3. That the vote requirement for the measure to pass is a majority (50% +1) of the votes cast.

Section 4. The City Clerk is instructed to transmit the Ordinance to the City Attorney along with a request that an impartial analysis be prepared pursuant to Elections Code Section 9280.

Section 5. In all particulars not recited in this Resolution, the Election shall be held and conducted as provided by law for holding municipal elections.

Section 6. Notice of the time and place of holding of the Election is given and the City Clerk is authorized, instructed, and directed to give further or additional notice of the election in the time, form, and manner as required by law.

Section 7. Pursuant to Section 10400 et seq. of the Elections Code, the Board of Supervisors of Nevada County is requested to consolidate the election on this ballot measure with other elections held on the same day in the County.

Section 8. The Board of Supervisors is authorized to canvass the returns of the Election pursuant to Section 10411 of the Elections Code.

Section 9. Pursuant to Section 10002 of the Elections Code, the Board of Supervisors is requested to permit the County elections office to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the City agrees to reimburse the County, in accordance with current County pro-rations and allocation procedures.

Section 10. Pursuant to Section 9282 of the Elections Code, the legislative body of Nevada City, or any member or members of the legislative body authorized by the body, or any individual voter who is eligible to vote on the measure or bona fide association of citizens, or any combination of voters and associations, may file a written argument, not to exceed 300 words in length, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, for or against the City measure.

Section 11. Rebuttal arguments will be accepted for this measure, and the City Council reiterates its adoption of the provisions of Section 9285 of the Elections Code regarding rebuttals.

Section 12. The City Clerk shall file a certified copy of this Resolution with the Board of Supervisors and the Nevada County elections official.

Section 13. This Resolution shall take effect immediately upon its adoption.

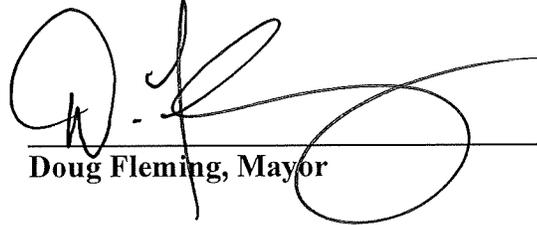
PASSED AND ADOPTED at a regularly scheduled meeting of the Nevada City City Council on the 10th day of August, 2022 by the following vote.

AYES: FLEMING, FERNANDEZ, PETERSEN, CECI

NOES: KLINE

ABSTAIN:

ABSENT:



Doug Fleming, Mayor

ATTEST:



Gabrielle Ohristakes, Deputy City Clerk