

**City of Carson City
Agenda Report**

Date Submitted: March 23, 2015

Agenda Date Requested: April 2, 2015

Time Requested: 30 minutes

To: Mayor and Board of Supervisors

From: City Manager

Subject Title: For Possible Action: Discussion and possible action to convey to the 2015 Legislature the Board's position on Senate Bill 368 (SB368) and Assembly Bill 458 (AB458), Ward Voting. SB368 and AB458 are Bills relating to elections; requiring that candidates for city council of a city that is divided into wards be voted upon in a primary or general election only by the registered voters of the ward that the candidate seeks to represent; creating an additional ward in certain cities; and providing other matters properly relating thereto. (*Nick Marano*)

Staff Summary: Both Bills contain the same wording and modify Sections 2.010, 5.010 and 5.020 of the Carson City Charter so that a candidate for Supervisor must be voted upon only by the registered voters of the ward that the candidate seeks to represent. Sections 7-9 of SB368 and 1-3 of AB458 would modify the Carson City Charter to effect that change.

Type of Action Requested:

☐ Resolution

☒ Formal Action/Motion

☐ Ordinance

☐ Other (Specify)

Does This Action Require A Business Impact Statement: () Yes (X) No

Recommended Board Action: I move to convey to the 2015 Legislature the Board's (opposition) (support) of Senate Bill SB368 and Assembly Bill 458 that would modify Sections 2.010, 5.010 and 5.020 of the Carson City Charter so that a candidate for Supervisor must be voted upon only by the registered voters of the ward that the candidate seeks to represent.

Explanation for Recommended Board Action: Please see the accompanying language for SB368 and AB458 that are under consideration by the Senate Committee on Government Affairs.

Applicable Statute, Code, Policy, Rule or Regulation: Senate Bill 368, Assembly Bill 458

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives:

- 1) Support/Oppose the Bills as written.
- 2) Support the Bills with amendments

Supporting Material:

- 1) Senate Bill 368
- 2) Assembly Bill 458

Prepared By: Nick Marano

Reviewed By:

Nick Marano

(City Manager)

Joseph L. Ward Jr.

(District Attorney)

Michael A. White

(Finance Director)

Date: 3/24/15

Date: 3/24/15

Date: 3/24/15

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

SENATE BILL NO. 368—SENATORS KIHUEN, PARKS, FORD,
SPEARMAN; ATKINSON, DENIS, MANENDO AND SEGERBLOM

MARCH 16, 2015

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning elections.
(BDR 24-885)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

EXPLANATION – Matter in *bolded italics* is new, matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to elections; requiring that candidates for city council of a city that is divided into wards be voted upon in a primary or general election only by the registered voters of the ward that the candidate seeks to represent; creating an additional ward in certain cities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, a city whose population is 50,000 or more may be divided
2 into 4 or 6 wards, with each ward represented on the city council by a council
3 member. An additional council member represents the city at large. (NRS 266.095,
4 266.220) **Section 4** of this bill increases the number of wards in such a city to 5 or
5 7, as applicable, and **section 6** of this bill replaces the council member elected at
6 large with the office of council member to represent the newly created ward.
7 **Section 19** of this bill requires such a city that is divided into wards to establish the
8 boundaries of the newly created ward, and alter the boundaries accordingly of the
9 first through fourth or sixth wards, as applicable, not later than October 1, 2015.
10 **Section 20** of this bill provides that the council members representing wards one
11 through four or six, as applicable, who are in office on October 1, 2015, will
12 continue to represent those wards notwithstanding the altered boundaries and that
13 the council member representing the city at large, who was last elected at the 2014
14 general election, will be deemed to represent the fifth or seventh ward, as
15 applicable, for the remainder of his or her term, which expires after the 2018
16 election. **Sections 1-3 and 5** of this bill make conforming changes.

17 The existing Charters of Carson City and the City of Henderson provide that
18 those cities are divided into wards but candidates for Supervisor and Council
19 Member, respectively, must be voted on by the registered voters of the City at large
20 in both a primary and a general election. (Carson City Charter §§ 2.010, 5.010,
21 5.020; Henderson City Charter §§ 2.010, 5.010, 5.020) **Sections 7-9** of this bill
22 amend the Charter of Carson City and **sections 10-12** of this bill amend the Charter



23 of the City of Henderson to provide that all candidates for Supervisor and Council
24 Member, respectively, must be voted on in a primary or general election only by
25 the registered voters of the ward that a candidate seeks to represent.

26 The existing Charter of the City of Reno divides the City into five wards, each
27 of which is represented on the City Council by a Council Member. A sixth Council
28 Member represents the City at large. (Reno City Charter §§ 1.050, 2.010) **Section**
29 **13** of this bill increases the number of wards in the City of Reno to six, and
30 **sections 14-16** of this bill replace the office of Council Member at large with the
31 office of Council Member to represent the newly created sixth ward. (Reno City
32 Charter §§ 1.050, 2.010, 5.010, 5.020) **Section 21** of this bill requires the Reno City
33 Council to establish the boundaries of the newly created sixth ward, and alter the
34 boundaries of the first through fifth wards accordingly, not later than October 1,
35 2015. **Section 22** of this bill provides that the Council Members representing wards
36 one through five who are in office on October 1, 2015, will continue to represent
37 those wards notwithstanding the altered boundaries and that the Council Member
38 representing the city at large, who was last elected at the 2014 general election, will
39 be deemed to represent the sixth ward for the remainder of his or her term, which
40 expires after the 2018 election.

41 The existing Charters of the Cities of Reno and Sparks provide that the
42 candidates for Council Member to represent a particular ward must be voted on in a
43 primary election only by the registered voters of that ward but, in a general
44 election, must be elected by the registered voters of the City at large. (Reno City
45 Charter §§ 5.010, 5.020; Sparks City Charter §§ 5.010, 5.020) **Sections 15 and 16**
46 of this bill amend the Charter of the City of Reno and **sections 17 and 18** of this
47 bill amend the Charter of the City of Sparks to provide that all candidates for
48 Council Member must be elected in a general election only by the registered voters
49 of the ward that a candidate seeks to represent.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 293C.140 is hereby amended to read as
2 follows:

3 293C.140 1. Except as otherwise provided in NRS 293C.115,
4 a general city election must be held in each city of population
5 categories one and two on the first Tuesday after the first Monday in
6 June of the first odd-numbered year after incorporation, and on the
7 same day every 2 years thereafter as determined by law, ordinance
8 or resolution, at which time there must be elected the elective city
9 officers, the offices of which are required next to be filled by
10 election. ~~{All candidates, except as otherwise provided in NRS~~
11 ~~266.220, at} At the general city election :~~

12 *(a) A candidate for the office of city council, except as*
13 *otherwise provided in NRS 266.220, must be voted upon only by*
14 *the registered voters of the ward that the candidate seeks to*
15 *represent.*



1 **(b) All other candidates** must be voted upon by the electors of
2 the city at large.

3 2. Unless the terms of office of city council members are
4 extended by an ordinance adopted pursuant to NRS 293C.115, the
5 terms of office are 4 years, which terms must be staggered. The
6 council members elected to office immediately after incorporation
7 shall decide, by lot, among themselves which of their offices expire
8 at the next general city election, and thereafter the terms of office
9 must be 4 years unless the terms are extended by an ordinance
10 adopted pursuant to NRS 293C.115.

11 **Sec. 2.** NRS 293C.145 is hereby amended to read as follows:

12 293C.145 1. Except as otherwise provided in NRS 293C.115,
13 a general city election must be held in each city of population
14 category three on the first Tuesday after the first Monday in June of
15 the first odd-numbered year after incorporation, and on the same day
16 every 2 years thereafter, as determined by ordinance.

