

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

Electronically Filed
Jun 17 2022 04:18 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

WILLIAM MANTLE,

Appellant,

vs.

JENNIFER BREKHUS,

Respondent.

Sup. Ct. Case No. 84821

Case No. CV22-00560

Dept. 4

RECORD ON APPEAL

VOLUME 4 OF 5

DOCUMENTS

APPELLANT

William Mantle
2040 Angel Ridge Dr.
Reno, Nevada 89521

RESPONDENT

John L. Marshall Esq SBN 6733
570 Marsh Ave.
Reno, Nevada 89509

Luke A. Busby, Esq. SBN 10319
316 California Ave.
Reno, Nevada 89509
Attorneys for Jennifer Brekhus

APPEAL INDEX
 SUPREME COURT NO: 84821
 DISTRICT CASE NO: CV22-00560
 WILLIAM MANTLE vs JENNIFER BREKHUS
 DATE: JUNE 17, 2022

PLEADING	DATE FILED	VOL.	PAGE NO.
CASE APPEAL STATEMENT	06-01-22	5	519-522
CASE APPEAL STATEMENT	06-03-22	5	527-528
CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF CROSS-APPEAL	06-13-22	5	554
CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL	06-03-22	5	529
DECLARATION OF SERVICE	04-18-22	5	456-459
EXHIBIT LIST	04-15-22	3, 4	172-298
FIRST SUPPLEMENTAL EXHIBIT LIST	04-17-22	5	428-433
MINUTES – ORDER TO SHOW CAUSE 4-20-2022	04-21-22	5	475-476
MOTION TO DISMISS UNTIMELY CHALLENGE TO CANDIDACY ON ORDER SHORTENING TIME	04-13-22	2	71-84
NOTICE OF APPEAL	06-01-22	5	517-518
NOTICE OF APPEAL DEFICIENCY	06-13-22	5	552-553
NOTICE OF APPEARANCE	04-11-22	2	54-56
NOTICE OF CROSS-APPEAL	06-10-22	5	537-544
NOTICE OF ENTRY OF ORDER	05-02-22	5	496-513
ORDER DENYING MOTION TO DISMISS AND FINDING BREKHUS'S CANDIDACY FOR THE 2022 MAYORAL ELECTION CONSTITUTIONAL	05-02-22	5	480-492
ORDER TO APPEAR AND ORDER TO SHOW CAUSE	04-08-22	2	43-45
PETITION FOR ORDER TO SHOW CAUSE REGARDING THE CANDIDACY OF JENNY BREKHUS FOR MAYOR OF THE CITY OF RENO	04-06-22	2	1-32
PROOF OF SERVICE	04-12-22	2	60-67
PROOF OF SERVICE	04-18-22	5	463-464
PROOF OF SERVICE	06-01-22	5	523-524
PROOF OF SERVICE	06-01-22	5	525-526
REPLY TO OPPOSITION TO MOTION TO DISMISS UNTIMELY CHALLENGE TO CANDIDACY ON ORDER SHORTENING TIME	04-18-22	5	440-449

APPEAL INDEX
SUPREME COURT NO: 84821
DISTRICT CASE NO: CV22-00560
WILLIAM MANTLE vs JENNIFER BREKHUS
DATE: JUNE 17, 2022

PLEADING	DATE FILED	VOL.	PAGE NO.
REQUEST FOR SUBMISSION OF EX PARTE MOTION FOR ORDER SHORTENING TIME TO RESPOND TO MOTION TO DISMISS UNTIMELY CHALLENGE TO CANDIDACY ON ORDER SHORTENING TIME	04-14-22	2	91-93
RESPONSE TO MOTION TO DISMISS UNTIMELY CHALLENGE TO CANDIDACY ON ORDER SHORTENING TIME	04-15-22	4	302-424
RETURN OF NEF	04-08-22	2	39-40
RETURN OF NEF	04-08-22	2	41-42
RETURN OF NEF	04-08-22	2	46-50
RETURN OF NEF	04-11-22	2	51-53
RETURN OF NEF	04-11-22	2	57-59
RETURN OF NEF	04-12-22	2	68-70
RETURN OF NEF	04-13-22	2	85-87
RETURN OF NEF	04-13-22	2	88-90
RETURN OF NEF	04-14-22	2	94-96
RETURN OF NEF	04-15-22	3	169-171
RETURN OF NEF	04-15-22	4	299-301
RETURN OF NEF	04-16-22	5	425-427
RETURN OF NEF	04-18-22	5	434-436
RETURN OF NEF	04-18-22	5	437-439
RETURN OF NEF	04-18-22	5	450-452
RETURN OF NEF	04-18-22	5	453-455
RETURN OF NEF	04-18-22	5	460-452
RETURN OF NEF	04-18-22	5	465-467
RETURN OF NEF	04-21-22	5	472-474
RETURN OF NEF	04-21-22	5	477-479
RETURN OF NEF	05-02-22	5	493-495
RETURN OF NEF	05-02-22	5	514-516

APPEAL INDEX
 SUPREME COURT NO: 84821
 DISTRICT CASE NO: CV22-00560
 WILLIAM MANTLE vs JENNIFER BREKHUS
 DATE: JUNE 17, 2022

PLEADING	DATE FILED	VOL.	PAGE NO.
RETURN OF NEF	06-03-22	5	530-532
RETURN OF NEF	06-08-22	5	534-536
RETURN OF NEF	06-10-22	5	545-547
RETURN OF NEF	06-13-22	5	548-550
RETURN OF NEF	06-13-22	5	551
RETURN OF NEF	06-13-22	5	555-557
RETURN OF NEF	06-15-22	5	560-562
SUBMISSION OF DECLARATION	04-08-22	2	33-38
SUPPLEMENT TO MOTION TO DISMISS UNTIMELY CHALLENGE TO CANDIDACY ON ORDER SHORTENING TIME	04-21-22	5	468-471
SUPPLEMENT TO PETITION FOR ORDER TO SHOW CAUSE REGARDING THE CANDIDACY OF JENNY BREKHUS FOR MAYOR OF THE CITY OF RENO	04-14-22	2	97-168
SUPREME COURT ORDER DIRECTING TRANSMISSION OF RECORD	06-15-22	5	559
SUPREME COURT RECEIPT FOR DOCUMENTS	06-08-22	5	533
SUPREME COURT RECEIPT FOR DOCUMENTS	06-15-22	5	558

Exhibit 10

Exhibit 10

V4. 280

reno gazette journal

NEWS

UPDATES: Reno mayor declares a State of Emergency, describes some of damages to City Hall

Amy Alonzo, Siobhan McAndrew and Benjamin Spillman Reno Gazette Journal

Published 2:40 p.m. PT May 30, 2020 | Updated 7:38 a.m. PT May 31, 2020

Editor's note: This coverage is being provided for free because this story is of significant public interest.

FINAL UPDATE 11:55 p.m. Saturday May 31:

Reno Mayor Hillary Schieve said she has declared a State of Emergency and the city would apply for FEMA funds to address damages after a peaceful protest turned violent Saturday night.

Schieve said while damages to City Hall could easily top \$100,000, according to an early estimate from Sheriff Darin Balaam, those are just things.

"We want people to go home so no one gets hurt," Schieve said after a protest in Reno turned violent and destructive, continuing well after 11:30 p.m. Friday.

The protest was held in honor of George Floyd, a Minneapolis man who died after a police officer kept his knee pressed into his neck for more than eight minutes. The police officer was charged with Floyd's murder.

Schieve said she was told that the City Hall chambers were badly damaged.

The dais in the chamber in City Hall was ripped apart, she said, and City Attorney Karl Hall's computer was stolen.

V4. 280

V4. 281

Schieve said no city is immune to what happened.

"It is just horrible what happened," Schieve said about the death of Floyd

"You can't blame people for being upset," Schieve said. "It is heartbreaking."

Update: 11:43 p.m.

The Reno Police Department said Saturday night the city's unlawful assembly boundary would be extended to the entire city — meaning anyone caught gathering in groups could be arrested.

Update 11:25 p.m.:

Washoe County Sheriff Darin Balaam said multiple agencies would be working throughout the night as a protest turned violent Friday night.

He said agencies including Sparks Police, the Washoe County School District Police Department, the Douglass County SWAT and the National Guard were assisting Reno Police and the Washoe County Sheriff's Office as they responded to looting and violence in downtown Reno that started around 6:30 p.m.

He said there are still people on the streets as of 11 p.m. and officers were reporting small groups moving towards Midtown. Police also were able to disperse a group of people who were gathering around Meadowood Mall and there were no reports of damage.

He didn't have any reports of serious injuries beyond cuts and bruises from rocks and other items being thrown.

There were only a handful of arrests, he said.

Balaam estimated based on early reports that damages, including to Reno City Hall, would top \$100,000.

