



MINUTES

Special Meeting

Reno City Council

Friday, August 12, 2022 • 11:00 AM

Reno City Council Chamber, One East First Street, Reno, NV 89501

Hillary Schieve, Mayor

Council Members:

Ward 1 – Jenny Brekhus

Ward 4 – Bonnie Weber

Ward 2 – Naomi Duerr

Ward 5 – Neoma Jardon

Ward 3 – Oscar Delgado

At-Large – Devon Reese

A Introductory Items

A.1 Pledge of Allegiance

A.2 Roll Call

Attendee Name	Title	Status	Arrived
Bonnie Weber	Councilmember	Present	11am
Devon Reese	Councilmember	Present	11am
Hillary Schieve	Mayor	Present	11am
Jenny Brekhus	Councilmember	Present	11am
Naomi Duerr	Councilmember	Present	11am
Oscar Delgado	Councilmember	Present	11am
Neoma Jardon	Councilmember	Absent	

The meeting was called to order at 11:00 AM.

A.3 Public Comment

George Eddie Lorton

Terry Kaleznik

Alexis Motorex

Gordon Gossage

Scott Meyer

A.4 Approval of the Agenda (For Possible Action) – August 12, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Weber, Reese, Schieve, Brekhus, Duerr
ABSENT:	Jardon

B Department Items

City Clerk

B.1 Staff Report (For Possible Action): Staff Report (For Possible Action): Discussion and potential direction to staff on the method and timeline to fill the vacancy in the Office of Reno City Council, Ward 5

Public Comment:

Renee Rosentis

Valerie Fianako

Connor McQuivey

Jenny Brekhus

Kurt Gottschalk

Jess Trujillo

Nick Martin

Lee Wilhelm

20 letters of correspondence were also received

Mikki Huntsman, City Clerk, gave a presentation on this item. Mikki said that Councilmember Neoma Jardon gave resignation on August 8, 2022, effective August 15, 2022. The Ward 5 seat term is November 2020 through November 2024. The process is governed by NRS 268.325 and Charter chapters 1.070, 5.010, and 5.030.

NRS 268.325: If a vacancy occurs on the governing body of a city the governing body may in lieu of appointment declare by resolution a special election to fill the vacancy.

Charter Section 1.070: Appointments must be completed within 30 days after the occurrence of a vacancy.

Option 1: Special Election

Cost estimate: \$102K and cost of vote centers

Timeline: Process cannot start until January 2023 after current election. The completion of election would not be completed until March/April 2023. Mark Valashen, Deputy Secretary of State for Elections, said that according to NRS 293.165 this special election cannot be included in the timeline for the 2022 general election.

Option 2: City Council Selection and Appointment within 30 Days

Mikki said this is something the office is comfortable with. This process was conducted in 2014 and 2019 for Councilmembers At-Large. There was also an

appointment process for the City Manager and for the City Clerk. With this process, Ward 5 residents would have representation by September 14, 2022.

Councilmember Duerr asked if there would be a primary and a general election with the special election process. Mikki said there would be one election period. Councilmember Duerr asked why the Council would have to wait until after the November election to get started on the process of a special election. Mikki said that the registrar of voters is not available or accessible for the special election until the general election cycle is completely over. Councilmember Duerr asked if the election must go through the Washoe County registrar of voters. Mikki said that according to NRS it would need to. Councilmember Duerr asked what the period is to certify the general election. Mikki said 10 days. Councilmember Duerr is confused why the Council must wait until January if the election would already be certified mid-November. Mikki said that they need until about mid-December to complete all their legal processes after the election.

Councilmember Duerr asked about how the selection process for the appointees worked because there were about one hundred people who applied, and that list got narrowed down to four. Mikki said that the list will be reviewed by City Council and then go through a narrowing process from the Council's scoring process on each candidate. The Council will narrow the list to the top five applicants. From there, the finalists will have a meet-and-greet with the City Council and the public.

Councilmember Reese clarified with Mikki that there are general elections, primary elections, and special elections in Nevada, and each one has their own statute. Mikki confirmed that is correct. Councilmember Reese asked if the elected official would just need a plurality of the vote to win. Mikki said that is correct. Councilmember Reese recalled getting about 55% of the vote city-wide in the last election. Councilmember Reese asked about the canvassing of the votes. Mikki said that the votes would be totaled by the voter of registrars and then be reviewed by this body to accept. Councilmember Reese asked if there were any members in the City Charter Committee raise concerns about the special election/appointment process to fill vacancies. Mikki said the Charter members reviewed and discussed those chapters, but ultimately decided this issue is a decision for the State Legislator because the NRS and the Charter are so closely aligned with each other. Councilmember Reese asked how many voting centers exist in Ward 5 in a traditional election. Mikki was not sure about the amount.