17 2. There must be one mayor and three or five council members,
18 as the city council shall provide by ordinance, for each city of
19 population category three. Unless the terms of office of the mayor
20 and the council members are extended by an ordinance adopted
21 pursuant to NRS 293C.115, the terms of office of the mayor and the
22 council members are 4 years, which terms must be staggered. The
23 mayor and council members elected to office immediately after
24 incorporation shall decide, by lot, among themselves which two of
25 their offices expire at the next general city election, and thereafter
26 the terms of office must be 4 years unless the terms are extended by
27 an ordinance adopted pursuant to NRS 293C.115. If a city council
28 thereafter increases the number of council members, it shall, by lot,
29 stagger the initial terms of the additional members.

30 3. Except as otherwise provided in NRS 293C.115, a candidate
31 for any office to be voted for at the general city election must file a
32 declaration of candidacy with the city clerk not less than 60 days nor
33 more than 70 days before the day of the general city election. The
34 city clerk shall charge and collect from the candidate and the
35 candidate must pay to the city clerk, at the time of filing the
36 declaration of candidacy, a filing fee in an amount fixed by the city
37 council by ordinance or resolution.

38 4. Candidates for mayor must be voted upon by the electors of
39 the city at large. ~~{Candidates}~~ **Except as otherwise provided in NRS**
40 **266.220, candidates** for the city council must be voted upon by the
41 electors of their respective wards to represent the wards in which
42 they reside . ~~{for by the electors of the city at large in accordance~~
43 ~~with the provisions of chapter 266 of NRS.}~~



1 **Sec. 3.** NRS 293C.175 is hereby amended to read as follows:

2 293C.175 1. Except as otherwise provided in NRS 293C.115,
3 a primary city election must be held in each city of population
4 category one, and in each city of population category two that has so
5 provided by ordinance, on the first Tuesday after the first Monday in
6 April of every year in which a general city election is to be held, at
7 which time there must be nominated candidates for offices to be
8 voted for at the next general city election.

9 2. Except as otherwise provided in NRS 293C.115, a candidate
10 for any office to be voted for at the primary city election must file a
11 declaration of candidacy with the city clerk not less than 60 days or
12 more than 70 days before the date of the primary city election. The
13 city clerk shall charge and collect from the candidate and the
14 candidate must pay to the city clerk, at the time of filing
15 the declaration of candidacy, a filing fee in an amount fixed by the
16 governing body of the city by ordinance or resolution. The filing
17 fees collected by the city clerk must be deposited to the credit of the
18 general fund of the city.

19 3. ~~{All-candidates,}~~ *At a primary city election:*

20 (a) *A candidate for the office of city council*, except as
21 otherwise provided in NRS 266.220, *must be voted upon only by*
22 *the registered voters of the ward that the candidate seeks to*
23 *represent.*

24 (b) *All other candidates* must be voted upon by the electors of
25 the city at large.

26 4. If, in a primary city election held in a city of population
27 category one or two, one candidate receives more than a majority of
28 votes cast in that election for the office for which he or she is a
29 candidate, the candidate must be declared elected to the office and
30 the candidate's name must not be placed on the ballot for the
31 general city election. If, in the primary city election, no candidate
32 receives a majority of votes cast in that election for the office for
33 which he or she is a candidate, the names of the two candidates
34 receiving the highest number of votes must be placed on the ballot
35 for the general city election.

36 **Sec. 4.** NRS 266.095 is hereby amended to read as follows:

37 266.095 1. In a city incorporated pursuant to this chapter, the
38 city may be divided into wards by ordinance as follows:

39 (a) A city of population category one, into ~~{four}~~ *five* or ~~{six}~~
40 *seven* wards.

41 (b) A city of population category two or three, into three or five
42 wards.

43 2. The division of cities into wards must, during the
44 incorporation thereof, be made by the board of county



1 commissioners. The wards must as nearly as practicable be of equal
2 population and in compact form.

3 3. Once established, the boundaries of wards must be changed
4 by ordinance of the city council.

5 4. Except as otherwise provided in NRS 293.209, the
6 boundaries of the wards:

7 (a) Must be changed whenever the population, as determined by
8 the last preceding national decennial census conducted by the
9 Bureau of the Census of the United States Department of
10 Commerce, in any ward exceeds the population in any other ward
11 by more than 5 percent.

12 (b) May be changed to include territory which has been
13 annexed, or whenever the population in any ward exceeds the
14 population in any other ward by more than 5 percent by any
15 measure that is found to be reliable by the city council.

16 **Sec. 5.** NRS 266.185 is hereby amended to read as follows:

17 266.185 1. During the absence or disability of the mayor, ~~the~~

18 ~~— (a) In a city of population category one that is divided into~~
19 ~~wards, the council member at large shall act as mayor pro tem.~~

20 ~~— (b) In all other cities incorporated pursuant to this chapter,~~ the
21 city council shall, by ordinance or resolution, provide for the
22 appointment of one of its members as mayor pro tem.

23 2. During the absence or disability of the mayor, the mayor pro
24 tem shall:

25 (a) Possess the powers and duties of mayor; and

26 (b) Except in a city of population category one, hold the office
27 of mayor pro tem at the pleasure of the city council.

28 **Sec. 6.** NRS 266.220 is hereby amended to read as follows:

29 266.220 1. If a city of population category one is:

30 (a) Divided into wards, the city council must be composed of
31 five or seven council members with one council member from each
32 ward who is elected only by the electors who reside in that ward .
33 ~~and one council member who is elected by the city at large.~~

34 (b) Not divided into wards, five or seven council members must
35 be elected by the voters of the city at large.

36 2. If a city of population category two or three is:

37 (a) Divided into wards, the city council must be composed of
38 three or five council members with one council member from each
39 ward who is elected only by the electors who reside in that ward.

40 (b) Not divided into wards, the three or five council members
41 must be elected by the voters of the city at large.



1 **Sec. 7.** Section 2.010 of the Charter of Carson City, being
2 chapter 213, Statutes of Nevada 1969, as last amended by chapter
3 118, Statutes of Nevada 1985, at page 474, is hereby amended to
4 read as follows:

5 Sec. 2.010 Board of Supervisors: Qualifications;
6 election; term of office.

7 1. The legislative power of Carson City is vested in a
8 Board of Supervisors consisting of five Supervisors,
9 including the Mayor.

10 2. The Mayor must be:

11 (a) An actual and bona fide resident of Carson City for at
12 least 6 months immediately preceding his or her election.

13 (b) A qualified elector within Carson City.

14 3. Each Supervisor *other than the Mayor* must be:

15 (a) An actual and bona fide resident of Carson City for at
16 least 6 months immediately preceding his or her election.

17 (b) A qualified elector within the ward which he or she
18 represents.

19 (c) A resident of the ward which he or she represents,
20 except that changes effected in the boundaries of a ward
21 pursuant to the provisions of section 1.060 do not affect the
22 right of any elected Supervisor to continue in office for the
23 term for which he or she was elected.

24 4. All Supervisors, including the Mayor, ~~{must be voted~~
25 ~~upon by the registered voters of Carson City at large and}~~
26 shall serve for terms of 4 years.

27 **Sec. 8.** Section 5.010 of the Charter of Carson City, being
28 chapter 213, Statutes of Nevada 1969, as last amended by chapter
29 100, Statutes of Nevada 1999, at page 271, is hereby amended to
30 read as follows:

31 Sec. 5.010 Primary election.

32 1. A primary election must be held on the date fixed by
33 the election laws of this state for statewide elections, at which
34 time there must be nominated candidates for offices to be
35 voted for at the next general election.