Update 10:21 p.m.:

About 100 people are still in downtown Reno, some committing acts of vandalism like setting cars on fire and looting businesses, according to our reporter on scene.

V4. 281

V4. 282

A vehicle at an office building between Center and Virginia streets was set on fire.

Our reporter captured footage:

Update: 10 p.m.

Our reporters on scene say some people broke into Patagonia Outlet Store in downtown Reno. Some items were taken from inside, but police quickly responded and the scene is now secured.

Meanwhile, Virginia Street has largely cleared out of protesters.

Update 9:52 p.m.:

Off ramps from Interstate 80 to downtown Reno have been closed.

The Regional Transportation Commission also announced all bus service has been canceled.

Update 9:35 p.m.:

Our reporter on scene says police have moved protesters past the Virginia Street bridge and are firing tear gas into the crowd.

Police are continuing to advance forward, according to live television footage from KOLO.

Update 9:15 p.m.:

Reno City Councilwoman Jenny Brekhus said council members, the mayor and Reno Police Chief Jason Soto had a briefing via phone at 8:30 p.m. about the protest, that included some people breaking into City Hall.

She said she has been asked to spread the word about staying home.

"I am the most urban council member," she said. "I'm telling people to stay home, particularly because on a day like this with the wind, people were going out walking tonight."

V4. 282

V4. 283

Brekhus said she had planned to go out walking towards downtown tonight.

She said Soto gave the council and executive team an update on what was happening. Soto tweeted just before 9 p.m. that the Nevada National Guard was en route to downtown Reno.

Brekhus said council members would likely receive another update from Soto Sunday morning.

Update: 9:05 p.m.:

Reno Police Chief said the Nevada National Guard is en route to downtown Reno after protests there turned violent Saturday.

Gov. Steve Sisolak tweeted he activated the Nevada National Guard to protect government

Update: 8:50 p.m.:

Washoe County residents, which includes all residents in Reno and Sparks, are on curfew until 7 a.m. Sunday, police said Saturday evening.

Washoe County residents have received emergency notifications that they should stay home tonight.

Update 8:35 p.m.: Sheriff Darin Balaam releases a statement in response to the people breaking into Reno City Hall and starting fires.

"Tonight, our community is continuing to face hardship and we are just as angry about the events that happened in Minneapolis as those demonstrating. But please, for the safety of yourself, your family members, and our community, please go home peacefully.

We hear your anger. We understand your anger. We stand with our community. And we implore you to not let anger destroy our beautiful home."

The Riverwalk Merchants Association out a message in response to people breaking in to Reno City Hall.

"Dear city of Reno, we understand emotions are high and that we are experiencing a

V4. 283

V4. 284

number of aggregated circumstances in the Riverwalk area. We are asking you to please be respectful towards the businesses within the area of the protest, these businesses represent many families, jobs and livelihoods already being effected by the recent pandemic crisis. Thank you for your support and kindness during this time. An immediate curfew has been issued by the Reno City Mayor, we are asking you to please stay home, and stay safe."

VIDEOS FROM SCENE AT RENO CITY HALL

Update 8:18 p.m.:

Reno police are forcing protesters southbound on Virginia Street by using tear gas.

The Reno Gazette Journal's reporter on scene says protesters broke all the windows on the ground floor of Reno City Hall. Some windows in higher stories were broken by protesters throwing objects.

Before police started using tear gas, police told protesters near Reno City Hall they were in an unlawful gathering over loudspeakers. When people didn't leave, the police advanced on the crowd.

The City of Reno released statements from Reno Mayor Hillary Schieve and Police Chief Jason Soto.

Schieve said she will not tolerate any excessive use of force by Reno's police department and supports peaceful protesting.

"I also want to make it clear we will not tolerate any violence during this time. We will also not condone any illegal activity happening that is not part of a peaceful protest we need to keep our community safe," Schieve said.

Soto said, "Unfortunately, today we've seen the actions of a few overshadow what was otherwise a peaceful day of demonstration in The Biggest Little City."

The Reno Gazette Journal is providing this coverage for free because it is of significant public interest.

V4. 284

V4. 285

UPDATE: 8 p.m.

Members of the Reno Police SWAT team are now on scene at Reno City Hall.

The Reno Gazette Journal's staff photographer Jason Bean reports projectiles, potentially rubber bullets, are being fired into the crowd.

MAJOR UPDATE: 7:30 p.m.

The city of Reno issued the following statement:

"The City of Reno has issued a mandatory curfew for tonight, May 30, effective immediately. Residents are asked to please avoid the downtown area, and to adhere to the curfew to help protect the safety of our community. As a precaution, there will be a heavy police presence in downtown Reno throughout the night."

Reno City Councilman Devon Reese said it was "an evolving situation."

"I am trying to get a handle on what the evolving situation is," Reese said. "At some point in the protest people smashed the doors into City Hall and set a fire and that has been extinguished. The mayor has issued a curfew and asked Reno residents to stay inside."

UPDATE: A group of people broke windows at Reno City Hall Saturday night and set fires there following hours of protest in the area.

Responding Reno police fired tear gas into City Hall. Items such as a couch inside were on fire but soon put out.

Shortly after 7 p.m., police dispersed the protesters as some chanted "Hands up, Don't Shoot."

ORIGINAL: Reno residents joined in a nationwide movement Saturday afternoon to protest the death of George Floyd, a black man who died while handcuffed and in police custody after a white officer kept his knee pressed into his neck for more than eight minutes.

V4. 285

V4. 286

Early in the day, organizers estimated more than 600 attended the Reno rally which began at City Plaza Saturday afternoon with a drum circle led by the American Indian Movement Northern Nevada. Reno police later said they believed the crowd grew to between 1,000 and 1,500 people.

"Black lives matter doesn't end here," said Reno resident Lela Gnuse, 22. "Take it with you and put it into your communities. We all deserve equality."

Protesters marched to the federal courthouse on Virginia Street with some carrying signs that read "All lives can't matter until black lives matter" and "I can't breathe," the latter words uttered by Eric Garner and George Floyd shortly before they died in police custody.

The throng later marched down Virginia Street through midtown and back into downtown Reno.

A few hours into the protest, after many had left, a much smaller group of people were seen defacing the old police headquarters and burning an American flag pulled down from there. A front window at Premier Jewelry and Loan was broken near North Virginia and West Fifth streets, and a car was defaced with graffiti.

Around 6 p.m., a group walking by the Reno Police Department threw bottles and other objects into the police department's parking lot, breaking at least two patrol units' windshield.

"Please remember that this is to be a peaceful protest we will not condone anything else!" the organizing group had written on the event's Facebook page early Saturday. "This is our city and we do not want it to end in shambles but we also would like to be heard!"

The RGJ will update this story with dispatches and images from the scene.

Reno police had a minimal presence early at the event, with about 20 officers patrolling it, Sgt. Alan Hollingsworth said mid-afternoon.

"Looking at other events around the country, we're concerned not just for our safety, but for everybody's safety," he said.

V4. 286

V4. 287

Officers with Nevada Highway Patrol also later arrived to the scene.

Mina Webb, 19, of Reno, said she also worries about safety – not just at the protest, but every day.

Webb, who is half black and has 10 siblings, wore a target on her back and a shirt that read “Am I next?”

“I am terrified this (George Floyd) will one day be my little brothers and sisters,” she said tearfully.

Webb said she posted to TikTok after Floyd was killed and she received a death threat through the social media site.

“The person said ‘put the target back on your back so I can grab my gun,’” she said.

The march stretched over several city blocks and into Midtown.

“We got your back,” said Ray Valdez, a leader of American Indian Movement Northern Nevada, to members of “Justice for George FLOYD #renoedition,” the Facebook group who organized the event. Justice for George FLOYD #renoedition was started by Ackaria Thomas, Victor Patterson and Arreon Sanders.

“There is all different races here,” Thomas yelled into a bullhorn as people gathered at City Plaza. “When we come together, we have a stronger voice.”

Some signs of tension during the rally occurred when two Reno police officers on bikes rode by as protesters gathered to march.

“F--- the police,” several protesters yelled as the officers rode off.

The Reno attendees joined dozens of protests held across the U.S. in the last week – some have been peaceful, while others have resulted in violence.

Thirty-one people were arrested at a Las Vegas protest Friday, including two photojournalists, on Friday. Additional Vegas protests are set for this evening.

On Saturday, Nevada Gov. Steve Sisolak and Attorney General Aaron Ford released a joint

V4. 287

V4. 288

statement:

"George Floyd was killed by a despicable and loathsome Minneapolis police officer. He and the other officers who watched, and didn't come to Mr. Floyd's aid, should be prosecuted to the fullest extent of the law. Of that, we have no doubt.

