

Reno City Charter Committee

2024 Final Report & Recommendations

The following is the final report and recommendations for changes to the Reno City Charter as approved by the Reno City Charter Committee. This document is intended to provide an overview of the committee’s recommendations to the Reno City Council in advance of the 83rd Session of the Nevada Legislature. This report includes a summary of the committee’s 2024 review process and details regarding the recommended amendments.

2024 Committee Review Process

In accordance with Section 1.150 of the Reno City Charter, the Reno City Charter Committee convened in January 2024 for its biennial session and review of the charter. During the meeting, the committee reviewed the purpose and components of the charter and identified topics members wanted to discuss during their review. In addition to the topics identified below, staff provided presentations to the Reno City Charter Committee comparing the City of Reno’s charter to the 4 other urban cities in Nevada. In subsequent meetings, the committee discussed these various issues and debated potential amendments; a summary of the topics examined by the committee is below.

Summary of 2024 Review Process Topics	
Meeting	Topics Discussed as Potential Amendments
February 5	<ul style="list-style-type: none">• Legislative history of City Charter amendments• Identified future topics for consideration
March 4	<ul style="list-style-type: none">• Role & authority of the Mayor• Election process if a candidate receives more than 50 percent of the vote during a primary election• City Attorney – Appointed vs. Elected• Process to fill vacancies on the City Council• Terms of Charter Committee Members• Revisited 2023 Bill Draft Request Language
April 1	<ul style="list-style-type: none">• Role and authority of the Mayor• Duties of the City Manager, City Manager vacancies, appointment of interim city managers, and residency requirements for the City Manager• Election process if a candidate receives more than 50 percent of the voter during a primary election• Process to fill vacancies on the City Council• Terms of Charter Committee Members• Gender Neutral Language
May 6	<ul style="list-style-type: none">• Role and authority of the Mayor

	<ul style="list-style-type: none"> • Duties of the City Manager, City Manager vacancies, compensation for the City Manager, removal of the City Manager, and appointment of interim city managers • Residency requirements for qualified electors
June 10	<ul style="list-style-type: none"> • Approval of the Final Report • Additional Bill Draft Request for the Reno City Charter Committee

Summary of Recommended Charter Amendments

As a result of the discussions, the committee recommended four amendments to the Reno City Charter; these amendments are summarized below. An explanation of each amendment, the committee's vote, and the proposed language is detailed in subsequent sections.

Summary of Recommended Amendments	
Amendment No.	Description
2024-001	Requires that the City Council declare a special election if there is more than 180 days until the next general municipal election
2024-002	Changes the terms of Charter Committee members appointed by the legislature to align with the terms of an individual office holder
2024-003	Requires that the City Manager reside in the City of Reno not later than 6 months after the date of his or her appointment
2024-004	Elimination of gendered language throughout the Reno City Charter

AMENDMENT 2024-001

EXPLANATION: The recommended change would require that Council declare, by resolution, a special election to fill a vacancy on the Council if there are more than 180 days until the next general municipal election

COMMITTEE VOTE: 12-0, with one absent (4/1/2024)

PROPOSED LANGUAGE

ARTICLE I – Incorporation of City

Sec. 1.070 Elective offices: Vacancies. [Effective January 1, 2024.]

1. Except as otherwise provided in this section, a vacancy in the City Council or in the office of City Attorney or Municipal Judge must be filled by a majority vote of the members of the City Council within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the City Council before the vacancy occurs. In filling a prospective vacancy, each member of the Council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. The appointee must have the same qualifications as are required of the elective

official. The appointee shall serve until the next general municipal election and until his or her successor is elected and qualified.

2. If a prospective vacancy or vacancy occurs in the office of a City Council Member *more than 180 days before the next general municipal election* ~~[, in lieu of appointment]~~, the City Council *shall* ~~[may]~~, by resolution, declare a special election to fill the vacancy for the remainder of the unexpired term. The resolution declaring a special election must be adopted *no later than the next regular meeting* ~~[within 30 days]~~ after the occurrence of the vacancy and must state the date set by the City Council for the special election. In the case of a prospective vacancy, the Council may adopt the resolution before the vacancy occurs, but the special election may not be held until after the vacancy occurs. The special election must be conducted in accordance with the provisions of the resolution declaring the special election and section 5.030 of this Charter. A person elected to fill a vacancy at a special election must have the same qualifications as are required of the elected official.

3. A candidate at a special election to fill a vacancy in the office of a City Council Member must be elected only by the registered voters of the ward that the candidate seeks to represent.

AMENDMENT 2024-002

EXPLANATION: The recommended changes would align legislatively-appointed Charter Committee Members with their City Council appointed counterparts. The change would require that the Speaker of the Assembly, Majority Leader of the Senate, and Minority Leaders of both chambers to designate an appointer from the City of Reno's delegation to align with the term of the Charter Committee Member's appointment.

COMMITTEE VOTE: 11-0, one abstention, with one absent (4/1/24)

PROPOSED LANGUAGE

ARTICLE I – Incorporation of City

Sec. 1.140 Charter Committee: Appointment; terms; qualifications; vacancies; compensation.