36 2. A candidate for any office to be voted for at any
37 primary election must file a declaration of candidacy as
38 provided by the election laws of this state.

39 3. *In an election that is held pursuant to this section:*

40 (a) All candidates for the office of Mayor, ~~{and~~
41 ~~Supervisor,}~~ and candidates for the office of Municipal Judge
42 if a third department of the Municipal Court has been
43 established, must be voted upon by the registered voters of
44 Carson City at large.



1 ***(b) A candidate for the office of Supervisor must be***
2 ***voted upon only by the registered voters of the ward that the***
3 ***candidate seeks to represent.***

4 4. If only two persons file for a particular office, their
5 names must not appear on the primary ballot but their names
6 must be placed on the ballot for the general election.

7 5. If in the primary election one candidate receives more
8 than a majority of votes cast in that election for the office for
9 which he or she is a candidate, his or her name alone must be
10 placed on the ballot for the general election. If in the primary
11 election no candidate receives a majority of votes cast in that
12 election for the office for which he or she is a candidate, the
13 names of the two candidates receiving the highest numbers of
14 votes must be placed on the ballot for the general election.

15 **Sec. 9.** Section 5.020 of the Charter of Carson City, being
16 chapter 213, Statutes of Nevada 1969, as last amended by chapter
17 96, Statutes of Nevada 1997, at page 183, is hereby amended to read
18 as follows:

19 Sec. 5.020 General election.

20 1. A general election must be held in Carson City on the
21 first Tuesday after the first Monday in November 1970, and
22 on the same day every 2 years thereafter, at which time there
23 must be elected such officers, the offices of which are
24 required next to be filled by election.

25 2. ***In a general election:***

26 ***(a)*** All candidates for the office of Mayor , ~~and~~
27 ~~Supervisor,~~ and all candidates for the office of Municipal
28 Judge if a third department of the Municipal Court has been
29 established, must be voted upon by the registered voters of
30 Carson City at large.

31 ***(b) A candidate for the office of Supervisor must be***
32 ***voted upon only by the registered voters of the ward that the***
33 ***candidate seeks to represent.***

34 **Sec. 10.** Section 2.010 of the Charter of the City of Henderson,
35 being chapter 266, Statutes of Nevada 1971, as last amended by
36 chapter 218, Statutes of Nevada 2011, at page 955, is hereby
37 amended to read as follows:

38 Sec. 2.010 City Council: Qualifications; election; term
39 of office; salary.

40 1. The legislative power of the City is vested in a City
41 Council consisting of four Council Members and the Mayor.

42 2. The Mayor must be:

43 ***(a)*** A bona fide resident of the territory which is
44 established by the boundaries of the City for the 12 months



1 immediately preceding the last day for filing a declaration of
2 candidacy for the office.

3 (b) A qualified elector within the City.

4 3. Each Council Member must be:

5 (a) A bona fide resident of the territory which is
6 established by the boundaries of the City for the 12 months
7 immediately preceding the last day for filing a declaration of
8 candidacy for the office.

9 (b) A qualified elector within the ward which he or she
10 represents.

11 (c) A resident of the ward which he or she represents for
12 at least 30 days immediately preceding the last day for filing
13 a declaration of candidacy for the office, except that changes
14 in ward boundaries pursuant to the provisions of section
15 1.040 do not affect the right of any elected Council Member
16 to continue in office for the term for which he or she was
17 elected.

18 4. All Council Members, including the Mayor, ~~must be~~
19 ~~voted upon by the registered voters of the City at large and,~~
20 except as otherwise provided in section 5.020, shall serve for
21 terms of 4 years.

22 5. The Mayor and Council Members are entitled to
23 receive a salary in an amount fixed by the City Council. The
24 City Council shall not adopt an ordinance which increases or
25 decreases the salary of the Mayor or the Council Members
26 during the term for which they have been elected or
27 appointed.

28 **Sec. 11.** Section 5.010 of the Charter of the City of Henderson,
29 being chapter 266, Statutes of Nevada 1971, as last amended by
30 chapter 266, Statutes of Nevada 2013, at page 1214, is hereby
31 amended to read as follows:

32 Sec. 5.010 Primary municipal election.

33 1. Except as otherwise provided in section 5.020, a
34 primary municipal election must be held on the Tuesday after
35 the first Monday in April of each odd-numbered year, at
36 which time there must be nominated candidates for offices to
37 be voted for at the next general municipal election.

38 2. A candidate for any office to be voted for at any
39 primary municipal election must file a declaration of
40 candidacy as provided by the election laws of this State.

41 3. *In a primary municipal election:*

42 (a) All candidates for ~~elective office~~ *the offices of*
43 *Mayor and Municipal Judge* must be voted upon by the
44 registered voters of the City at large.



1 ***(b) A candidate for the office of Council Member must***
2 ***be voted upon only by the registered voters of the ward that***
3 ***the candidate seeks to represent.***

4 4. If in the primary municipal election no candidate
5 receives a majority of votes cast in that election for the office
6 for which he or she is a candidate, the names of the two
7 candidates receiving the highest number of votes must be
8 placed on the ballot for the general municipal election. If in
9 the primary municipal election, regardless of the number of
10 candidates for an office, one candidate receives a majority of
11 votes cast in that election for the office for which he or she is
12 a candidate, he or she must be declared elected and no general
13 municipal election need be held for that office. Such
14 candidate shall enter upon his or her respective duties at the
15 second regular meeting of the City Council held in June of
16 the year of the general municipal election.

17 **Sec. 12.** Section 5.020 of the Charter of the City of Henderson,
18 being chapter 266, Statutes of Nevada 1971, as last amended by
19 chapter 266, Statutes of Nevada 2013, at page 1215, is hereby
20 amended to read as follows:

21 Sec. 5.020 General municipal election.

22 1. Except as otherwise provided in subsection 2:

23 (a) A general municipal election must be held in the City
24 on the first Tuesday after the first Monday in June of each
25 odd-numbered year, at which time the registered voters of the
26 City shall elect city officers to fill the available elective
27 positions.

28 ***(b) In a general municipal election:***

29 ***(1) All candidates for the ~~office~~ offices of Mayor ~~+~~***
30 ***~~Council Member~~ and Municipal Judge must be voted upon***
31 ***by the registered voters of the City at large.***

32 ***(2) A candidate for the office of Council Member***
33 ***must be voted upon only by the registered voters of the ward***
34 ***that the candidate seeks to represent.***

35 ***(c) The term of office for ~~members of the City~~ Council***
36 ***Members and the Mayor is 4 years. Except as otherwise***
37 ***provided in subsection 3 of section 4.015, the term of office***
38 ***for a Municipal Judge is 6 years.***

39 ***~~(e)~~ (d) On the Tuesday after the first Monday in June***
40 ***2001, and every 6 years thereafter, there must be elected by***
41 ***the qualified voters of the City, at a general municipal***
42 ***election to be held for that purpose, a Municipal Judge for***
43 ***Department 1 who will hold office until his or her successor***
44 ***has been elected and qualified.***



1 ~~[(d)]~~ (e) On the Tuesday after the first Monday in June
2 2003 and every 6 years thereafter, there must be elected by
3 the qualified voters of the City, at a general municipal
4 election to be held for that purpose, a Municipal Judge for
5 Department 2 who will hold office until his or her successor
6 has been elected and qualified.

7 ~~[(e)]~~ (f) On the Tuesday after the first Monday in June
8 2005, and every 6 years thereafter, there must be elected by
9 the qualified voters of the City, at a general municipal
10 election to be held for that purpose, a Municipal Judge for
11 Department 3 who will hold office until his or her successor
12 has been elected and qualified.