"Here in Nevada, while racial, social, and cultural divides still exist, we have made significant strides in confronting these schisms. In the past 20 years, community, law enforcement, and government leaders have been working together in efforts to address the issues that divide us and the tragic consequences of bigotry."

The joint statement goes on to note that in recent years Nevadans elected their first black Supreme Court Justice, Speaker of the Assembly, Attorney General, Congressman and the first Latina to the United States Senate.

"Despite those proud accomplishments there is so much more we must do to ensure social justice, equal opportunity, better education, and the overall eradication of all forms of racism in our communities and our State," the prepared statement continues.

"To the protesters...we hear you and we are listening, and more importantly, we invite you to be part of a constructive solution, and the healing our community desperately needs. We respect and defend your right to protest, but please express yourselves peacefully. And, be assured we will not rest until everyone in our community feels safe and respected."

Former Minneapolis Police Department Officer Derek Chauvin on Friday was arrested on charges of third-degree murder and manslaughter in connection to the death of George Floyd after days of unrest within the city.

*Amy Alonzo covers Mason Valley and rural Nevada. Amy Alonzo
aalonzo@masonvalleynews.com or (775) 741-8588. To support local journalism like this,
please subscribe.*

V4. 288

Exhibit 11

Exhibit 11

reno gazette journal

FOOD

Reno restaurants fight to survive amid forced closing to slow coronavirus



Johnathan L. Wright

Reno Gazette Journal

Published 11:36 a.m. PT March 18, 2020

Nevada Gov. Steve Sisolak — making clear what Reno and Washoe County officials had earlier made unclear — announced March 17 he was ordering the statewide closing of all bars, restaurants and other non-essential businesses by noon March 18 to help slow the spread of the COVID-19 coronavirus.

The announcement included bars and restaurants in casinos, which had to close by midnight March 17. The closing is for a minimum of 30 days.

"You are being told not to go out. You are being told not to go out," Sisolak said, emphasizing the need to practice social-distancing to slow proliferation of the virus; currently, there are 55 reported coronavirus cases in the state, with 12 in Washoe County, according to health officials.

Sisolak's announcement came one day after Reno Mayor Hillary Schieve ordered bars and restaurants within city limits to close by 5:30 p.m. March 20 — even as Sparks and Washoe County officials said they were not mandating closures.

The governor's order shortened the timeline and settled the kerfuffle while still allowing restaurants to offer to-go food at the curb, in a drive-through or via delivery.

As Reno restaurant owners prepare to close, concern for public safety mingles, and brutally so, with concern for their own livelihoods, the livelihoods of their employees, their

V4. 291

ability to pay rent and suppliers, and with concern for how they'll survive so they can re-open when permitted to do so.

The coronavirus is going to "drive a different kind of model of who and what succeeds in the restaurant business," said Colin Smith, co-owner of Roundabout Grill in Whitney Peak Hotel and Roundabout Catering, the region's largest catering outfit.

"This business is going to change forever."

Exceptions for curbside takeout and delivery

Even before the announcement, Reno restaurants had begun to respond to social-distancing and the resulting free-fall in sales (50 to 75 percent, routinely) by pivoting to call-in or online orders, by introducing curbside pickup and by urging diners to purchase gift cards.

Following the governor's order, curbside takeout and third-party services like Uber Eats (currently waiving delivery fees) have become even more important because most restaurants don't have a drive-through (like fast food joints) or in-house delivery (like chain pizzerias and some Asian restaurants).

Aaron Foster, owner of the new Food & Drink in Midtown Reno, was among the first to hit the curb, teeing up his thin-crust 'za and Liège waffles in an emotional video shot March 12 in an empty restaurant.

"You pull up outside and we will come outside and slide it through your window . . . no touching!" Foster said.

Helping seniors who 'count on us' for food

At Calafuria restaurant on the eastern edge of Midtown, chef-owner Tim Magee introduced the Lasagna Bar, a to-go menu of salads, lasagna and desserts, about two months ago, right around the time of the first confirmed case of coronavirus in the U.S.

V4. 291

V4. 292

The menu, ordered online and delivered by third-party, "is the only way our restaurant is going to survive," he said.

Sloan Simon, whose family has owned Simon's Café & Lounge on Lakeside Drive for more than 30 years, has an especially personal reason for deciding to offer to-go orders by phone.

"Of course, I'm concerned about paying my bills and employees, but we have an older crowd here," she said. "A lady calls me today, and we've had several calls like that, they count on us for food, they count on us to be open. It's their home away from home."

Old Granite Street Eatery has even gone into the takeout grocery business, hawking staples like toilet paper (\$1.50), a dozen organic eggs (\$4.25) and a jar of Skippy peanut butter (\$16.25) from the restaurant's website.

Can to-go orders replace real diners?

Food prepared to-go is subject to the same regulations on safe storage and handling from the Washoe County Health District as food prepared for on-premise consumption. At the same time, the health district does not regulate third-party delivery services, said Scott Oxarart, a spokesman for the district.

According to the Food & Drug Administration, "Currently there is no evidence of food or food packaging being associated with transmission of COVID-19." That said, "like other viruses, it is possible that the virus that causes COVID-19 can survive on surfaces or objects."

With so many restaurants newly relying on to-go orders, chef Mark Estee of Liberty Food & Wine Exchange served a different note of caution.

"How long can you keep a restaurant open on to-go and delivery unless that's already your business model?" he asked.

In the coming weeks, each restaurant will discover that timeline for itself, discover if curbside and delivery sufficiently make up for the loss of in-house diners.

V4. 292

V4. 293

'Layoffs are inevitable'

Restaurants allowed to satisfy only curbside pickup or delivery orders require fewer employees, of course, than when they were open for business as usual.

"Layoffs are inevitable," said Estee, who added he had begun preparing two weeks ago for closures and layoffs at Liberty Food & Wine and the four other restaurants in his Reno Local Food Group. Still, "the change came faster than we thought."

At Calafuria, the Midtown Italian spot, chef-owner Magee said eight of 10 employees were being laid off.

Gino Scala, co-owner of the five Great Full Gardens restaurants, was similarly candid, writ large.

"We've been gathering ourselves daily and talking about next steps," he said. "I'm extremely saddened because of the obvious effect on our team. A message went out saying they could expect a significant reduction in hours. We don't have a choice in the matter."

Scala said he's keeping a skeleton crew (from a regular cohort of about 200) to offer curbside pickup at three Reno Great Full Gardens (not the university) and at the new location in the Sparks Legends center.

Scala said he'd contacted state unemployment officials about the best way for staffers to apply for unemployment. He said he'd also contacted "every one of our landlords and asked for rent concessions. We're going to do everything we can to keep this thing rolling."

'Re-purposing' employees to reduce reductions

Colin Smith, the Roundabout Grill and Roundabout Catering co-owner, said he's in a better position than many Reno restaurateurs — because he's not just a restaurateur.

Though he's already closed Roundabout Grill (deciding not to offer curbside takeout), and though he's seen "half a million dollars' worth of catering cancel or postpone or change dates, we don't have to rely on just those to provide income."

V4. 293

V4. 294

Specifically, Roundabout already has an established business preparing and delivering packaged meals to individual and institutional clients.

That business, only expected to increase with social-distancing and attention to coronavirus safety practices, has allowed Smith to reduce layoffs, he said, by bringing former restaurant line cooks to the prepared meal kitchen, for example, or by putting idled warehouse workers behind the wheels of delivery trucks.

"It's about cross-training and cross-utilizing our staff," Smith said, but even with such efforts, he's had to let about 20 people go in the past two weeks from an employee roll of about 150 at the beginning of the year.

'Overwhelmed by the uncertainties'

Restaurant work has traditionally been precarious for many, what with hourly wages, reliance on tips, and the lack of benefits like health insurance and paid sick leave that other folks take for granted (though benefits have been improving in recent years).

With Gov. Sisolak shutting down all non-essential businesses, laid off restaurant workers now find themselves competing with thousands of other Nevadans for jobs in the industries that are hiring. Restaurant workers can't simply walk down the street to another restaurant, a move that's also a tradition in their business.

Around noon on March 17, Kelsi Bryant crossed a blustery downtown intersection, moving bar products to Campo's off-premise storage. The restaurant was closing; she was being laid off.

"I'm overwhelmed by the uncertainties," the 25-year-old said. "I've never filed for unemployment before or been out of work before. I have a support system, but a lot of people in the restaurant industry will struggle.

"It makes me more interested in finding a permanent position."

V4. 294

V4. 295

Debut, interrupted

A handful of Reno restaurant owners have had to put off the launch of additional locations that were about to open.

The Tolotti family has delayed the debut of its seventh Flowing Tide Pub, on Longley Lane, an opening once scheduled for this week.

Trevor Leppek and Ryan Goldhammer, owners of Noble Pie Parlor, Pignic and Pig Shack Eatery, have had to delay the opening of a third Noble Pie pizzeria, in the Summit Center in South Reno, once also set for this week.

