

## STAFF REPORT

---

**Date:** August 12, 2022

**To:** Mayor and City Council

**Thru:** Doug Thornley, City Manager

**Subject:** 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

**From:** Mikki Huntsman

**Department:** City Clerk

---

**Summary:** On August 8, 2022, Ward 5 Council Member Neoma Jardon announced her resignation from the Council, effective August 15, 2022. Council has a limited time to select the method to fill such vacancy. This staff report provides information about applicable laws and processes to assist Council with determining the method to fill the vacancy.

**Alignment with Strategic Plan:** Not Applicable

**Previous Council Action:** There is no recent Council action relevant to this item.

**Background:** There are two methods available to fill a vacancy on Council. These methods are: (1) a special election; or (2) an appointment by Council. The requirements for both methods are summarized below.

1. Special Election - Council may declare a special election to fill the vacancy for the remainder of the unexpired term. The current term for the Ward 5 seat is scheduled to expire in November 2024. In order to move forward with the special election option, Council must adopt a resolution by September 13, 2022, which is 30 days after the vacancy. The resolution must include the date set for the special election. The special election must be conducted in accordance with the provisions of the resolution declaring the special election and section 5.030 of the Charter, which references state laws on elections provided they are not inconsistent with the Charter. Since this particular seat represents a ward, the special election would be for registered voters in Ward 5 only.
2. Appointment - Unless a special election is selected, the vacancy must be filled by a majority

vote of the members of the City Council within 30 days of the vacancy (September 13, 2022). The appointee shall serve until the next general municipal election and until their successor is elected and qualified.

In both scenarios, the person elected to fill or appointed to the seat must have the same qualifications as required of the elected official. Attached are relevant sections of Nevada Revised Statutes and the Reno City Charter for reference.

**Discussion:** Council may use either of the two methods to fill a Council vacancy. The information below provides details on each option and a recommended timeline to ensure the vacancy is filled in accordance with applicable requirements.

### Special Election

If Council desires to proceed with a special election, staff recommends Council direct staff to prepare a resolution for consideration at its next regular meeting establishing the process and timelines for the special election and determine a funding source.

The City Clerk has requested an estimated cost and timeline to conduct a special election from the Washoe County Registrar of Voters office. Staff anticipates a more detailed response by the time of the public meeting and will be prepared to share total cost and timeline estimates.

Table 1: Proposed Timeline - Special Election Option		
DATE	MILESTONE	DETAILS
August 12, 2022	Council selects the method for filling the vacancy.	Council directs staff to proceed with special election.
August 24, 2022	Council adopts resolution for special election.	At its regular meeting, Council will consider a resolution establishing the process and timelines for the special election and determine a budgetary funding source.
TBD	Ward 5 voters participate in a special election.	The City, in partnership with the Washoe County Registrar of Voters, will hold a special election to fill the vacancy.
TBD	10 days following election - meeting to canvass the vote required to certify the election and swear in the winner.	City Council will be required to meet to canvass the vote and certify the results of the special election. The winner of the election may be sworn in during this meeting as well. This meeting will be scheduled 10 days following the special election.

## Appointment

If Council desires to proceed with an appointment, the appointment must be made on or before September 13, 2022. To meet this deadline, staff prepared a recommended timeline below that mirrors the steps used in the 2019 process to fill the vacant at-large Council seat. Council may adjust the timeline and determine other procedural requirements if the appointment process is selected.

Table 2: Proposed Timeline - Appointment Option		
DATE	MILESTONE	DETAILS
August 12, 2022	Council selects the method for filling the vacancy.	Council directs staff to proceed with appointment and directs the City Clerk to advertise the vacancy and seek interested candidates for office.
August 15, 2022 – August 19, 2022	Candidate application period.	The City Clerk accepts applications from interested candidates daily between 9a.m. – 4p.m. Interested candidates will be required to fill out an application and submit proof of residency in Ward 5 and a resume. All necessary and appropriate documentation must be submitted in person to the City Clerk by close of business at 4p.m. on August 19, 2022. New candidate information will be posted to the City website daily.
August 25, 2022	Council selects finalists.	During a special meeting, Council will identify finalists for the position.
September 7, 2022	Council interviews finalists and makes the appointment.	At a special meeting, Council will interview the finalists, deliberate, and appoint the new Ward 5 City Council member. Upon appointment, the new Council member will be sworn in to office.

The proposed timeline allows for public engagement opportunities for finalists the week of August 29 – September 2, 2022 if Council would like to incorporate outreach events into the appointment process. In either method of filling the vacancy, staff would prepare and implement a comprehensive communications strategy.

**Financial Implications:** There are no financial implications related to an appointment to fill the vacancy. Staff have requested estimated costs from the Registrars of Voters office in advance of the August 12, 2022 meeting. There are no funds allocated for a special election in the FY22/23 budget.

**Legal Implications:** Legal review completed for compliance with City procedures and Nevada law.

**Recommendation:** I move to fill the vacancy in the Ward 5 Council seat through either (1) a special election or (2) an appointment process and direct staff to move forward with the timeline presented.

**Proposed Motion:** I move to fill the vacancy in the Ward 5 Council seat through either (1) a special election or (2) an appointment process and direct staff to move forward with the timeline presented.

**Attachments:**

Nevada Revised Statutes and Reno City Charter