1. The Charter Committee must be appointed as follows:

(a) Each Council Member shall appoint one member;

(b) The Mayor shall appoint one member;

(c) Except as otherwise provided in subsection 2, the *Majority Leader of the Senate shall designate a* member~~[s]~~ of the Senate delegation representing the residents of the City and belonging to the majority party of the Senate *who* shall appoint two members;

(d) Except as otherwise provided in subsection 2, the *Minority Leader of the Senate shall designate a* member~~[s]~~ of the Senate delegation representing the residents of the City and belonging to the minority party of the Senate *who* shall appoint one member;

(e) Except as otherwise provided in subsection 2, the *Speaker of the Assembly shall designate a* member~~[s]~~ of the Assembly delegation representing the residents of the City and belonging to the majority party of the Assembly *who* shall appoint two members; and

(f) Except as otherwise provided in subsection 2, the *Minority Leader of the Assembly shall designate a* member~~[s]~~ of the Assembly delegation representing the residents of the City and belonging to the minority party of the Assembly *who* shall appoint one member.

2. The:

(a) Majority Leader of the Senate shall appoint the members of the Charter Committee described in paragraph (c) of subsection 1 if there are no members of the Senate representing the residents of the City and belonging to the majority party of the Senate.

(b) Minority Leader of the Senate shall appoint the members of the Charter Committee described in paragraph (d) of subsection 1 if there are no members of the Senate representing the residents of the City and belonging to the minority party of the Senate.

(c) Speaker of the Assembly shall appoint the members described in paragraph (e) of subsection 1 if there are no members of the Assembly representing the residents of the City and belonging to the majority party of the Assembly.

(d) Minority Leader of the Assembly shall appoint the members of the Charter Committee described in paragraph (f) of subsection 1 if there are no members of the Assembly representing the residents of the City and belonging to the minority party of the Assembly.

3. Each member of the Charter Committee:

(a) If appointed by a Council Member or the Mayor, serves during the term of the person by whom he or she was appointed;

(b) If appointed by *a* member~~[s]~~ of the Senate delegation or the Majority Leader or Minority Leader of the Senate, serves *during the term of the person by whom he or she was appointed* ~~[a term of 4 years]~~;

(c) If appointed by *a* member~~[s]~~ of the Assembly delegation or the Speaker or Minority Leader of the Assembly, serves *during the term of the person by whom he or she was appointed* ~~[a term of 2 years]~~;

(d) Must be a registered voter in the City; and

(e) Must reside in the City during his or her term of office.

4. If a vacancy occurs on the Charter Committee, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.

5. Members of the Charter Committee are entitled to receive compensation, in an amount set by ordinance of the City Council, for each full meeting of the Charter Committee they attend.

AMENDMENT 2024-003

EXPLANATION: The recommended change would require that the City Manager reside within the City of Reno within 6 months of being hired. The current requirement gives the City Manager 6 months to move to the State of Nevada.

COMMITTEE VOTE: 12-0, with one absent (4/1/24)

PROPOSED LANGUAGE

ARTICLE III - Executive Department

Sec. 3.020 City Manager: Duties; compensation; residency; vacancy.

1. The City Manager is the Chief Executive and Administrative Officer of the City Government. He or she is responsible to the City Council for the proper administration of all affairs of the City. The duties and salary of the City Manager must be fixed by the City Council and he or she is entitled to be reimbursed for all expenses incurred in the performance of his or her duties.

2. Except as otherwise provided in this subsection, the City Manager must actually, as opposed to constructively, reside in the State. A person who is appointed as City Manager by the City Council must become an actual resident of the *City of Reno* [State] not later than 6 months after the date of his or her appointment.

3. Any vacancy in the City Manager position must be filled by the City Council not later than 6 months after the vacancy occurs.

4. Subject to the provisions of section 1.090, the City Manager may appoint such staff as he or she deems necessary for the proper functioning of the City.

5. The City Manager may designate an acting City Manager to serve in his or her absence or, if he or she fails to do so, the City Council may appoint an acting City Manager.

6. No member of the City Council may be appointed as City Manager during the term for which he or she was elected, or for 1 year thereafter.

7. The City Manager shall appoint all officers and employees of the City and may remove any officer or employee of the City except as otherwise provided in this Charter. The City Manager may authorize the head of a department or office to appoint or remove his or her subordinates.

AMENDMENT 2024-004

EXPLANATION: The recommended changes would remove any gendered pronouns from the Reno City Charter and replace them with gender neutral pronouns or specific title references. The purpose for the change is to strike all instances of heteronormative language within the Reno City Charter to ensure that the City of Reno's government document recognizes all its citizens and reflects inclusivity goals.

COMMITTEE VOTE: 10-0, with 3 absent (3/4/2024)

PROPOSED LANGUAGE

ARTICLE I – Incorporation of City

Sec. 1.070 Elective offices: Vacancies. [Effective through December 31, 2023.]