Even before the governor's mandatory closures, "opening a brand-new business in this climate was going to create a public safety issue," Leppek said. "If the idea is to flatten the coronavirus curve, it wouldn't be socially responsible to open."

Restaurants call for government assistance

About 3,400 permitted food and drink establishments operate in Washoe County, according to the health district, with about 2,200 of those being bars, snack bars, delis and restaurants.

There are nearly 6,000 food and drink spots statewide, according to the Nevada Restaurant Association, with almost \$10 billion in sales in 2018 and more than 219,000 jobs in 2019.

Nevada's restaurant shutdown occurs amid nationwide turbulence in the restaurant industry caused by the coronavirus.

Restaurant stocks have plunged. Dine-in restrictions have spread across the country. On March 16, the White House asked people to avoid gatherings of more than 10 people. Mighty McDonald's is considering rent concessions for franchisees. And in the short-term, the pandemic could cost U.S. restaurants \$225 billion.

V4. 295

V4. 296

Independents restaurants elsewhere are calling for government assistance, with some Reno restaurateurs joining the call.

"We are all in this together. We should have some support from the City of Reno," perhaps working to convince landlords to offer rent deferrals, said Jesus "Chuy" Gutierrez, owner of Mari Chuy's Mexican Kitchen in Reno and Sparks.

Colin Smith, the Roundabout restaurateur and caterer, was more vocal (and specific).

"There should be legislation. There should be some kind of government subsidy. Suspension of utilities. Suspending and then amortizing mortgages or rent. Working with restaurants on their accounts payable. We need regulatory format or guidance."

Other industries have received bailouts, food and drink professionals say, so why shouldn't the restaurant industry? On March 17, Treasury Secretary Steve Mnuchin said a \$1 trillion relief package for restaurants and other small businesses is being developed.

Meanwhile, the dining rooms of Reno restaurants lie dark.

You care about what you put in your mouth. So keep current on food and drink news through alerts, unlimited access to content and more with a Reno Gazette Journal digital subscription.

Download the RGJ app

Subscribe to The Reno Taste free newsletter right here.

Johnathan L. Wright is the food and drink editor of RGJ Media, part of the USA Today Network. Join @RGJTaste on Twitter, Facebook and Instagram.

V4. 296

Exhibit 12

Exhibit 12

**Reno Police**

@RenoPolice



The boundaries for Unlawful Assembly have been extended to include the ENTIRE city of Reno. Those on the streets are to leave immediately. Violators are subject to arrest.

**Reno Police** @RenoPolice

We have declared an unlawful assembly in Downtown Reno.
From Liberty to I-80 and Ralston to Wells ave
Residents should stay inside. Those on the streets are to leave immediately

Violators are subject to arrest

11:31 PM · May 30, 2020



151



Reply



Share this Tweet

[Read 29 replies](#)

Return Of NEF

Recipients

KARL HALL, ESQ. - Notification received on 2022-04-15 15:57:10.187.

WILLIAM MANTLE - Notification received on 2022-04-15 15:57:09.624.

WILLIAM MCKEAN, - Notification received on 2022-04-15 15:57:09.952.
ESQ.

LUKE BUSBY, ESQ. - Notification received on 2022-04-15 15:57:09.452.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV22-00560

Judge:

HONORABLE CONNIE J. STEINHEIMER

Official File Stamp:

04-15-2022:15:51:19

Clerk Accepted:

04-15-2022:15:56:36

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

IN RE: JENNY BREKHUS (D4)

Document(s) Submitted:

Notice

- **Continuation
- **Continuation
- **Continuation
- **Continuation
- **Continuation
- **Continuation
- **Continuation
- **Continuation
- **Continuation
- **Continuation
- **Continuation
- **Continuation

Filed By:

Luke A. Busby

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

WILLIAM J. MCKEAN, ESQ. for CITY OF RENO

LUKE ANDREW BUSBY, ESQ. for JENNY
BREKHUS

WILLIAM MANTLE

KARL SCHLEIGH HALL, ESQ. for CITY OF
RENO

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

JOHN L. MARSHALL, ESQ. for JENNY
BREKHUS

Address:

JOHN L. MARSHALL,
ESQ.

570 Marsh Avenue

Reno, NV 89509

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
 IN AND FOR THE COUNTY OF WASHOE

IN THE MATTER OF CHALLENGE TO)	
THE QUALIFICATIONS OF JENNY)	
BREKHUS,)	
vs.)	
Jenny Brekhus, Respondent;)	Case No. CV22-00560
William Mantle, Challenger, and)	
<u>Real Parties in Interest.</u>)	Dept. No. 4

RESPONSE TO MOTION TO DISMISS UNTIMELY CHALLENGE TO CANDIDACY ON

ORDER SHORTENING TIME

COMES NOW, William Mantle, pro per "Challenger", and responds to the MOTION TO DISMISS filed by Luke A. Busby & John L. Marshall attorneys for Jenny Brekhus, "Respondent", on April 13, 2022. This Response to Motion is made and based upon all the pleadings and records on file for this proceeding together with every exhibit that is mentioned herein or attached hereto (each of which is incorporated by this reference) as though it were and the points and authorities set forth below.

///

///

///

MEMORANDUM OF POINTS AND AUTHORITIES

Facts

1. On April 15, 2022 the City of Reno Attorney's office filed a supplement to the Petition for Order to Show Cause as a response to Challenger's request for information seeking clarification on the Washoe County Registrar's role in our elections, the extent of the City Clerk's "Clerk" election duties, and the policy the City of Reno follows in regards to candidate time frames for filing a withdrawal of candidacy. The Challenger was unaware of the substance, content, or exhibits of this supplemental filing prior to being duly served. As such, all exhibits, arguments, and conclusions are solely the Challengers and were prepared uninfluenced by the City of Reno attorney's supplemental filing outside of this fact (1).

2. All candidates for Reno City offices are provided candidate packets with the same content. This includes a welcome letter outlining all forms (Exhibit 1) and a withdrawal of candidacy form (Exhibit 2) to be utilized for all candidates as specified in the welcome letter.

3. Per section 3.040(2) of the Reno City Charter, the Clerk has custody of all the official records of the city of Reno.

4. The Clerk meets the definition of a public officer (NRS 281A.160(2) & NRS 281A.182) and is sworn to the Nevada ethical standards (NRS 281A.500 Article 1 (b-2)). They have within their capacity the ability to exercise substantial and material exercises of administrative discretion in the formulation of

public policy to include the administration of laws and rules of the State and city.

5. The Clerk currently provides no mention, reference, documentation, or suggestion of an alternative candidate withdrawal timeline to NRS 293.202 which states that a candidate, "may submit a withdrawal within 7 days after the last day of candidate filings [excluding Saturdays, Sundays, and Holidays]".

6. The Secretary of State's "SoS" official 2022 Nevada Election Calendar

(<https://www.nvsos.gov/sos/home/showpublisheddocument/10314/637834576608700000>) (Exhibit 3) has no mention of different withdrawal timelines and states March 29, 2022 is the last day to withdraw candidacy.

7. Per NRS 293.182, pursuant to 293.202, "an elector may file with the filing officer for the office a written challenge of the person on the grounds that the person fails to meet any qualification for the office..." Thus, the Clerk's office is the proper venue for a candidacy challenge to Respondent.

8. Per NRS 293.202 and NRS 293.182 standards, the Clerk can only accept a referral for an electoral challenge within 5 working days after the last day to withdraw candidacy, March 29, 2022, ergo: March 30, 2022 - April 5, 2022.

9. Challenger cannot explain how the SoS's office arrived at April 4, 2022 as the last day for filing a candidate challenge. The Challenger's math leads him to understand April

5, 2022 as the last day to file as being 5 days after March 29, 2022 excluding weekends and holidays.

10. The Clerk saw fit and did accept Challenger's challenge of Respondent's qualifications on April 4, 2022 as shown by the Clerk's signature marking its authenticity and timeliness.

11. The City Attorney, upon receipt of a referral from the Clerk per NRS 293.182, must, and did, make a determination that probable cause exists to support the challenge.

12. The Clerk has stated that they defer to SoS policy of a 7-day withdrawal time period as outlined in NRS 293.202 as the state's preeminent authority over electoral matters. Therefore, the Clerk does not utilize NRS 293C.195 to define withdrawal timelines and could not accept a referral for challenge between March 23, 2022 and March 29, 2022 from Challenger.

13. The Challenger, hoping to act expeditiously, (unknowingly erroneously) filed a candidacy challenge against Respondent with the SoS's office on March 17, 2022 which was processed March 18, 2022 (Exhibit 4).