13 2. The City Council may by ordinance provide for a
14 primary municipal election and general municipal election on
15 the dates set forth for primary elections and general elections
16 pursuant to the provisions of chapter 293 of NRS.

17 3. If the City Council adopts an ordinance pursuant to
18 subsection 2, the dates set forth in NRS 293.12755, in
19 subsections 2 to 5, inclusive, of NRS 293.165 and in NRS
20 293.175, 293.177, 293.345 and 293.368 apply for the
21 purposes of conducting the primary municipal elections and
22 general municipal elections.

23 4. If the City Council adopts an ordinance pursuant to
24 subsection 2, the ordinance must not affect the term of office
25 of any elected official of the City serving in office on the
26 effective date of the ordinance. The next succeeding term for
27 that office may be shortened but may not be lengthened as a
28 result of the ordinance.

29 **Sec. 13.** Section 1.050 of the Charter of the City of Reno,
30 being chapter 662, Statutes of Nevada 1971, as last amended by
31 chapter 327, Statutes of Nevada 1999, at page 1365, is hereby
32 amended to read as follows:

33 Sec. 1.050 Wards: Creation; boundaries.

34 1. The City must be divided into ~~five~~ six wards, which
35 must be as nearly equal in population as can be conveniently
36 provided. The territory comprising each ward must be
37 contiguous, except that if any territory of the City which is
38 not contiguous to the remainder of the City does not contain
39 sufficient population to constitute a separate ward, it may be
40 placed in any ward of the City.

41 2. The boundaries of the wards must be established and
42 changed by ordinance, passed by a vote of at least five-
43 sevenths of the City Council. The boundaries of the wards:

44 (a) Must be changed whenever the population, as
45 determined by the last preceding national census of the



1 Bureau of the Census of the United States Department of
2 Commerce, in any ward exceeds the population in any other
3 ward by more than 5 percent.

4 (b) May be changed to include territory that has been
5 annexed, or whenever the population in any ward exceeds the
6 population in another ward by more than 5 percent by any
7 measure that is found to be reliable by the City Council.

8 **Sec. 14.** Section 2.010 of the Charter of the City of Reno,
9 being chapter 662, Statutes of Nevada 1971, as last amended by
10 chapter 327, Statutes of Nevada 1999, at page 1366, is hereby
11 amended to read as follows:

12 Sec. 2.010 Mayor and City Council: Qualifications;
13 election; term of office; salary.

14 1. The legislative power of the City is vested in a City
15 Council consisting of six Council Members and a Mayor.

16 2. The Mayor and Council Members must be qualified
17 electors within the City. Each Council Member *must be a*
18 *resident of the ward from which he or she is* elected ~~{from a~~
19 ~~ward}~~ *and* must continue to live in that ward for as long as he
20 or she represents the ward.

21 3. The Mayor ~~{and one Council Member represent}~~
22 *represents* the City at large and one Council Member
23 represents each ward. The Mayor and Council Members serve
24 for terms of 4 years.

25 4. The Mayor and Council Members are entitled to
26 receive a salary in an amount fixed by the City Council.

27 **Sec. 15.** Section 5.010 of the Charter of the City of Reno,
28 being chapter 662, Statutes of Nevada 1971, as last amended by
29 chapter 349, Statutes of Nevada 2013, at page 1828, is hereby
30 amended to read as follows:

31 Sec. 5.010 General elections.

32 1. On the date fixed by the election laws of the State for
33 the statewide general election in November 2002, and at each
34 successive interval of 6 years, there must be elected ~~{by the~~
35 ~~qualified voters of the City,}~~ at the general election ~~{}~~ a
36 Municipal Judge, who holds office for a term of 6 years and
37 until his or her successor has been elected and qualified.

38 2. On the date fixed by the election laws of the State for
39 the statewide general election in November 2002, and at each
40 successive interval of 4 years, there must be elected ~~{by the~~
41 ~~qualified voters of the City,}~~ at the general election ~~{}~~ a
42 Mayor, Council Members from the second and fourth wards,
43 and a City Attorney, all of whom hold office for a term of 4
44 years and until their successors have been elected and
45 qualified.



1 3. On the date fixed by the election laws of the State for
2 the statewide general election in November 2004, and at each
3 successive interval of 6 years, there must be elected ~~{by the~~
4 ~~qualified voters of the City,}~~ at the general election ~~{}~~ one or
5 more Municipal Judges, other than the Municipal Judge
6 referred to in subsection 1, all of whom hold office for a term
7 of 6 years and until their successors have been elected and
8 qualified.

9 4. On the date fixed by the election laws of the State for
10 the statewide general election in November ~~{2004,}~~ 2016, and
11 at each successive interval of 4 years, there must be elected ,
12 ~~{by the qualified voters of the City,}~~ at the general election ~~{}~~
13 Council Members from the first, third , ~~{and}~~ fifth *and sixth*
14 wards , ~~{and one Council Member at large,}~~ all of whom hold
15 office for a term of 4 years and until their successors have
16 been elected and qualified.

17 5. *In a general election:*

18 (a) *A candidate for the office of Council Member must*
19 *be voted upon only by the registered voters of the ward that*
20 *the candidate seeks to represent.*

21 (b) *Candidates for the offices of Mayor, Municipal*
22 *Judge and City Attorney must be voted upon by all*
23 *registered voters of the City.*

24 Sec. 16. Section 5.020 of the Charter of the City of Reno,
25 being chapter 662, Statutes of Nevada 1971, as last amended by
26 chapter 349, Statutes of Nevada 2013, at page 1829, is hereby
27 amended to read as follows:

28 Sec. 5.020 Primary elections; declaration of candidacy.

29 1. A candidate for any office to be voted for at an
30 election must file a declaration of candidacy with the City
31 Clerk. All filing fees collected by the City Clerk must be
32 deposited to the credit of the General Fund of the City.

33 2. If for any general election, there are three or more
34 candidates for any office to be filled at that election, a
35 primary election for any such office must be held on the date
36 fixed by the election laws of the State for statewide elections,
37 at which time there must be nominated candidates for the
38 office to be voted for at the next general election. If for any
39 general election there are two or fewer candidates for any
40 office to be filled at that election, their names must not be
41 placed on the ballot for the primary election but must be
42 placed on the ballot for the general election. The general
43 election must be held on the date fixed by the election laws of
44 the State for the statewide general election.



3. In the primary election:

(a) The names of the two candidates for Municipal Judge, City Attorney or a particular City Council seat, as the case may be, who receive the highest number of votes must be placed on the ballot for the general election.

(b) ~~Candidates~~ A candidate for the office of Council Member ~~who represent a specific ward~~ must be voted upon only by the registered voters of ~~that~~ the ward ~~that the candidate seeks to represent.~~

(c) Candidates for the offices of Mayor ~~and Council Member at large~~, Municipal Judge and City Attorney must be voted upon by all registered voters of the City.

~~4. The Mayor and all Council Members must be voted upon by all registered voters of the City at the general election.~~

Sec. 17. Section 5.010 of the Charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, as last amended by chapter 52, Statutes of Nevada 2005, at page 104, is hereby amended to read as follows:

Sec. 5.010 General elections.

1. ~~On the Tuesday after the first Monday in June 2001, there must be elected by the registered voters of the City, at a general municipal election, Council Members to represent the first, third and fifth wards, a Municipal Judge for Department 1 and a City Attorney, all of whom hold office until their successors have been elected and qualified, pursuant to subsection 3 or 4.~~

~~2. On the Tuesday after the first Monday in June 2003, there must be elected by the registered voters of the City, at a general municipal election, Council Members to represent the second and fourth wards, a Mayor and a Municipal Judge for Department 2, all of whom hold office until their successors have been elected and qualified, pursuant to subsection 5 or 6.~~

~~3. On the Tuesday after the first Monday in November 2004, and at each successive interval of 4 years, there must be elected by the registered voters of the City, at the general election, Council Members to represent the first, third and fifth wards and a City Attorney, all of whom hold office for a term of 4 years and until their successors have been elected and qualified.~~

~~4. On the Tuesday after the first Monday in November 2004, and at each successive interval of 4 years, there must be elected by the registered voters of the City, at the general election, a Municipal Judge for Department 1, who holds~~



office for a term of 4 years and until his or her successor has been elected and qualified, pursuant to subsection 7.