1. Except as otherwise provided in this section, a vacancy in the City Council or in the office of City Attorney or Municipal Judge must be filled by a majority vote of the members of the City Council within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the City Council before the vacancy occurs. In filling a prospective vacancy, each member of the Council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. The appointee must have the same qualifications as are required of the elective official. The appointee shall serve until the next general municipal election and until *the appointee's* ~~this or her~~ successor is elected and qualified.

2. If a prospective vacancy or vacancy occurs in the office of a City Council Member, in lieu of appointment, the City Council may, by resolution, declare a special election to fill the vacancy for the remainder of the unexpired term. The resolution declaring a special election must be adopted within 30 days after the occurrence of the vacancy and must state the date set by the City Council for the special election. In the case of a prospective vacancy, the Council may adopt the resolution before the vacancy occurs, but the special election may not be held until after the vacancy occurs. The special election must be conducted in accordance with the provisions of the resolution declaring the special election and section 5.030 of this Charter. A person elected to fill a vacancy at a special election must have the same qualifications as are required of the elected official.

3. A candidate at a special election to fill a vacancy in the office of a City Council Member who represents a ward must be elected only by the registered voters of the ward that the candidate seeks to represent.

Sec. 1.070 Elective offices: Vacancies. [Effective January 1, 2024.]

1. Except as otherwise provided in this section, a vacancy in the City Council or in the office of City Attorney or Municipal Judge must be filled by a majority vote of the members of

the City Council within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the City Council before the vacancy occurs. In filling a prospective vacancy, each member of the Council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. The appointee must have the same qualifications as are required of the elective official. The appointee shall serve until the next general municipal election and until *the appointee's* ~~his or her~~ successor is elected and qualified.

2. If a prospective vacancy or vacancy occurs in the office of a City Council Member, in lieu of appointment, the City Council may, by resolution, declare a special election to fill the vacancy for the remainder of the unexpired term. The resolution declaring a special election must be adopted within 30 days after the occurrence of the vacancy and must state the date set by the City Council for the special election. In the case of a prospective vacancy, the Council may adopt the resolution before the vacancy occurs, but the special election may not be held until after the vacancy occurs. The special election must be conducted in accordance with the provisions of the resolution declaring the special election and section 5.030 of this Charter. A person elected to fill a vacancy at a special election must have the same qualifications as are required of the elected official.

3. A candidate at a special election to fill a vacancy in the office of a City Council Member must be elected only by the registered voters of the ward that the candidate seeks to represent.

Sec. 1.080 Mayor and Council Members not to hold other office or employment.

1. The Mayor and Council Members shall not:

(a) Hold any other elective or appointive office, except as provided by law or as a member of a board or commission which is ancillary to the office of Mayor or Council Member and for which no compensation is received.

(b) Hold any other employment with the County, the City or any other political subdivision of the State which is governed or advised by a board or commission to which the Mayor or Council Member may be appointed in the course of *the Mayor or Council Member's* ~~his or her~~ duties as Mayor or Council Member.

(c) Be appointed to any office or position created by or the compensation for which was increased or fixed by the City Council until 1 year after the expiration of the term for which the Mayor or Council Member was elected.

2. Any person who violates the provisions of subsection 1 shall automatically forfeit *the person's* ~~his or her~~ office.

Sec. 1.100 Appointive officers and appointive employees: Miscellaneous provisions.

1. All appointive officers and appointive employees, except the City Clerk and *the City Clerk's* ~~his or her~~ deputy, shall perform such duties as are designated by the City Manager.

2. Any employee of the City holding a Civil Service rating under the City who is appointed to any appointive office or appointive position does not lose *the employee's* ~~[his or her]~~ Civil Service rating while serving in that appointive office or appointive position.

3. The City Council may require from all other officers and employees of the City constituted or appointed under this Charter, except the Mayor and Council Members, sufficient security for the faithful and honest performance of their respective duties.

Sec. 1.130 Oath of office. Every person elected or appointed to fill any office shall subscribe to the official oath as provided by the City Council. Every such person shall swear or affirm that *the person* ~~[he or she]~~ is not under any direct or indirect obligation to vote for, appoint or elect any person to any office, position or employment in the City government

Sec. 1.140 Charter Committee: Appointment; terms; qualifications; vacancies; compensation.

1. The Charter Committee must be appointed as follows:

(a) Each Council Member shall appoint one member;

(b) The Mayor shall appoint one member;

(c) Except as otherwise provided in subsection 2, the members of the Senate delegation representing the residents of the City and belonging to the majority party of the Senate shall appoint two members;

(d) Except as otherwise provided in subsection 2, the members of the Senate delegation representing the residents of the City and belonging to the minority party of the Senate shall appoint one member;

(e) Except as otherwise provided in subsection 2, the members of the Assembly delegation representing the residents of the City and belonging to the majority party of the Assembly shall appoint two members; and

(f) Except as otherwise provided in subsection 2, the members of the Assembly delegation representing the residents of the City and belonging to the minority party of the Assembly shall appoint one member.