14. Challenger called SoS's office (775-684-7172) and left a voicemail March 28, 2022. Receiving no response, he physically visited the SoS's office April 1, 2022 and was told by Ms. Sandy Edwards, the SoS's compliance officer (775-684-7172 or sedwards@sos.nv.gov), a referral was being made to Attorney General Ford's office and nothing was amiss.

15. On April 4, 2022 Challenger received a call from Heather with the SoS's office (Exhibit 5) expressing that the

SoS is not responsible for enforcement of the challenge against Respondent as an unqualified elector, that such a complaint must be referred to the Washoe County Registrar, and that April 4, 2022 was the last day to file a challenge.

16. On the afternoon of April 4, 2022 Challenger filed a complaint with Washoe County Registrar (Exhibit 6) and physically visited the office to ensure proper receipt of the referral. Registrar staff directed Challenger to the Clerk's office as the proper venue. Challenger called City Clerk Mikki Huntsman (775-334-2030) at 2:14 PM and stated plainly he would like an immediate appointment to file a challenge. Challenger was directed to go to the City Clerk's office prior to 4 pm before doors were closed—otherwise other arrangements would need be made.

17. On April 4, 2022 James DeHaven, reporter for the Reno Gazette Journal, quoted in his article *"Lorton likely skipping deadline to keep Schieve, Brekhus out of Reno Mayor's race"* (Exhibit 7) stating that April 4, 2022 was the deadline to make a challenge by filing an official objection with the Nevada Secretary of State's office. Similarly, on March 29, 2022 (updated March 30, 2022) Mark Robison (Exhibit 8), also a reporter for the Reno Gazette Journal, wrote that, *"According to the Nevada Secretary of State's office, April 4 - Monday - is the deadline for challenging a candidate's eligibility"*.

18. Per NRS 293C.110 the conduct of any category one (NRS 293.038) city election is under the control of the governing

body of the city, and it shall, by ordinance, provide for the holding of the election, appoint the necessary election officers and election boards and take all other things required to carry election into effect.

19. NRS 293C.220 - 293C.2720 explain the process, duties, and actions that a city clerk must undertake to hold a "City Election".

20. The Clerk's current electoral duties are limited to accepting Reno City political filings, collecting fees, and candidate challenge filings. All other duties and provisions are satisfied via an interlocal agreement with the Washoe County Registrar with the City of Reno. This empowers the Washoe County Registrar as the chief overseer of Washoe County elections.

21. On June 12, 2019 Governor Sisolak signed into law Assembly Bill 50 (exhibit 9). This law effectively eliminates the practice of "City Elections" in Nevada and creates uniformity in election practices statewide. AB 50's legal changes finalized their effects beginning 2022.

Law

Good Faith (NV Rev Stat § 676A.170 (2013)) communication in furtherance of the right to petition or the right to free speech in direct connection with an issue of public concern means any:

1. Communication that is aimed at procuring any governmental or electoral action, result or outcome;

2. Communication of information or a complaint to a Legislator, officer or employee of the Federal Government, this state or a political subdivision of this state, regarding a matter reasonably of concern to the respective governmental entity;

3. Written or oral statement made in direct connection with an issue under consideration by a

legislative, executive or judicial body, or any other official proceeding authorized by law; or

4. Communication made in direct connection with an issue of public interest in a place open to the public or in a public forum, which is truthful or is made without knowledge of its falsehood.

NRS 293.202; Withdrawal of candidacy; rescission

1. A withdrawal of candidacy for office must be in writing and must be presented by the candidate in person, within 7 days, excluding Saturdays, Sundays and holidays, after the last day for filing, to the officer whose duty it is to receive filings for candidacy for that office. If the withdrawal of candidacy is submitted in a timely manner pursuant to the provisions of this subsection, it shall be deemed effective after the seventh day, excluding Saturdays, Sundays and holidays, after the last day for filing.

2. A rescission of a withdrawal of candidacy must be in writing and presented by the candidate in person, within the 7 days, excluding Saturdays, Sundays and holidays, after the last day for filing, to the officer whose duty it is to receive filings for candidacy for that office.

NRS 293C.195; Procedure for withdrawing candidacy.

A withdrawal of candidacy for a city office must be in writing and presented to the city clerk by the candidate in person within 2 days, excluding Saturdays, Sundays and holidays, after the last day for filing a declaration of candidacy.

Assembly Bill No. 50-Committee on Legislative Operations and Elections.

Legislative Counsel's Digest: Under the Nevada Constitution, the Legislature may require city elections to be held in even-numbered years on the statewide election cycle by amending: (1) the general law governing cities and their elections; and (2) the charters of the cities organized under special legislative acts or the commission form of government. (Nev. Const. Art. 4, § 27, Art. 8, § 1; chapters 266, 267 and 293C of NRS) In transitioning city elections to even-numbered years, the Legislature may shorten or lengthen the existing terms of office of elected city officers, without violating federal and state constitutional limitations, where the object of the

legislation is to regulate the time of holding city elections, and not merely to reduce or extend the terms of particular incumbents. (Nev. Att'y Gen. Op. 2005-02 (Feb. 8, 2005); *Spencer v. Knight*, 98 N.E. 342, 346 (Ind. 1912); *Long v. City of New York*, 81 N.Y. 425, 427-28 (1880); *Lanza v. Wagner*, 183 N.E.2d 670, 673-74 (N.Y. 1962); *State ex rel. Voss v. Davis*, 418 S.W.2d 163, 167-72 (Mo. 1967))

Existing law authorizes the governing body of a city incorporated pursuant to general law to choose by ordinance whether to: (1) hold city elections on the statewide election cycle; or (2) hold a primary city election on the first Tuesday after the first Monday in April and hold a general city election on the second Tuesday after the first Monday in June of odd-numbered years. (NRS 293C.115, 293C.140, 293C.145, 293C.175) Existing provisions of various city charters also authorize the cities incorporated under those charters to make the same choice by ordinance regarding the dates of their city elections, and some of the charter cities currently hold their city elections on the statewide election cycle in even-numbered years, while other charter cities currently hold their city elections in odd-numbered years.

Sections 1, 2, 4, 5, 6.4, 7.4 and 17-50 of this bill require that all cities hold elections on the statewide election cycle beginning in the year 2022. Sections 3, 3.8, 6.2, 7.2 and 8-16 of this bill amend various provisions relating to city elections, such as the date for filing declarations of candidacy, in order to facilitate the transition to the statewide election cycle.

Under existing law, the cities of Ely and Fallon are the only cities incorporated pursuant to general law that currently hold their city elections in odd-numbered years. To carry out the transition to the statewide election cycle in those general law cities, section 51 of this bill provides that officials of those cities who were elected in 2017 will hold office until the city elections are held in 2022, and officials of those cities who will be elected in 2019 will hold office until the city elections are held in 2024.

Certain charter cities currently hold general municipal elections in June of odd numbered years (Boulder City, Caliente, Henderson, Las Vegas, North Las Vegas and Yerington). Sections 17-50 of this bill amend the charter of each of those cities to require that the cities hold their city elections on the same dates as the statewide election cycle in even-numbered years. Section 52 of this bill provides for the terms of office of officials of such cities who were elected in 2017 or who will be elected in

2019, and the terms of office of municipal judges who were elected to 6- year terms in 2015 or 2017 or who will be elected in 2019, to be extended by 1 year to allow for the transition to the statewide election cycle. Section 52.5 of this bill requires Boulder City to transition to the statewide election cycle in accordance with the ordinance adopted by the City Council of Boulder City for such purpose effective November 1, 2018.

Under existing law, with limited exception, a judicial candidate for justice of the Supreme Court, judge of the Court of Appeals, judge of a district court or justice of the peace must file a declaration of candidacy with the appropriate filing officer in January in even-numbered years. (NRS 293.177) Depending on the organization of a city and its population category, existing law provides that a judge of a municipal court of the city may be either elected or appointed to office or, under certain circumstances, a justice of the peace of the township in which the city is located may serve ex officio as a judge of a municipal court of the city. (NRS 5.020, 266.405) If a judge of a municipal court is elected to office, existing law provides that a judicial candidate for the elective office must file a declaration of candidacy with the city clerk: (1) in cities that currently hold their city elections in even-numbered years, in March in even-numbered years; and (2) in cities that currently hold their city elections in odd-numbered years, not less than 60 days or more than 70 days before the date of the primary city election or, if the city does not hold a primary city election, not less than 60 days nor more than 70 days before the date of the general city election. (NRS 293.177, 293C.115, 293C.145, 293C.175)

Sections 3.8, 6.2 and 7.2 of this bill provide that, beginning in the year 2020, a judicial candidate for the elective office of judge of a municipal court in cities that currently hold their city elections in even-numbered years must file a declaration of candidacy with the city clerk not earlier than the first Monday in January and not later than 5 p.m. on the second Friday after the first Monday in January in even numbered years, consistent with the filing period for all other judicial candidates in even-numbered years. When all other cities transition to the statewide election cycle beginning in the year 2022, sections 6.4 and 7.4 of this bill provide that all judicial candidates for the elective office of judge of a municipal court must file a declaration of candidacy with the city clerk during that same period in January in even-numbered years.