—5.} 2. On the Tuesday after the first Monday in November 2006, and at each successive interval of 4 years, there must be elected ~~{by the registered voters of the City,}~~ at the general election ~~{,}~~ Council Members to represent the second and fourth wards and a Mayor, all of whom hold office for a term of 4 years and until their successors have been elected and qualified.

~~{6.}~~ 3. On the Tuesday after the first Monday in November 2006, and at each successive interval of 6 years, there must be elected ~~{by the registered voters of the City,}~~ at the general election ~~{,}~~ a Municipal Judge for Department 2, who holds office for a term of 6 years and until his or her successor has been elected and qualified.

~~{7.}~~ 4. On the Tuesday after the first Monday in November 2008, and at each successive interval of 6 years, there must be elected ~~{by the registered voters of the City,}~~ at the general election ~~{,}~~ a Municipal Judge for Department 1, who holds office for a term of 6 years and until his or her successor has been elected and qualified.

~~{8. All candidates at an election that is held pursuant to this section}~~

5. *In a general election:*

(a) *Candidates for the offices of Mayor, City Attorney and Municipal Judge* must be voted upon by the registered voters of the City at large.

(b) *A candidate for the office of Council Member must be voted upon only by the registered voters of the ward that the candidate seeks to represent.*

Sec. 18. Section 5.020 of the Charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, as last amended by chapter 41, Statutes of Nevada 2001, at page 398, is hereby amended to read as follows:

Sec. 5.020 Primary elections.

1. *In a primary election:*

(a) Candidates for the offices of Mayor, City Attorney and Municipal Judge must be voted upon by the registered voters of the City at large. ~~{Candidates to represent a ward as a member of the City Council}~~

(b) *A candidate for the office of Council Member* must be voted upon *only* by the registered voters of the ward ~~{to be represented by them,}~~ *that the candidate seeks to represent.*

2. The names of the two candidates for Mayor, City Attorney and Municipal Judge and the names of the two



1 candidates to represent the ward as a member of the City
2 Council from each ward who receive the highest number of
3 votes at the primary election must be placed on the ballot for
4 the general election.

5 **Sec. 19.** The city council in a city of population category one,
6 as set forth in NRS 266.055, that is divided into wards shall, on or
7 before October 1, 2015, establish the boundaries of the additional
8 ward created by the provisions of NRS 266.095, as amended by
9 section 4 of this act, which must be designated the fifth or seventh
10 ward, as applicable, and change the boundaries of the first through
11 fourth or sixth wards, as applicable, to comply with the provisions
12 of NRS 266.095, as amended by section 4 of this act.

13 **Sec. 20.** Notwithstanding the provisions of NRS 266.220, as
14 amended by section 6 of this act, a member of a city council of a
15 city which is governed by the provisions of chapter 266 of NRS who
16 holds office on October 1, 2015:

17 1. If elected or appointed to represent a ward, shall continue to
18 represent that ward for the remainder of his or her term of office.

19 2. If elected or appointed to represent the city at large, shall be
20 deemed to represent only the additional ward created by the
21 provisions of NRS 266.095, as amended by section 4 of this act for
22 the remainder of his or her term of office.

23 **Sec. 21.** The Reno City Council shall, on or before October 1,
24 2015, establish the boundaries of the additional ward created by the
25 provisions of section 1.050 of the Charter of the City of Reno, as
26 amended by section 13 of this act, which must be designated the
27 sixth ward, and change the boundaries of the first through fifth
28 wards to comply with the provisions of section 1.050 of the Charter
29 of the City of Reno, as amended by section 13 of this act.

30 **Sec. 22.** Notwithstanding the provisions of sections of 2.010
31 and 5.010 of the Charter of the City of Reno, as amended by
32 sections 14 and 15 of this act, a Council Member of the City of
33 Reno who holds office on October 1, 2015:

34 1. If elected or appointed to represent a ward, shall continue to
35 represent that ward for the remainder of his or her term of office.

36 2. If elected or appointed to represent the City at large, shall be
37 deemed to represent only the additional ward created by the
38 provisions of section 1.050 of the Charter of the City of Reno, as
39 amended by section 13 of this act, for the remainder of his or her
40 term of office.

41 **Sec. 23.** 1. This section and sections 19 to 22, inclusive, of
42 this act become effective upon passage and approval.

43 2. Sections 1 to 18, inclusive, of this act become effective:

44 (a) Upon passage and approval for the purpose of passing
45 ordinances establishing the boundaries of the additional wards



1 created by the provisions of NRS 266.095 and section 1.050 of the
2 Charter of the City of Reno, as amended by sections 4 and 13,
3 respectively, of this act, and performing any other preparatory
4 administrative tasks that are necessary to carry out the provisions of
5 this act; and
6 (b) On October 1, 2015, for all other purposes.

③



ASSEMBLY BILL NO. 458—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

MARCH 23, 2015

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to certain city elections.
(BDR S-1080)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to elections; requiring that the candidates for Supervisor in Carson City and for Council Member in the City of Henderson, the City of Reno and the City of Sparks be voted upon in a primary or general election only by the registered voters of the ward that a candidate seeks to represent; creating a sixth ward for the City of Reno; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 The existing Charters of Carson City and the City of Henderson provide that
2 these cities are divided into wards but the candidates for Supervisor and Council
3 Member, respectively, must be voted on by the registered voters of the City at large
4 in both a primary and a general election. (Carson City Charter §§ 1.060, 2.010,
5 5.010, 5.020; Henderson City Charter §§ 1.040, 2.010, 5.010, 5.020) **Sections 1-3**
6 of this bill amend the Charter of Carson City and **sections 4-6** of this bill amend the
7 Charter of the City of Henderson to provide that all candidates for Supervisor and
8 Council Member, respectively, must be voted on in a primary or general election
9 only by the registered voters of the ward that a candidate seeks to represent.
10 The existing Charter of the City of Reno divides the City into five wards, each
11 of which is represented on the City Council by a Council Member. A sixth Council
12 Member represents the City at large. (Reno City Charter §§ 1.050, 2.010) **Section 7**
13 of this bill increases the number of wards in the City of Reno to six, and **sections**
14 **8-10** of this bill replace the office of Council Member at large with the office of
15 Council Member to represent the newly created sixth ward. (Reno City Charter §§
16 1.050, 2.010, 5.010, 5.020) **Section 13** of this bill requires the Reno City Council to
17 establish the boundaries of the newly created sixth ward, and alter the boundaries of
18 the first through fifth wards accordingly, not later than January 1, 2016. **Section 14**
19 of this bill provides that Council Members representing wards one through five



20 who are in office on January 1, 2016, will continue to represent those wards
21 notwithstanding the altered boundaries and that the Council Member representing
22 the city at large, who was last elected at the 2012 general election, will be deemed
23 to represent the sixth ward for the remainder of his or her term, which expires after
24 the 2016 General Election.