2. The:

(a) Majority Leader of the Senate shall appoint the members of the Charter Committee described in paragraph (c) of subsection 1 if there are no members of the Senate representing the residents of the City and belonging to the majority party of the Senate.

(b) Minority Leader of the Senate shall appoint the members of the Charter Committee described in paragraph (d) of subsection 1 if there are no members of the Senate representing the residents of the City and belonging to the minority party of the Senate.

(c) Speaker of the Assembly shall appoint the members described in paragraph (e) of subsection 1 if there are no members of the Assembly representing the residents of the City and belonging to the majority party of the Assembly.

(d) Minority Leader of the Assembly shall appoint the members of the Charter Committee described in paragraph (f) of subsection 1 if there are no members of the Assembly representing the residents of the City and belonging to the minority party of the Assembly.

3. Each member of the Charter Committee:

(a) If appointed by a Council Member or the Mayor, serves during the term of the person by whom *the Charter Committee member* ~~[he or she]~~ was appointed;

(b) If appointed by members of the Senate delegation or the Majority Leader or Minority Leader of the Senate, serves a term of 4 years;

(c) If appointed by members of the Assembly delegation or the Speaker or Minority Leader of the Assembly, serves a term of 2 years;

(d) Must be a registered voter in the City; and

(e) Must reside in the City during *the Charter Committee member's* ~~[his or her]~~ term of office.

4. If a vacancy occurs on the Charter Committee, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.

5. Members of the Charter Committee are entitled to receive compensation, in an amount set by ordinance of the City Council, for each full meeting of the Charter Committee they attend.

ARTICLE II - Legislative Department

Sec. 2.010 Mayor and City Council: Qualifications; election; term of office; salary. [Effective through December 31, 2023.]

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

2. The Mayor and Council Members must be qualified electors within the City. Each Council Member elected from a ward must continue to live in that ward for as long as *the Council Member* ~~[he or she]~~ represents the ward.

3. The Mayor and one Council Member represent the City at large and one Council Member represents each ward. The Mayor and Council Members serve for terms of 4 years.

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

Sec. 2.010 Mayor and City Council: Qualifications; election; term of office; salary. [Effective January 1, 2024.]

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

2. The Mayor and Council Members must be qualified electors within the City. Each Council Member elected from a ward must continue to live in that ward for as long as *the Council Member* ~~[he or she]~~ represents the ward.

3. The Mayor represents the City at large and one Council Member represents each ward. The Mayor and Council Members serve for terms of 4 years.

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

Sec. 2.080 Powers of City Council: Ordinances, resolutions and orders; waiver of salary and benefits.

1. The City Council may make and pass all ordinances, resolutions and orders not repugnant to the Constitution of the United States or the Constitution of the State of Nevada, or to the provisions of Nevada Revised Statutes or of this Charter, necessary for the municipal government and the management of the affairs of the City, and for the execution of all the powers vested in the City.

2. When power is conferred upon the City Council to do and perform anything and the manner of exercising such power is not specifically provided for, the City Council may provide by ordinance the manner and details necessary for the full exercise of such power.

3. The City Council may enforce ordinances by providing penalties not to exceed those established by the Legislature for misdemeanors.

4. The City Council shall have such powers, not in conflict with the express or implied provisions of this Charter, as are conferred generally by statute upon the governing bodies of cities organized under a special charter.

5. Except as otherwise provided in this subsection and subsection 6, the City Council shall not pass any ordinance or resolution increasing or diminishing the salary of any elective officer during the term for which *the elective officer* ~~[he or she]~~ is elected or appointed. The City Council may pass an ordinance increasing the salary of a Municipal Judge during the term for which *the Municipal Judge* ~~[he or she]~~ is elected or appointed.

6. Except as otherwise prohibited or limited by statute or regulation or as otherwise provided in this subsection, the Mayor and any Council Member may waive the payment of any part of the salary and benefits otherwise payable to him or her during any budget year. Any such waiver must be in writing, does not extend beyond the current term of the Mayor or Council Member and may not be rescinded.

ARTICLE III - Executive Department

Sec. 3.010 Mayor: Duties; Vice Mayor.

1. The Mayor:

- (a) Shall serve as a member of the City Council and preside over its meetings.
- (b) Shall not have any administrative duties.
- (c) Must be recognized as the head of the City Government for all ceremonial purposes.
- (d) Shall determine the order of business at meetings pursuant to the rules of the City Council.
- (e) Is entitled to vote and shall vote last on all roll call votes.
- (f) Shall take all proper measures for the preservation of the public peace and order and for the suppression of riots and all forms of public disturbance, for which *the Mayor* ~~[he or she]~~ is authorized to appoint extra police officers temporarily and without regard to Civil Service rules and regulations, and to call upon the County Sheriff or, if that force is inadequate, to call upon the Governor for assistance.
- (g) Shall perform such other duties, except administrative duties, as are prescribed by ordinance or by the provisions of Nevada Revised Statutes which apply to a mayor of a city organized pursuant to the provisions of a special charter.