Argument

Challenger properly filed his challenge to Respondent's qualifications on April 4, 2022 pursuant to all available and relevant information provided to each candidate and from reliable and publicly accessible information sources.

The Clerk, as the authority on City documents, plainly and accessibly provided the forms and cited the relevant NRS that controls Reno City candidacy. The seven (7) day timeframe is well documented on the provided withdrawal form (Exhibit 2) and there is no reference to NRS 293C.195.

The proper timeframe to submit a challenge was March 30 - April 5, 2022. The Clerk indicated the appropriateness of the challenge by accepting the referral (which was additionally reviewed by the City Attorney), which directly contradicts Respondent's assertions about the untimely filing.

The SoS's office provides supporting evidence through their published 2022 Election calendar and direct action to guide the Challenger to a proper venue. The public opinion is familiar with a 7-day withdrawal period as shown by Exhibits 7 and 8. Challenger can find no reference across the state where a 2-day withdrawal period is ever publicly referenced or this standard asserted. Assembly Bill 50 effectively eliminates the practice of "City Elections" as cited by Respondent and support was not provided that Reno holds a "City Election".

The Challenger has exemplified a good-faith willingness in attempting to properly transmit and convey the challenge as a

matter of public concern to the relevant authority. The Clerk, because they do not personally take actions as prescribed in operating a City Election, does not oversee a City Election and would thus not find it appropriate to utilize a withdrawal statute of two (2) days instead of the more ubiquitous, and acknowledged as utilized, seven (7) days.

The motion should be dismissed due to the parties' privately stated positions. The Respondent asserts that she seeks to "Restore integrity to the mayor's office" (<https://jennybrekhus.com/mayor-vision-2022-2026/>) and the Challenger seeks "Clarity, Accountability, and Transparency" (www.mantleformayor.com). Integrity will not be restored, and accountability cannot be ascertained if there is not a test to the merits of this challenge, especially after the City Attorney has already forwarded the case finding probable cause.

Lastly, without the certainty and closure that would derive from hearing this challenge, Nevadans are harmed. Nevadans must not be left to wonder if the Respondent, let alone any would-be representative, are violating the will of the people as succinctly stated in the Congressional Term Limits Act of 1996:

The corruption and appearance of corruption brought about by political careerism is destructive to the proper functioning of the first branch of our representative government. Congress has grown increasingly distant from the People of the States. The People have the sovereign right and a compelling interest in creating a citizen Congress that will more effectively protect our freedom and prosperity. This interest and right may not effectively be served in any way other than that proposed by this initiative.

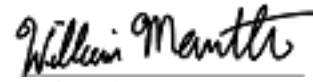
Conclusion

WHEREFORE: Challenger respectfully requests an order by the Court (1) denying the Respondent's Motion to Dismiss and (2) affirming the timeliness of the filed challenge.

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 15th day of April, 2022.


William Mantle


IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

IN THE MATTER OF CHALLENGE TO)	
THE QUALIFICATIONS OF JENNY)	
BREKHUS,)	
vs.)	
Jenny Brekhus, Respondent;)	Case No. CV22-00560
William Mantle, Challenger, and)	
<u>Real Parties in Interest.</u>)	Dept. No. 4

Notice of Proposed Exhibits

Pursuant to NRS 239B.030, this document does not contain
personal information of any persona.

DATED: April 15, 2022


William Mantle

CERTIFICATE OF SERVICE

Pursuant to NRCP5(b), I certify that on the date shown below, I caused service to be completed of a true and correct copy of the foregoing Document by:

 X EFlex electronic service, addressed as follows:

John L. Marshall, Esq.
SBN 6733
570 Marsh Ave.
Reno, Nevada 89509

Luke A. Busby, Esq.
SBN 10319
316 California Ave., #82
Reno, Nevada 89509

KARL HALL, ESQ. FOR CITY OF RENO

And

 X Email delivery


John Marshall: johnladuemarshall@gmail.com

Luke Busby: luke@lukeandrewbusbyltd.com

Johnathan Shipman: shipmanj@reno.gov

William McKean: mckeanw@reno.gov

DATED April 15, 2022


William Mantle

INDEX OF EXHIBITS

Exhibit No.	Description	Pages
1	City Clerk Welcome Letter	3
2	City Clerk Candidate Withdrawal Form	2
3	2022 Secretary of State Calendar	3
4	Secretary of State Initial Election Integrity Violation Report	31
5	Secretary of State Determination Letter	2
6	Washoe County Candidacy Challenge form	4
7	DeHaven, 04/04/22 RGJ Article <i>"Lorton likely skipping deadline to keep Schieve, Brekhus out of Reno Mayor's race"</i>	3
8	Robison, 03/29/22 RGJ Article <i>"Lorton considers lawsuit to stop Schieve, Brekhus Reno mayoral runs."</i>	5
9	Assembly Bill 50	47

EXHIBIT 1

EXHIBIT 1

Mikki Huntsman
City Clerk
(775) 334-2030
HuntsmanM@reno.gov



March 7, 2022

Dear Candidate:

Congratulations on your declaration of candidacy. The following is a review of the filing forms contained in your candidate packet:

- Declaration of Candidacy
 - **DUE AT THE TIME OF FILING WITH CITY CLERK**
- Candidate Acknowledgement of Campaign Contributions & Expenses (C&E) Report
 - **DUE AT THE TIME OF FILING WITH CITY CLERK**
- City of Reno Financial Disclosure Statement
 - **DUE AT THE TIME OF FILING WITH CITY CLERK**
- Code of Fair Campaign Practices
 - Optional form, if completing, due at the time of filing with City Clerk
- Public/Media Sheet
 - Optional form, if completing, due at the time of filing with City Clerk

Additionally, please find the following reference materials included in your packet, to which you may need to refer during the course of your campaign:

- List of Important Candidate Dates
- Online C&E Reporting Information
- Use of Nickname Information
- Candidate Withdrawal
 - If applicable, due to the Secretary of State's Office within 7 days after the last day of filing
- Notice of Completion of Campaign

- If applicable, due to the Secretary of State's Office
- Washoe County Registrar Website Information
- Letters Regarding Campaign Signage
- Nevada Department of Transportation Signage Information

If you have any questions, please do not hesitate to contact me. Good luck with your campaign and thank you for your contribution to our community.

Sincerely,



Mikki Huntsman
City Clerk of the City of Reno, Nevada

One East First Street, Second Floor*P.O. Box 7, Reno, NV 89504
Reno.gov

1

EXHIBIT 2

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

EXHIBIT 2

26



BARBARA K. CEGAUSKE
Secretary of State
Elections Division
101 North Carson Street, Suite 3
Carson City, Nevada 89701-3714
Phone: (775) 684-5705
Fax: (775) 684-5718
Website: www.nvsos.gov

Candidate Withdrawal

ABOVE SPACE IS FOR OFFICE USE ONLY

Candidate Name:

Office Sought:

District (if applicable):

NRS 293.202 Withdrawal of candidacy; rescission.

1. A withdrawal of candidacy for office must be in writing and must be presented by the candidate in person, within 7 days, excluding Saturdays, Sundays and holidays, after the last day for filing, to the officer whose duty it is to receive filings for candidacy for that office. If the withdrawal of candidacy is submitted in a timely manner pursuant to the provisions of this subsection, it shall be deemed effective after the seventh day, excluding Saturdays, Sundays and holidays, after the last day for filing.

2. A rescission of a withdrawal of candidacy must be in writing and presented by the candidate in person, within the 7 days, excluding Saturdays, Sundays and holidays, after the last day for filing, to the officer whose duty it is to receive filings for candidacy for that office.