25 The existing Charters of the Cities of Reno and Sparks provide that the
26 candidates for Council Member to represent a particular ward must be voted on in a
27 primary election only by the registered voters of that ward but, in a general
28 election, must be elected by the registered voters of the City at large. (Reno City
29 Charter §§ 5.010, 5.020; Sparks City Charter §§ 5.010, 5.020) **Sections 9 and 10**
30 amend the Charter of the City of Reno and **sections 11 and 12** of this bill amend
31 the Charter of the City of Sparks to provide that all candidates for Council Member
32 must be elected in a general election only by the registered voters of the ward that a
33 candidate seeks to represent.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Section 2.010 of the Charter of Carson City, being
2 chapter 213, Statutes of Nevada 1969, as last amended by chapter
3 118, Statutes of Nevada 1985, at page 474, is hereby amended to
4 read as follows:

5 Sec. 2.010 Board of Supervisors: Qualifications;
6 election; term of office.

7 1. The legislative power of Carson City is vested in a
8 Board of Supervisors consisting of five Supervisors,
9 including the Mayor.

10 2. The Mayor must be:

11 (a) An actual and bona fide resident of Carson City for at
12 least 6 months immediately preceding his or her election.

13 (b) A qualified elector within Carson City.

14 3. Each Supervisor *other than the Mayor* must be:

15 (a) An actual and bona fide resident of Carson City for at
16 least 6 months immediately preceding his or her election.

17 (b) A qualified elector within the ward which he or she
18 represents.

19 (c) A resident of the ward which he or she represents,
20 except that changes effected in the boundaries of a ward
21 pursuant to the provisions of section 1.060 do not affect the
22 right of any elected Supervisor to continue in office for the
23 term for which he or she was elected.

24 4. All Supervisors, including the Mayor, ~~{must be voted~~
25 ~~upon by the registered voters of Carson City at large and}~~
26 shall serve for terms of 4 years.



1 **Sec. 2.** Section 5.010 of the Charter of Carson City, being
2 chapter 213, Statutes of Nevada 1969, as last amended by chapter
3 100, Statutes of Nevada 1999, at page 271, is hereby amended to
4 read as follows:

5 Sec. 5.010 Primary election.

6 1. A primary election must be held on the date fixed by
7 the election laws of this state for statewide elections, at which
8 time there must be nominated candidates for offices to be
9 voted for at the next general election.

10 2. A candidate for any office to be voted for at any
11 primary election must file a declaration of candidacy as
12 provided by the election laws of this state.

13 3. *In a primary election:*

14 (a) All candidates for the office of Mayor , ~~and~~
15 ~~Supervisor,~~ and candidates for the office of Municipal Judge
16 if a third department of the Municipal Court has been
17 established, must be voted upon by the registered voters of
18 Carson City at large.

19 (b) *A candidate for the office of Supervisor must be*
20 *voted upon only by the registered voters of the ward that the*
21 *candidate seeks to represent.*

22 4. If only two persons file for a particular office, their
23 names must not appear on the primary ballot but their names
24 must be placed on the ballot for the general election.

25 5. If in the primary election one candidate receives more
26 than a majority of votes cast in that election for the office for
27 which he or she is a candidate, his or her name alone must be
28 placed on the ballot for the general election. If in the primary
29 election no candidate receives a majority of votes cast in that
30 election for the office for which he or she is a candidate, the
31 names of the two candidates receiving the highest numbers of
32 votes must be placed on the ballot for the general election.

33 **Sec. 3.** Section 5.020 of the Charter of Carson City, being
34 chapter 213, Statutes of Nevada 1969, as last amended by chapter
35 96, Statutes of Nevada 1997, at page 183, is hereby amended to read
36 as follows:

37 Sec. 5.020 General election.

38 1. A general election must be held in Carson City on the
39 first Tuesday after the first Monday in November 1970, and
40 on the same day every 2 years thereafter, at which time there
41 must be elected such officers, the offices of which are
42 required next to be filled by election.

43 2. *In a general election:*

44 (a) All candidates for the office of Mayor , ~~and~~
45 ~~Supervisor,~~ and all candidates for the office of Municipal



1 Judge if a third department of the Municipal Court has been
2 established, must be voted upon by the registered voters of
3 Carson City at large.

4 *(b) A candidate for the office of Supervisor must be*
5 *voted upon only by the registered voters of the ward that the*
6 *candidate seeks to represent.*

7 **Sec. 4.** Section 2.010 of the Charter of the City of Henderson,
8 being chapter 266, Statutes of Nevada 1971, as last amended by
9 chapter 218, Statutes of Nevada 2011, at page 955, is hereby
10 amended to read as follows:

11 Sec. 2.010 City Council: Qualifications; election; term
12 of office; salary.

13 1. The legislative power of the City is vested in a City
14 Council consisting of four Council Members and the Mayor.

15 2. The Mayor must be:

16 (a) A bona fide resident of the territory which is
17 established by the boundaries of the City for the 12 months
18 immediately preceding the last day for filing a declaration of
19 candidacy for the office.

20 (b) A qualified elector within the City.

21 3. Each Council Member must be:

22 (a) A bona fide resident of the territory which is
23 established by the boundaries of the City for the 12 months
24 immediately preceding the last day for filing a declaration of
25 candidacy for the office.

26 (b) A qualified elector within the ward which he or she
27 represents.

28 (c) A resident of the ward which he or she represents for
29 at least 30 days immediately preceding the last day for filing
30 a declaration of candidacy for the office, except that changes
31 in ward boundaries pursuant to the provisions of section
32 1.040 do not affect the right of any elected Council Member
33 to continue in office for the term for which he or she was
34 elected.

35 4. All Council Members, including the Mayor, ~~must be~~
36 ~~voted upon by the registered voters of the City at large and,~~
37 except as otherwise provided in section 5.020, shall serve for
38 terms of 4 years.

39 5. The Mayor and Council Members are entitled to
40 receive a salary in an amount fixed by the City Council. The
41 City Council shall not adopt an ordinance which increases or
42 decreases the salary of the Mayor or the Council Members
43 during the term for which they have been elected or
44 appointed.



1 **Sec. 5.** Section 5.010 of the Charter of the City of Henderson,
2 being chapter 266, Statutes of Nevada 1971, as last amended by
3 chapter 266, Statutes of Nevada 2013, at page 1214, is hereby
4 amended to read as follows:

5 Sec. 5.010 Primary municipal election.

6 1. Except as otherwise provided in section 5.020, a
7 primary municipal election must be held on the Tuesday after
8 the first Monday in April of each odd-numbered year, at
9 which time there must be nominated candidates for offices to
10 be voted for at the next general municipal election.

11 2. A candidate for any office to be voted for at any
12 primary municipal election must file a declaration of
13 candidacy as provided by the election laws of this State.

14 3. *In a primary municipal election:*

15 (a) All candidates for ~~elective office~~ *the offices of*
16 *Mayor and Municipal Judge* must be voted upon by the
17 registered voters of the City at large.

18 (b) *A candidate for the office of Council Member must*
19 *be voted upon only by the registered voters of the ward that*
20 *the candidate seeks to represent.*

21 4. If in the primary municipal election no candidate
22 receives a majority of votes cast in that election for the office
23 for which he or she is a candidate, the names of the two
24 candidates receiving the highest number of votes must be
25 placed on the ballot for the general municipal election. If in
26 the primary municipal election, regardless of the number of
27 candidates for an office, one candidate receives a majority of
28 votes cast in that election for the office for which he or she is
29 a candidate, he or she must be declared elected and no general
30 municipal election need be held for that office. Such
31 candidate shall enter upon his or her respective duties at the
32 second regular meeting of the City Council held in June of
33 the year of the general municipal election.