2. At the first regular City Council meeting in November of each year or whenever a vacancy occurs in the office of Vice Mayor, the City Council shall elect one of the Council Members to be Vice Mayor. That person:

- (a) Holds that office and title, without additional compensation, for a term of 1 year or until removed after a hearing for cause by a vote of six-sevenths of the City Council or the office otherwise becomes vacant.
- (b) Shall perform the duties of Mayor during the absence or disability of the Mayor.
- (c) Shall act as Mayor if the office of Mayor becomes vacant until the vacancy is filled pursuant to section 1.070 of this Charter.

Sec. 3.020 City Manager: Duties; compensation; residency; vacancy.

1. The City Manager is the Chief Executive and Administrative Officer of the City Government. *The City Manager* ~~[he or she]~~ is responsible to the City Council for the proper administration of all affairs of the City. The duties and salary of the City Manager must be fixed by the City Council and *the City Manager* ~~[he or she]~~ is entitled to be reimbursed for all expenses incurred in the performance of *the City Manager's* ~~[his or her]~~ duties.

2. Except as otherwise provided in this subsection, the City Manager must actually, as opposed to constructively, reside in the State. A person who is appointed as City Manager by the City Council must become an actual resident of the State not later than 6 months after the date of *the City Manager's* ~~[his or her]~~ appointment.

3. Any vacancy in the City Manager position must be filled by the City Council not later than 6 months after the vacancy occurs.

4. Subject to the provisions of section 1.090, the City Manager may appoint such staff as *the City Manager* ~~[he or she]~~ deems necessary for the proper functioning of the City.

5. The City Manager may designate an acting City Manager to serve in *the City Manager's* ~~[his or her]~~ absence or, if *the City Manager* ~~[he or she]~~ fails to do so, the City Council may appoint an acting City Manager.

6. No member of the City Council may be appointed as City Manager during the term for which *the member of the City Council* ~~[he or she]~~ was elected, or for 1 year thereafter.

7. The City Manager shall appoint all officers and employees of the City and may remove any officer or employee of the City except as otherwise provided in this Charter. The City Manager may authorize the head of a department or office to appoint or remove *the City Manager's* ~~[his or her]~~ subordinates.

Sec. 3.030 City Manager: Removal.

1. The City Council may remove the City Manager from office in accordance with the procedure contained in this section.

2. The City Council shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the City Manager from duty for a period not to exceed 15 days. A copy of the resolution must be delivered promptly to the City Manager.

3. Within 5 days after a copy of the resolution is delivered to the City Manager, *the City Manager* ~~[he or she]~~ may file with the City Council a written request for a public hearing. The public hearing must be held at a City Council meeting not earlier than 15 days nor later than 30 days after the request is filed. The City Manager may file with the City Council a written reply not later than 5 days before the hearing.

4. The City Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members, at any time after 5 days from the date when a copy of the preliminary resolution was delivered to the City Manager if *the City Manager* ~~[he or she]~~ has not requested a public hearing or at any time after the public hearing if *the City Manager* ~~[he or she]~~ has requested one.

5. The City Manager is entitled to receive *the City Manager's* ~~[his or her]~~ salary until the effective date of the final resolution of removal.

Sec. 3.040 City Clerk: Duties.

1. The City Clerk shall:

(a) Keep the corporate seal and all books and papers belonging to the City.

(b) Attend all meetings of the City Council and keep an accurate journal of its proceedings, including a record of all ordinances, bylaws and resolutions passed or adopted by it. After approval at each meeting of the City Council, the City Clerk shall attest the journal after it has been signed by the Mayor.

(c) Sign all warrants for payment issued.

(d) Number and sign all business licenses issued by the City. All business licenses must be in a form devised by the City Clerk and approved by the City Council.

(e) Enter upon the journal the result of the vote of the City Council upon the passage of ordinances, or of any resolution appropriating money, abolishing licenses, or increasing or decreasing the rates of licenses.

(f) Be the official collector of all business license fees and penalties of the City, and all money making up the City revenues, except general taxes and special assessments, must be paid over to him or her.

2. The City Clerk has custody of all the official records of the City. *The City Clerk* ~~[he or she]~~ is responsible to the City Council for the proper discharge of *the City Clerk's* ~~[his or her]~~ duties. The duties and salary of the City Clerk are fixed by the City Council, and *the City Clerk* ~~[he or she]~~ is entitled to be reimbursed for all expenses incurred in the performance of *the City Clerk's* ~~[his or her]~~ duties.

3. The City Clerk may, with approval of the City Council, appoint one Chief Deputy City Clerk and one Manager of Record Systems, who are appointive officers and not subject to the provisions of article IX of this Charter.

4. The City Clerk may designate a member of *the City Clerk's* ~~[his or her]~~ staff as acting City Clerk to:

(a) Administer oaths; and

(b) Perform all the duties of the City Clerk in *the City Clerk's* ~~[his or her]~~ absence.

Sec. 3.060 City Attorney: Qualifications; duties; salary.