Mayor Schieve asked Mikki to explain why the special election could not be added to the general election. Mikki said that in election law a candidate needs to have a specific amount of time to file their application and to campaign for office,

but because many of those timelines have already passed, the City is not eligible to add the special election to the upcoming ballot. Mayor Schieve asked how soon they could have someone in the seat. Mikki said that Spring 2023 would be the soonest the Council could have a representative for Ward 5. Mayor Schieve is concerned because of the timeline and not having anyone to represent Ward 5 for at least 8 months.

Councilmember Duerr said that all vacancies since 1983 were filled by appointment. Mikki confirmed that it has been more than 30 years since the City of Reno has had a special election. Councilmember Duerr also explained that there are concerns with ward-only voting. Councilmember Duerr and Mayor Schieve were both leaning towards special elections, but also believed the special and general election could run parallel to each other.

Councilmember Reese asked if the City of Reno in a Dillon's Rule State at liberty to vary the election laws of the State of Nevada. Legal Council said that the City could not. Councilmember Reese also made a comment that appointments are not in themselves anti-democratic as many people believe and it is in the charter that the City can appoint vacancies. Councilmember Reese is also concerned about the turnout rate of an election in three months, especially right after the general election. Councilmember Reese said that because of the timeline, the special election would not be representative of the democratic process.

Manager Thornley asked Jamie Rodriguez to clarify why the special election process cannot begin until January 2023. Jamie said that after the election, candidates have until November 22nd to request a recount. Because the Registrar of Voters is unsure if a recount will be requested, they need to build the possibility into their timeline. The completion of a recount, audits, and storing records would not be done until mid-December, and this work does take the entirety of their staff.

Councilmember Duerr asked if it would be possible to run the special election in parallel to the general election. Jamie said no because there would need to be specific machines at each voting center just for the special election. There is not enough equipment to dedicate to a special election. Councilmember Duerr asked if the election could be a mail-in only system for the special election. Jamie is going to get confirmation but believes that it is not possible because Nevadan voters can opt out of receiving mail ballots, and so the voters that choose to opt out would not be able to participate.

Councilmember Duerr asked when a reasonable time would be to hold a special election. Jamie said that July 22nd is the last day for general elections that there

can be any changes made to the ballot. Councilmember Duerr asked what the statutory requirement is for special elections. Jamie said that the candidate filing period is still required but is flexible with special elections. Then the election and ballots still need to be created. The voting machines also need to be tested and programmed. Jamie said that this all takes time but can be expedited a bit for a special election, but all processes still need to be completed.

Mayor Schieve said that the meet and greet would include the public so they can meet the candidates for appointment. Mayor Schieve said that it is common to appoint people to office and is concerned about not having representation in Ward 5 for months if there were to be a special election.

Councilmember Weber asked staff to go over the appointment process timeline again. Mikki said that starting on Monday, August 15th applications would be accepted from Monday to Friday. The applications would be updated every day. The following week Council would start the narrowing candidates by their top five. The week of August 29th would include two meet-and-greet sessions for constituent engagement. On September 7th, Council will interview the finalists and make an appointment.

Mayor Schieve asked who pays for the special election. Mikki said that it does come out of the general fund.

Proposed Motion: I move to fill a vacancy in the Ward 5 Council seat through an appointment process and direct staff to move forwards with the timeline as presented including the public comment periods the week of August 29th.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Oscar Delgado, Councilmember
AYES:	Reese, Delgado, Weber, Duerr, Schieve
ABSENT:	Jardon, Brekhus

C Public Comment

George Eddie Lorton

Penny Brock

Renee Rosentis

7 comments received after 4 PM on August 11th one in opposition and six concerned Naomi Duerr

D Adjournment (For Possible Action)

The meeting was adjourned at 12:29 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devon Reese, Councilmember
SECONDER:	Naomi Duerr, Councilmember
AYES:	Reese, Delgado, Weber, Schieve, Duerr
ABSENT:	Jardon, Brekhus