34 **Sec. 6.** Section 5.020 of the Charter of the City of Henderson,
35 being chapter 266, Statutes of Nevada 1971, as last amended by
36 chapter 266, Statutes of Nevada 2013, at page 1215, is hereby
37 amended to read as follows:

38 Sec. 5.020 General municipal election.

39 1. Except as otherwise provided in subsection 2:

40 (a) A general municipal election must be held in the City
41 on the first Tuesday after the first Monday in June of each
42 odd-numbered year, at which time the registered voters of the
43 City shall elect city officers to fill the available elective
44 positions.

45 (b) *In a general municipal election:*



1 (1) All candidates for the ~~office~~ offices of Mayor ~~+~~
2 ~~Council Member~~ and Municipal Judge must be voted upon
3 by the registered voters of the City at large.

4 (2) *A candidate for the office of Council Member*
5 *must be voted upon only by the registered voters of the ward*
6 *that the candidate seeks to represent.*

7 (c) The term of office for ~~members of the City~~ Council
8 *Members* and the Mayor is 4 years. Except as otherwise
9 provided in subsection 3 of section 4.015, the term of office
10 for a Municipal Judge is 6 years.

11 ~~(e)~~ (d) On the Tuesday after the first Monday in June
12 2001, and every 6 years thereafter, there must be elected by
13 the qualified voters of the City, at a general municipal
14 election to be held for that purpose, a Municipal Judge for
15 Department 1 who will hold office until his or her successor
16 has been elected and qualified.

17 ~~(d)~~ (e) On the Tuesday after the first Monday in June
18 2003 and every 6 years thereafter, there must be elected by
19 the qualified voters of the City, at a general municipal
20 election to be held for that purpose, a Municipal Judge for
21 Department 2 who will hold office until his or her successor
22 has been elected and qualified.

23 ~~(e)~~ (f) On the Tuesday after the first Monday in June
24 2005, and every 6 years thereafter, there must be elected by
25 the qualified voters of the City, at a general municipal
26 election to be held for that purpose, a Municipal Judge for
27 Department 3 who will hold office until his or her successor
28 has been elected and qualified.

29 2. The City Council may by ordinance provide for a
30 primary municipal election and general municipal election on
31 the dates set forth for primary elections and general elections
32 pursuant to the provisions of chapter 293 of NRS.

33 3. If the City Council adopts an ordinance pursuant to
34 subsection 2, the dates set forth in NRS 293.12755, in
35 subsections 2 to 5, inclusive, of NRS 293.165 and in NRS
36 293.175, 293.177, 293.345 and 293.368 apply for the
37 purposes of conducting the primary municipal elections and
38 general municipal elections.

39 4. If the City Council adopts an ordinance pursuant to
40 subsection 2, the ordinance must not affect the term of office
41 of any elected official of the City serving in office on the
42 effective date of the ordinance. The next succeeding term for
43 that office may be shortened but may not be lengthened as a
44 result of the ordinance.



1 **Sec. 7.** Section 1.050 of the Charter of the City of Reno, being
2 chapter 662, Statutes of Nevada 1971, as last amended by chapter
3 327, Statutes of Nevada 1999, at page 1365, is hereby amended to
4 read as follows:

5 Sec. 1.050 Wards: Creation; boundaries.

6 1. The City must be divided into ~~five~~ *six* wards, which
7 must be as nearly equal in population as can be conveniently
8 provided. The territory comprising each ward must be
9 contiguous, except that if any territory of the City which is
10 not contiguous to the remainder of the City does not contain
11 sufficient population to constitute a separate ward, it may be
12 placed in any ward of the City.

13 2. The boundaries of the wards must be established and
14 changed by ordinance, passed by a vote of at least five-
15 sevenths of the City Council. The boundaries of the wards:

16 (a) Must be changed whenever the population, as
17 determined by the last preceding national census of the
18 Bureau of the Census of the United States Department of
19 Commerce, in any ward exceeds the population in any other
20 ward by more than 5 percent.

21 (b) May be changed to include territory that has been
22 annexed, or whenever the population in any ward exceeds the
23 population in another ward by more than 5 percent by any
24 measure that is found to be reliable by the City Council.

25 **Sec. 8.** Section 2.010 of the Charter of the City of Reno, being
26 chapter 662, Statutes of Nevada 1971, as last amended by chapter
27 327, Statutes of Nevada 1999, at page 1366, is hereby amended to
28 read as follows:

29 Sec. 2.010 Mayor and City Council: Qualifications;
30 election; term of office; salary.

31 1. The legislative power of the City is vested in a City
32 Council consisting of six Council Members and a Mayor.

33 2. The Mayor and Council Members must be qualified
34 electors within the City. Each Council Member *must be a*
35 *resident of the ward from which he or she is* elected ~~from a~~
36 ~~ward~~ *and* must continue to live in that ward for as long as he
37 or she represents the ward.

38 3. The Mayor ~~and one Council Member represent~~
39 *represents* the City at large and one Council Member
40 represents each ward. The Mayor and Council Members serve
41 for terms of 4 years.

42 4. The Mayor and Council Members are entitled to
43 receive a salary in an amount fixed by the City Council.



1 **Sec. 9.** Section 5.010 of the Charter of the City of Reno, being
2 chapter 662, Statutes of Nevada 1971, as last amended by chapter
3 349, Statutes of Nevada 2013, at page 1828, is hereby amended to
4 read as follows:

5 Sec. 5.010 General elections.

6 1. On the date fixed by the election laws of the State for
7 the statewide general election in November 2002, and at each
8 successive interval of 6 years, there must be elected ~~{by the~~
9 ~~qualified voters of the City,}~~ at the general election ~~{}~~ a
10 Municipal Judge, who holds office for a term of 6 years and
11 until his or her successor has been elected and qualified.

12 2. On the date fixed by the election laws of the State for
13 the statewide general election in November 2002, and at each
14 successive interval of 4 years, there must be elected ~~{by the~~
15 ~~qualified voters of the City,}~~ at the general election ~~{}~~ a
16 Mayor, Council Members from the second and fourth wards,
17 and a City Attorney, all of whom hold office for a term of 4
18 years and until their successors have been elected and
19 qualified.

20 3. On the date fixed by the election laws of the State for
21 the statewide general election in November 2004, and at each
22 successive interval of 6 years, there must be elected ~~{by the~~
23 ~~qualified voters of the City,}~~ at the general election ~~{}~~ one or
24 more Municipal Judges, other than the Municipal Judge
25 referred to in subsection 1, all of whom hold office for a term
26 of 6 years and until their successors have been elected and
27 qualified.

28 4. On the date fixed by the election laws of the State for
29 the statewide general election in November ~~{2004,}~~ 2016, and
30 at each successive interval of 4 years, there must be elected
31 ~~{by the qualified voters of the City,}~~ at the general election ~~{}~~
32 Council Members from the first, third, ~~{and}~~ fifth *and sixth*
33 wards, ~~{and one Council Member at large,}~~ all of whom hold
34 office for a term of 4 years and until their successors have
35 been elected and qualified.

36 5. *In a general election:*

37 (a) *A candidate for the office of Council Member must*
38 *be voted upon only by the registered voters of the ward that*
39 *the candidate seeks to represent.*

40 (b) *Candidates for the offices of Mayor, Municipal*
41 *Judge and City Attorney must be voted upon by all*
42 *registered voters of the City.*



1 **Sec. 10.** Section 5.020 of the Charter of the City of Reno,
2 being chapter 662, Statutes of Nevada 1971, as last amended by
3 chapter 349, Statutes of Nevada 2013, at page 1829, is hereby
4 amended to read as follows:

5 Sec. 5.020 Primary elections; declaration of candidacy.

6 1. A candidate for any office to be voted for at an
7 election must file a declaration of candidacy with the City
8 Clerk. All filing fees collected by the City Clerk must be
9 deposited to the credit of the General Fund of the City.