1. The City Attorney must be a duly licensed member of the State Bar of Nevada and a qualified elector within the City. Once elected, *the City Attorney* ~~[he or she]~~ shall hold office for a term of 4 years and until *the City Attorney's* ~~[his or her]~~ successor is duly elected and qualified.

2. The City Attorney is the Legal Officer of the City and shall:

(a) Perform such duties as are designated by ordinance;

(b) Be present at all meetings of the City Council;

(c) Be counsel for the Commission;

(d) Devote until *the City Attorney's* ~~[his or her]~~ full time to the duties of the office; and

(e) Not engage in the private practice of law.

3. The City Attorney is entitled to receive a salary as fixed by resolution of the City Council.

4. As *the City Attorney* ~~[he or she]~~ requires in the discharge of the duties of until *the City Attorney's* ~~[his or her]~~ office, the City Attorney may:

(a) Appoint and remove any professional and paraprofessional legal staff, including, without limitation, attorneys, paralegals, investigators, an office administrator and an executive assistant. Professional and paraprofessional legal staff must not be Civil Service employees.

(b) Appoint and remove clerical staff, including, without limitation, management assistants, legal secretaries and advocates. Clerical staff must not be Civil Service employees.

5. The Council may appropriate such an amount of money as it deems proper to compensate the professional and paraprofessional legal staff and clerical staff appointed by the City Attorney pursuant to subsection 4.

6. Any attorney or paralegal who is employed for more than 20 hours per week by the City Attorney shall not engage in the private practice of law.

ARTICLE V – Elections

Sec. 5.010 General elections. [Effective through December 31, 2023.]

1. On the date fixed by the election laws of the State for the statewide general election in November 2002, and at each successive interval of 6 years, there must be elected at the general election, a Municipal Judge, who holds office for a term of 6 years and until until *the Municipal Judge's* ~~[his or her]~~ successor has been elected and qualified.

2. On the date fixed by the election laws of the State for the statewide general election in November 2002, and at each successive interval of 4 years, there must be elected at the general election, a Mayor, Council Members from the second and fourth 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.

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

4. On the date fixed by the election laws of the State for the statewide general election in November 2004, and at each successive interval of 4 years, there must be elected at the general election, Council Members from the first, third and fifth wards and one Council Member at large, all of whom hold office for a term of 4 years and until their successors have been elected and qualified.

5. In the general election:

(a) A candidate for the office of Council Member who represents a ward must be elected only by the registered voters of the ward that the candidate seeks to represent.

(b) Candidates for the offices of Mayor, Municipal Judge, City Attorney and Council Member at large must be elected by the registered voters of the city at large.

Sec. 5.010 General elections. [Effective January 1, 2024.]

1. On the date fixed by the election laws of the State for the statewide general election in November 2002, and at each successive interval of 6 years, there must be elected at the general election, a Municipal Judge, who holds office for a term of 6 years and until *the Municipal Judge's* ~~[his or her]~~ successor has been elected and qualified.

2. On the date fixed by the election laws of the State for the statewide general election in November 2002, and at each successive interval of 4 years, there must be elected at the general election, a Mayor, Council Members from the second and fourth 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.

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

4. On the date fixed by the election laws of the State for the statewide general election in November 2004, and at each successive interval of 4 years, there must be elected at the general election, Council Members from the first, third and fifth wards all of whom hold office for a term of 4 years and until their successors have been elected and qualified.

5. On the date fixed by the election laws of the State for the statewide general election in November 2024, and at each successive interval of 4 years, there must be elected at the general election a Council Member from the sixth ward, who holds office for a term of 4 years and until *the Council Member from the sixth ward's* ~~[his or her]~~ successor has been elected and qualified.

6. In the general election:

(a) A candidate for the office of Council Member must be elected only by the registered voters of the ward that the candidate seeks to represent.

(b) Candidates for the offices of Mayor, Municipal Judge and City Attorney must be elected by the registered voters of the city at large.

Sec. 5.060 Ballots for ordinances and Charter amendments. An ordinance or Charter amendment to be voted on in the City shall be presented for voting by ballot title. The ballot title of a measure may differ from its legal title and shall be a clear, concise statement describing the substance of the measure without argument or prejudice. Below the ballot title shall appear the

following question: “Shall the above described (ordinance) (amendment) be adopted?” The ballot or voting machine or device shall be so marked as to indicate clearly in what manner the voter may cast *the voter’s* ~~[his or her]~~ vote, either for or against the ordinance or amendment.

Sec. 5.100 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

1. The election returns from any special, primary or general election must be filed with the City Clerk, who shall immediately place those returns in a safe or vault, and no person may handle, inspect or in any manner interfere with those returns until canvassed by the City Council.

2. The City Council and City Manager shall meet within 10 days after any election and canvass the returns and declare the result. The election returns must then be sealed and kept by the City Clerk for 6 months, and no person may have access thereto except on order of a court of competent jurisdiction or by order of the City Council.