(Added to NRS by 1979, 262; A 1981, 349; 1991, 2217; 1995, 2775; 1997, 3450; 1999, 3553; 2007, 2582)

I, , do hereby swear or affirm that I have filed a declaration of candidacy
Candidate Name

for the office of to appear in the Election, and I hereby
Office Sought Election Description

exercise my right under Nevada Revised Statute 293.202 to withdraw my candidacy for said office. My withdrawal

is submitted in person on
Date Submitted

X

Candidate Signature

Date:

EXHIBIT 3

EXHIBIT 3

2022 NEVADA ELECTION CALENDAR

PRIMARY ELECTION — JUNE 14, 2022

AUG. 2, 2021	REFERENDUM PETITION – (not earlier than August 1 st of the year before the year in which the election is to be held) First day a copy of a petition can be filed with the Secretary of State prior to circulation.	Nevada Constitution Art. 16, Sec. 1(1)	APR. 6, 2022 and APR. 13, 2022	PUBLISH FIRST AND SECOND NOTICE OF PRIMARY ELECTION – (once a week for 2 successive weeks) Upon receipt of the Certified List of Candidates from the Secretary of State, the County Clerk/Registrar of Voters shall publish a notice of Primary Election once a week for 2 successive weeks in a newspaper of general circulation in the county. If no such newspaper is provided in the county, the publication may be made in a newspaper of general circulation published in the nearest county in the State.	293.203
SEPT. 1, 2021	INITIATIVE PETITION TO AMEND THE NEVADA CONSTITUTION – (not earlier than September 1 st of the year before the year in which the election is to be held) First day a copy of an initiative petition to amend the Nevada Constitution can be filed with the Secretary of State prior to circulation.	Nevada Constitution Art. 16, Sec. 2(4)	APR. 15, 2022	OPT-OUT FORM FOR MAIL BALLOTS – (received not later than 60 days before the election) Last day for clerks to receive a request from a voter to indicate that he/she elects not to receive a mail ballot.	AB 321 Sec. 3(2)
NOV. 15, 2021	NOTICE OF JUDICIAL, STATEWIDE, AND MULTICOUNTY DISTRICT OFFICES – (not later than November 15 th of the year before the Primary Election) Not later than November 15 th of the year before the Primary Election is held, the Secretary of State will send to each County Clerk a notice which designates the judicial, statewide, and multicounty district offices for which candidates are to be nominated at the Primary Election.	NAC 293.040(1)	APR. 15, 2022	CAMPAIGN SIGNS – (not to be erected on interstate and primary routes more than 60 days before the Primary Election) First day a candidate may erect signs for a campaign within the controlled areas of the interstate and primary routes. Any questions on where signs can and cannot be placed on right-of-way should be directed to the Nevada Department of Transportation (NDOT). To telephone NDOT in Northern Nevada, call (775) 888-7480; to telephone NDOT in Southern Nevada, call (702) 385-6548.	410.400 NAC 410.440
NOV. 25, 2021	PUBLISH LIST OF DESIGNATED OFFICES TO BE HELD IN THE PRIMARY ELECTION – (within 10 days after receipt of notice pursuant to NAC 293.040) Last day that the County Clerk shall publish in a newspaper published in his or her county the list of designated offices to be held in the primary which applies to his or her county.	NAC 293.040(2)	MAY 1, 2022 through JUNE 13, 2022 (Recommended)	CONDUCT SCHOOL OF ELECTION The County Clerk/Registrar of Voters shall conduct or cause to be conducted a school for members of an election board and designate one member of each board as chair. Within a reasonable time before each election, the County Clerk/Registrar of Voters shall instruct the election board in the use of the mechanical voting system used in their districts in connection therewith.	293.227(3) 2930.260 2930.265
DEC. 1, 2021	SUBMIT LIST OF PUBLIC OFFICERS REQUIRED TO FILE A FINANCIAL DISCLOSURE STATEMENT – (on or before December 1 st of each year) A list of each public officer who is required to file a Financial Disclosure Statement must be submitted electronically to the Secretary of State by each County Clerk, City Clerk, the Director of the Legislative Counsel Bureau, and the Director of the Department of Administration.	201.574	MAY 3, 2022 through MAY 17, 2022	FORWARD VOTER REGISTRATION APPLICATIONS DAILY – (during the 2 weeks preceding the close of registration by mail for the Primary Election) Voter registration applications accepted by voter registration agencies must be transmitted to the appropriate County Clerk/Registrar of Voters on a daily basis during this time.	293.504(4) 293.524(3)
DEC. 30, 2021	CHANGE OF PARTY AFFILIATION FOR CANDIDATES FOR PARTISAN PROHIBITED – (beginning on December 31 st preceding the election year) Last day a candidate of a major political party for partisan office may change his or her designation of party affiliation on an application to register to vote and be eligible to be a candidate from the political party.	293.176	MAY 5, 2022	PREPARE AND DISTRIBUTE MAIL BALLOTS FOR RESIDENTS OUTSIDE THE STATE – (not later than 40 days before the Primary Election) County Clerk/Registrar of Voters to prepare and distribute mail ballots to residents who reside outside the state, no later than this date.	AB 321 Sec. 3
DEC. 31, 2021	VOTER REGISTRATION APPLICATION AVAILABILITY, PLAN FOR LOCATIONS – (on or before December 31 st of each year) Each County Clerk/Registrar of Voters may submit to the Secretary of State for approval a plan which indicates the public locations at which voter registration applications will be made available to the public. If no change is made from the prior year's plan, the County Clerk/Registrar of Voters may indicate that fact to the Secretary of State.	NAC 293.445	MAY 7, 2022 (Recommended)	APPOINTMENT OF ELECTION BOARD OFFICERS FOR THE PRIMARY ELECTION Last day for County Clerk/Registrar of Voters to have concluded or delegated appointment of election board officers for the Primary Election and to send notification to election board officers of their appointments.	293.217 through 293.243
JAN. 3, 2022	INITIATIVE PETITION PROPOSING A NEW STATE STATUTE TO AMEND AN EXISTING STATE STATUTE – (not earlier than January 1 st of the year preceding the year in which a regular session of the Legislature is held) First day a copy of an initiative petition proposing a new state statute or an amendment to an existing state statute can be filed with the Secretary of State prior to circulation.	Nevada Constitution Art. 16, Sec. 2(3)	MAY 11, 2022 (Recommended)	DISTRIBUTE SAMPLE MAIL BALLOT FOR PRIMARY ELECTION – (before early voting) Before the period for early voting, the County Clerk/Registrar of Voters shall distribute by mail or provide electronically to each registered voter a sample ballot for his or her precinct with a notice of the polling place location. County Clerk/Registrar of Voters shall also mail or provide electronically a copy of each such sample ballot to each candidate who has filed a Declaration of Candidacy, a copy of at least five sample ballots and provide an electronic copy of each sample ballot to the Secretary of State. If the County Clerk/Registrar of Voters has changed the location of the last election, the County Clerk/Registrar of Voters shall mail a notice of change to each registered voter not sooner than 10 days before forwarding the sample ballots.	293.565 293.568 NAC 321.120
JAN. 3, 2022	PETITION OF CANDIDACY – INDEPENDENT CANDIDATE – (not earlier than January 2 nd preceding the election) First day a petition of candidacy of an independent candidate for partisan office may be filed with the appropriate filing officer prior to circulation for signatures.	293.200(1)(a)	MAY 14, 2022 through MAY 27, 2022	VOTING SYSTEM PRE-LAT TEST REQUIRED BEFORE EARLY VOTING – (not earlier than 2 weeks before and not later than 5 p.m. on the day before the 1 st day of early voting) Period during which the County Clerk/Registrar of Voters must conduct the required Pre-LAT test for mechanical recording device or automatic tabulating equipment and programs.	2930.150
JAN. 18, 2022	FILING ANNUAL CONTRIBUTIONS & EXPENSES REPORT/ANNUAL – CANDIDATE – (not later than January 15 th of each year) Last day for nonfederal elected officials and candidates, which have received in excess of \$100 in contributions or have money left over from their previous campaign, to file the annual report of campaign contributions and expenditures with the Secretary of State.	294A.120 294A.128 294A.140 294A.200 294A.210 201.559	MAY 15, 2022 through MAY 26, 2022	WRITTEN CHALLENGES MAY BE FILED FOR THE PRIMARY ELECTION – (after the 30 th day but not later than the 25 th day prior to the Primary Election) Period in which voter registrations may be challenged in writing by filing with the County Clerk/Registrar of Voters.	293.547(1)
JAN. 18, 2022	FILING ANNUAL FINANCIAL DISCLOSURE STATEMENT – (on or before January 15 th of each year of the term) Last day for appointed and elected public officers (including conservation district supervisors elected pursuant to NRS 548.285) to file a Financial Disclosure Statement (FDS) with the Secretary of State.	201.561	MAY 17, 2022 through JUNE 14, 2022	PUBLICATION OF CLOSING DATE OF REGISTRATION FOR PRIMARY ELECTION – (once each week for 4 consecutive weeks before the close of registration) County Clerk/Registrar of Voters shall cause to be published once each week for 4 consecutive weeks before the close of registration for the Primary Election "The Notice of Close of Registration" in a newspaper having a general circulation in the county. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in the State.	293.560(3b) AB 321 sec. 42.5