10 2. If for any general election, there are three or more
11 candidates for any office to be filled at that election, a
12 primary election for any such office must be held on the date
13 fixed by the election laws of the State for statewide elections,
14 at which time there must be nominated candidates for the
15 office to be voted for at the next general election. If for any
16 general election there are two or fewer candidates for any
17 office to be filled at that election, their names must not be
18 placed on the ballot for the primary election but must be
19 placed on the ballot for the general election. The general
20 election must be held on the date fixed by the election laws of
21 the State for the statewide general election.

22 3. In the primary election:

23 (a) The names of the two candidates for Municipal Judge,
24 City Attorney or a particular City Council seat, as the case
25 may be, who receive the highest number of votes must be
26 placed on the ballot for the general election.

27 (b) ~~{Candidates}~~ *A candidate for the office of Council*
28 *Member* ~~{who represent a specific ward}~~ must be voted upon
29 only by the registered voters of ~~{that}~~ *the* ward ~~{-}~~ *that the*
30 *candidate seeks to represent.*

31 (c) Candidates for *the offices of Mayor* ~~{and Council~~
32 ~~Member at large}~~, *Municipal Judge and City Attorney* must
33 be voted upon by all registered voters of the City.

34 ~~{4. The Mayor and all Council Members must be voted~~
35 ~~upon by all registered voters of the City at the general~~
36 ~~election.}~~

37 **Sec. 11.** Section 5.010 of the Charter of the City of Sparks,
38 being chapter 470, Statutes of Nevada 1975, as last amended by
39 chapter 52, Statutes of Nevada 2005, at page 104, is hereby
40 amended to read as follows:

41 Sec. 5.010 General elections.

42 1. ~~{On the Tuesday after the first Monday in June 2001,~~
43 ~~there must be elected by the registered voters of the City, at a~~
44 ~~general municipal election, Council Members to represent~~
45 ~~the first, third and fifth wards, a Municipal Judge for~~



1 ~~Department 1 and a City Attorney, all of whom hold office~~
2 ~~until their successors have been elected and qualified,~~
3 ~~pursuant to subsection 3 or 4.~~

4 ~~2. On the Tuesday after the first Monday in June 2003,~~
5 ~~there must be elected by the registered voters of the City, at a~~
6 ~~general municipal election, Council Members to represent the~~
7 ~~second and fourth wards, a Mayor and a Municipal Judge for~~
8 ~~Department 2, all of whom hold office until their successors~~
9 ~~have been elected and qualified, pursuant to subsection 5 or 6.~~

10 ~~3.] On the Tuesday after the first Monday in November~~
11 ~~2004, and at each successive interval of 4 years, there must be~~
12 ~~elected {by the registered voters of the City,} at the general~~
13 ~~election {;} Council Members to represent the first, third and~~
14 ~~fifth wards and a City Attorney, all of whom hold office for a~~
15 ~~term of 4 years and until their successors have been elected~~
16 ~~and qualified.~~

17 ~~{4. On the Tuesday after the first Monday in November~~
18 ~~2004, and at each successive interval of 4 years, there must be~~
19 ~~elected by the registered voters of the City, at the general~~
20 ~~election, a Municipal Judge for Department 1, who holds~~
21 ~~office for a term of 4 years and until his or her successor has~~
22 ~~been elected and qualified, pursuant to subsection 7.~~

23 ~~5.] 2. On the Tuesday after the first Monday in~~
24 ~~November 2006, and at each successive interval of 4 years,~~
25 ~~there must be elected {by the registered voters of the City,} at~~
26 ~~the general election {;} Council Members to represent the~~
27 ~~second and fourth wards and a Mayor, all of whom hold~~
28 ~~office for a term of 4 years and until their successors have~~
29 ~~been elected and qualified.~~

30 ~~{6.] 3. On the Tuesday after the first Monday in~~
31 ~~November 2006, and at each successive interval of 6 years,~~
32 ~~there must be elected {by the registered voters of the City,} at~~
33 ~~the general election {;} a Municipal Judge for Department 2,~~
34 ~~who holds office for a term of 6 years and until his or her~~
35 ~~successor has been elected and qualified.~~

36 ~~{7.] 4. On the Tuesday after the first Monday in~~
37 ~~November 2008, and at each successive interval of 6 years,~~
38 ~~there must be elected {by the registered voters of the City,} at~~
39 ~~the general election {;} a Municipal Judge for Department 1,~~
40 ~~who holds office for a term of 6 years and until his or her~~
41 ~~successor has been elected and qualified.~~

42 ~~{8. All candidates at an election that is held pursuant to~~
43 ~~this section}~~

44 *5. In a general election:*



1 (a) *Candidates for the offices of Mayor, City Attorney*
2 *and Municipal Judge* must be voted upon by the registered
3 voters of the City at large.

4 (b) *A candidate for the office of Council Member must*
5 *be voted upon only by the registered voters of the ward that*
6 *the candidate seeks to represent.*

7 **Sec. 12.** Section 5.020 of the Charter of the City of Sparks,
8 being chapter 470, Statutes of Nevada 1975, as last amended by
9 chapter 41, Statutes of Nevada 2001, at page 398, is hereby
10 amended to read as follows:

11 Sec. 5.020 Primary elections.

12 1. *In a primary election:*

13 (a) Candidates for the offices of Mayor, City Attorney
14 and Municipal Judge must be voted upon by the registered
15 voters of the City at large. ~~{Candidates to represent a ward as~~
16 ~~a member of the City Council}~~

17 (b) *A candidate for the office of Council Member* must
18 be voted upon *only* by the registered voters of the ward ~~to be~~
19 ~~represented by them.~~ *that the candidate seeks to represent.*

20 2. The names of the two candidates for Mayor, City
21 Attorney and Municipal Judge and the names of the two
22 candidates to represent the ward as a member of the City
23 Council from each ward who receive the highest number of
24 votes at the primary election must be placed on the ballot for
25 the general election.

26 **Sec. 13.** The Reno City Council shall, not later than January 1,
27 2016, establish the boundaries of the additional ward created by the
28 provisions of section 1.050 of the Charter of the City of Reno, as
29 amended by section 7 of this act, which must be designated the sixth
30 ward, and change the boundaries of the first through fifth wards to
31 comply with the provisions of section 1.050 of the Charter of the
32 City of Reno, as amended by section 7 of this act.

33 **Sec. 14.** Notwithstanding the provisions of sections 2.010 and
34 5.010 of the Charter of the City of Reno, as amended by sections 8
35 and 9 of this act, a Council Member of the City of Reno who holds
36 office on January 1, 2016:

37 1. If elected or appointed to represent a ward, shall continue to
38 represent that ward for the remainder of his or her term of office.

39 2. If elected or appointed to represent the City at large, shall be
40 deemed to represent only the additional ward created by the
41 provisions of section 1.050 of the Charter of the City of Reno, as
42 amended by section 7 of this act for the remainder of his or her term
43 of office.

44 **Sec. 15.** 1. This section and sections 1 to 6, inclusive, 11 and
45 12 of this act become effective:



1 (a) Upon passage and approval for the purpose of passing
2 ordinances and performing any other preparatory administrative
3 tasks that are necessary to carry out the provisions of this act; and

4 (b) On July 1, 2015, for all other purposes.

5 2. Sections 7 to 10, inclusive, 13 and 14 of this act become
6 effective:

7 (a) Upon passage and approval for the purpose of passing
8 ordinances, establishing the boundaries of the additional ward
9 created by the provisions of section 1.050 of the Charter of the City
10 of Reno, as amended by section 7 of this act and performing any
11 other preparatory administrative tasks that are necessary to carry out
12 the provisions of this act; and

13 (b) On January 1, 2016, for all other purposes.