3. The City Clerk, under *the City Clerk’s* ~~[his or her]~~ hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers elected shall qualify and enter upon the discharge of their respective duties at the first regular City Council meeting following their election.

4. If any election results in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie as provided in this subsection. The City Clerk shall provide and open in the presence of the candidates who received the tie vote an unused 52-card deck of playing cards, removing any jokers and blank cards. The City Clerk shall shuffle the cards thoroughly and present the shuffled deck to the City Manager, or to the person designated by the City Manager for this purpose. One of the candidates who received the tie vote shall then draw one card from the deck, and the City Clerk shall record the suit and number of the card. The card then must be returned to the deck, and the City Clerk shall shuffle the cards thoroughly and present the shuffled deck to the City Manager, or to the person designated by the City Manager for this purpose, and another of the candidates who received the tie vote shall draw one card from the deck. This process must be repeated until each of the candidates who received the tie vote has drawn one card from the deck and the result of each draw has been recorded. The candidate who draws the high card shall be deemed the winner of the election. For the purposes of this subsection, aces are high and twos are low. If the candidates draw cards of otherwise equal value, the card of the higher suit is the high card. Spades are highest, followed in descending order by hearts, clubs and diamonds. The City Clerk shall issue to the winner a certificate of election.

ARTICLE VIIA - Financing by Tax Increment

Sec. 7A.060 “Mailed notice,” “notice by mail” defined.

1. “Mailed notice” or “notice by mail”, means the giving by the Engineer, City Clerk, or any deputy thereof, as determined by the City Council, of any designated written or printed notice addressed to the last-known owner or owners of each tract in a tax increment area or other designated person at *the designated person’s* ~~[his or her]~~ or their last-known address or addresses

by deposit, at least 20 days prior to the designated hearing or other time or event, in the United States mail, postage prepaid as first-class mail.

2. The names and addresses of such property owners shall be obtained from the records of the County Assessor or from such other source or sources as the City Clerk or the Engineer deems reliable. Any list of such names and addresses pertaining to any tax increment area may be revised from time to time, but such a list need not be revised more frequently than at 12-month intervals if any such list is needed for a period longer than 12 months.

3. Any mailing of any notice required in this article shall be verified by the affidavit or certificate of the Engineer, City Clerk, deputy, or other person mailing the notice, which verification shall be retained in the records of the City at least until all bonds and any other securities pertaining to a Tax Increment Account have been paid in full, or any claim is barred by a statute of limitations.

4. Such verification of mailing is prima facie evidence of the mailing of such notice in accordance with the requirements of this section.

ARTICLE IX - Civil Service

Sec. 9.020 Civil Service and exempt positions.

1. A Civil Service System is created for the selection, appointment and promotion of all employees of the City except:

(a) Any elected official described in section 1.060 or person who is appointed to fill a vacancy pursuant to section 1.070.

(b) A person who serves as a member of any board, commission, committee or other body created pursuant to the authority of the City.

(c) An appointive officer or appointive employee.

(d) A person employed by the City for less than 18 hours per week or 234 hours per fiscal quarter, whichever is greater.

(e) A person who is not subject to the provisions of this article pursuant to section 3.020, 3.040 or 3.060.

(f) A person for whose position half or more of the money is provided by a source other than the City.

(g) An employee of the Municipal Court who is hired directly by the Court.

2. The provisions of this article are not applicable to the selection, appointment, promotion, demotion, transfer, suspension, discipline or dismissal of any person described in subsection 1.

3. Any employee whose position was within the provisions of the Civil Service System before June 2, 2013, shall retain all rights and benefits to which *the employee* ~~[he or she]~~ would otherwise be entitled under the Civil Service System.

Sec. 9.030 Civil Service Commission: Number, appointment, qualifications, terms, compensation of members.

1. A Civil Service Commission is created to carry out the provisions of this article. The Commission consists of seven members appointed by the Mayor with the approval of the City Council.

2. Members must:

- (a) Be residents of the City.
- (b) Have no other connection with the City government.
- (c) Hold no elective office.
- (d) Serve for terms of five years.
- (e) Receive compensation as provided by City ordinance.

3. One term of office shall begin on the second Monday in July in each successive year. A member shall serve until *the member's* ~~[his or her]~~ successor is appointed and qualified. A vacancy occurring during a term must be filled by the Mayor with the approval of the City Council for the remainder of that term.

Sec. 9.130 Return to Civil Service. An employee with confirmed Civil Service rating who is appointed to an exempt position shall not lose *the employee's* ~~[his or her]~~ Civil Service rating while serving in that exempt position.

Sec. 9.180 Classification plan: Preparation; requirements; review of classification.

1. The City Manager or *the City Manager's* ~~[his or her]~~ designee shall:

(a) Prepare, maintain and, as necessary, revise a classification plan for all positions in the Civil Service.

(b) Allocate each position in the Civil Service to a class set forth in the classification plan.

2. Each class of employees that is set forth in the classification plan must include, without limitation, a title, a definition or statement of the characteristics of the class, a list of typical tasks or examples of the duties of the class, a list of the knowledge, skills and abilities required for employees in the class, a statement that describes the minimum qualifications of employees in the class and any other information that the City Manager determines is necessary for the proper classification and supervision of positions in the Civil Service. The minimum qualifications shall be subject to review and approval by the Commission as part of its responsibility for recruiting and selecting employees.

3. The City Manager shall allocate positions into each class by grouping positions that have similar qualifications and levels of difficulty and responsibility such that the similarities justify similar treatment.

4. Any employee in the Civil Service who is adversely affected by the allocation or reallocation of *the employee's* ~~his or her~~ position to a class pursuant to subsection 1 may request to have the classification reviewed by the Commission. A request for such a review must be submitted to the Commission not more than 30 calendar days after the employee receives notification of the allocation or reallocation of the employee's position by the City Manager.

5. In reviewing the allocation or reallocation of an employee's position pursuant to subsection 4, the Commission shall make findings as to the duties, responsibilities and qualifications of the position. If the Commission finds that a position is not classified correctly, the Commission shall notify the City Council and City Manager of its findings. Upon receiving such notification, the City Council shall review the findings of the Commission and, if approved by the City Council, the City Manager shall allocate or reallocate the position to a class pursuant to the findings of the Commission.

Sec. 9.260 Duties and authority of City Manager.

1. All employees in the Civil Service, other than those employed by the Commission, shall hold their positions at the pleasure of the City Manager and shall perform their assigned duties under *the City Manager's* ~~his or her~~ direction, subject to the provisions of this article. No employee in the Civil Service shall be suspended, demoted, dismissed or disciplined except as provided in this article.

2. The City Manager or *the City Manager's* ~~his or her~~ delegate may bring disciplinary action against any employee in the Civil Service who:

(a) Is unable to or fails for any reason to perform *the employee's* ~~his or her~~ duties properly and efficiently.

(b) Is guilty of any actions which reduce *the employee's* ~~his or her~~ effectiveness as an employee or bring discredit on the City service.

(c) Has violated any provision of this article or of Commission rules.

3. The City Manager shall immediately report any suspension of more than 3 days or any action of demotion or termination to the Secretary of the Commission and at the same time deliver to the Secretary and to the affected employee copies of a complaint setting forth the action taken and the reasons for that action, with the name of the original complainant if other than the City Manager.

4. Whenever a written complaint against any employee in the Civil Service is made to the City Manager *the City Manager* ~~he or she~~ shall immediately communicate it to the Secretary of the Commission.

5. The City Manager or *the City Manager's* ~~his or her~~ delegate have the authority to adjust an employee's salary within the salary range for the class on the basis of quality and quantity of the employee's work. The Commission shall by rule provide for appeals from such adjustment on a showing that it was made principally for disciplinary purposes.

Sec. 9.270 Appeals to the Commission.

1. An employee in the Civil Service who has been suspended for a period of more than 3 days or who is the subject of an action by the City Manager to demote or terminate him or her may appeal such action to the Commission by serving the Secretary of the Commission with a written notice of appeal within 10 days after such action. The Commission shall set the time for hearing the appeal not less than 5 nor more than 15 days after the date of service of the notice of appeal.

2. The Commission shall adopt a rule for hearing such appeals and making any investigations it deems appropriate. The City Attorney or, if applicable, special counsel retained pursuant to section 3.070 shall represent the interest of the City in appeals to the Commission.

3. In connection with any hearing or investigation contemplated by this article each member of the Commission may administer oaths, secure by subpoena the attendance of witnesses residing within 50 miles of the City and the production of books and papers relevant to the hearing or investigation, compel witnesses to answer and punish for contempt in the same manner as provided by law for the governing of trials before justices of the peace for failure to answer or produce books and other evidence necessary for the hearing. All witnesses must be under oath. The accused has the right to be heard in person and by attorney in *the accused's* ~~his or her~~ own defense and is entitled to secure the attendance of witnesses at the expense of the City if within the reach of the Commission's subpoena and necessary for *the accused's* ~~his or her~~ defense. Upon a showing of necessity an accused may secure from the Commission an order requiring the taking of depositions of witnesses who are necessary to *the accused's* ~~his or her~~ defense and not within the reach of a subpoena. The Commission shall determine to what extent the expense of such depositions will be paid for by the City. Hearings on appeal must be reported and may be transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall render its decision within 7 days after the date of the hearing.

4. The action taken by the City Manager may be affirmed, modified or revoked by the Commission. If the Commission finds that the reason for which the action was taken is insufficient or conflicts with the provisions of this Charter, the Civil Service rules and regulations, or any applicable law, it must modify or revoke the action.

5. The Commission shall adopt a rule for the hearing and disposition of appeals concerning procedures or the content of examinations.

Sec. 9.290 Salary of suspended, demoted or disciplined employee. No employee shall be deprived of any salary or wages for the period of time *the employee* ~~he or she~~ may be suspended, demoted or dismissed pending a hearing and decision unless such disciplinary action or removal shall be sustained by the Commission.