JAN. 18, 2022	FILING ANNUAL PAC REGISTRATION – (on or before January 15 th of each year) Last day a Political Action Committee (PAC) may file with the Secretary of State its annual registration if the PAC intends to continue activity in this State. The annual registration form must be filed regardless of whether the candidate intends to seek election to public office in held. The report is to be filed with the Secretary of State.	294A.125	MAY 17, 2022	CLOSE OF VOTER REGISTRATION BY MAIL – (the 4 th Tuesday preceding any primary or general election) Last day a person may register to vote by mail (must be postmarked by this date).	293.506(1)(a)(1)
JAN. 18, 2022	FILING CONTRIBUTIONS IN EXCESS OF \$10,000 – (to be reported electronically as part of Annual Filing, on or before January 15 th of the year immediately after the year for which the report is made) Each candidate who receives contributions in excess of \$10,000 shall list each of the contributions he received and expenditures made in that year and each year thereafter until the year of the General Election in which the candidate intends to seek election to public office in held. The report is to be filed with the Secretary of State.	293.128(2)	MAY 17, 2022	CLOSE OF VOTER REGISTRATION BY PERSONAL APPEARANCE – (the 4 th Tuesday preceding the primary or general election) Last day a person may register to vote by appearing in person at the office of the County Clerk/Registrar of Voters.	293.506(1)(a)(2)
JAN. 21, 2022	PETITION CHALLENGING MAJOR POLITICAL PARTY – (not later than 25 working days before the last Friday in February before a Primary Election) Last day to file with the County Clerk/Registrar of Voters for signature verification petitions to qualify as a major political party.	293.1755	MAY 18, 2022	MINOR PARTY/INDEPENDENT CANDIDATE TO SUBMIT TO COUNTY CLERK/REGISTRAR OF VOTERS PETITION FOR BALLOT ACCESS – (not later than 10 working days before the last day to file the petition) Last day for a minor party/independent candidate to submit ballot access petition to the County Clerk/Registrar of Voters for signature verification.	293.172(1)(c) 293.175(2)(c) 293.200(1)(a)(2) SB 292 Sec. 2
FEB. 16, 2022	LAST DAY TO ESTABLISH RESIDENCY FOR CANDIDATE QUALIFICATION – (at least 30 days before the close of filing declarations of candidacy) No person shall be a candidate for any office (excluding district attorney or federal offices) unless the person has resided in the State, district, county, township or other area prescribed by law over which the person will have jurisdiction or represent.	293.128(1)(b)	MAY 21-27 and MAY 28 through JUNE 16, 2022	PUBLISH NOTICE OF EARLY VOTING FOR THE PRIMARY ELECTION – (during the week before and at least once a week during early voting) The County Clerk/Registrar of Voters shall publish the location, dates, and hours of early voting during the week before and at least once a week during the period of early voting.	293.256 293.257
FEB. 25, 2022	PETITION CHALLENGING MAJOR POLITICAL PARTY – (not later than the last Friday in February before any Primary Election) Last day petition to qualify as a major political party signed by a number of registered voters equal to or more than 10 percent of the total number of votes cast at the last preceding General Election for the offices of Representative in Congress may be filed with the Secretary of State after signature verification.	293.3572	MAY 25, 2022	PREPARE AND DISTRIBUTE MAIL BALLOTS FOR RESIDENTS WITHIN THE STATE – (not later than 20 days before the Primary Election) County Clerk/Registrar of Voters shall prepare and distribute mail ballots to residents who reside within the state, not later than this date.	AB 321 Sec. 3(5)
MAR. 1, 2022	REQUEST FOR ESTABLISHMENT OF A POLLING PLACE ON AN INDIAN RESERVATION – (for a Primary Election, not later than March 1 st in January of an election year, for a General Election, not later than August 1 st of an election year) Last day for an Indian reservation or Indian colony to submit a request to the County Clerk/Registrar of Voters for the establishment of an early voting or Election Day polling place or ballot drop box within the boundaries of the Indian reservation or Indian colony for the Primary Election.	NAC 293.341	MAY 27, 2022 (Recommended)	CERTIFICATION OF SOFTWARE AND OPERATING SYSTEMS – (before each federal election cycle) Not later than the first day of voting, County Clerk/Registrar of Voters shall certify components of the voting system for use.	NAC 293.110
MAR. 1, 2022	NOTIFICATION TO COUNTY CLERKS OF MECHANIZED RECORD OF ABSTRACT SPECIFICATIONS – (not later than March 1 st of every year) The Secretary of State shall notify the County Clerk of the specification of the mechanical report of an abstract of votes to the Secretary of State.	293.1725	MAY 27, 2022 (Recommended)	PREPARE ELECTION ROSTER – (before the opening of the polls) County Clerk/Registrar of Voters to prepare election roster consisting of the alphabetical list of registered voters in the precinct or district.	293.563
MAR. 7, 2022 through MAR. 18, 2022	MINOR POLITICAL PARTY CANDIDATE LIST – (not earlier than the 1 st Monday in March and not later than the 2 nd Friday after the 1 st Monday in March) Time period when an authorized person on behalf of a Minor Political Party may file its list of candidates with the Secretary of State. Secretary of State must immediately certify list of candidates for partisan office to appropriate filing officers.	293.177 293.190 AB 133 rd Special Session 2021)	MAY 28 through JUNE 14, 2022 and JUNE 14, 2022	NOTIFICATION OF OPENING AND CLOSING OF POLLS AND ELECTION DAY TURNOUT County Clerk/Registrar of Voters shall notify the Secretary of State of the time at which each polling place opened, closed, and delays, as soon as practicable. A County Clerk/Registrar of Voters shall report to the Secretary of State the turnout of voters on Election Day no less than twice while the polls are open.	NAC 293.215 NAC 293.217 NAC 293.219
MAR. 7, 2022 through MAR. 18, 2022	FILING DECLARATION OF CANDIDACY – JUDICIAL CANDIDATE – (from the first Monday in March to the second Friday after the first Monday in March) First day a candidate for judicial office may file a Declaration of Candidacy with the appropriate filing officer and pay the required filing fee.	293.177 293.181 293.185 293.193 293.1725	MAY 28 through JUNE 16, 2022	EARLY VOTING BY PERSONAL APPEARANCE – (begins the 2 nd Saturday before the Primary Election through the Friday preceding the Primary Election) During this period, a registered voter may request to vote early in person at designated early voting locations.	293.3568
MAR. 7, 2022 through JUNE 17, 2022	FILING DECLARATION OF CANDIDACY – NON-JUDICIAL CANDIDATES – (not earlier than the 1 st Monday in March) First day any candidate may file Declaration of Candidacy, with the appropriate filing officer, and pay fee required for purpose of having name on ballot.	293.177 293.181 293.185 293.193 293.1725	MAY 30, 2022 through JUNE 16, 2022	DELIVERY OF MAIL BALLOTS TO MAIL BALLOT CENTRAL COUNTING BOARD – (not earlier than 15 days before the Primary Election through 7 p.m. on Election Day) Not earlier than 15 days before the election, the County Clerk/Registrar of Voters shall withdraw all the mail ballots from each box or container that holds mail ballots received before that day and deliver the mail ballots to the appropriate election board or a mail ballot central counting board if one has been appointed to be processed and prepared for election.	AB 321 Sec. 8(1)(a) and Sec. 13(1)
MAR. 7, 2022 through JUNE 17, 2022	FILING PETITION OF CANDIDACY – INDEPENDENT CANDIDATES – (not earlier than the 1 st Monday in March, not later than the 3 rd Friday in June) First day independent candidates may file with the County Clerk/Registrar of Voters or the Secretary of State, as the case may be, a Petition of Candidacy signed by the requisite number of voters for signature verification.	293.177 293.181 293.185 293.193 293.1725	MAY 30, 2022	VERIFICATION AND COUNTING OF MAIL BALLOTS MAY BEGIN – (not earlier than 15 days before the Primary Election) The mail ballot central counting board may begin counting the received mail ballots 15 days before the day of the election. The counting procedure must be public.	AB 321 Sec. 13(1)
MAR. 8, 2022	ELECTION DISTRICTS – (after the 1 st day of candidate filing) During any year in which a General Election is held, a political subdivision of this state shall not create, divide, change boundaries of, abolish or consolidate an election district after the first day of filing by candidates.	293.209	MAY 31, 2022	LAST DAY TO UPDATE REGISTRATION AND BE MAILED A BALLOT – (any time before 5 p.m. on the 14 th calendar day preceding the Primary Election) Last day a registered voter may make a written request for a mail voter ballot for the Primary Election.	AB 321 Sec. 4(2)
MAR. 16, 2022	NEVADA-BAY FEDERAL GUIDELINE FOR LIST MAINTENANCE – The National Voter Registration Act of 1993 requires States to complete any program for list maintenance of the statewide voter registration list not later than 90 days prior to the day of a primary election or general election for federal office. This deadline applies to state list verification activities such as general mailings and door-to-door canvases.	52 U.S.C. 20809(c) (2)	MAY 31, 2022	PUBLISHING LIST OF REGISTERED VOTERS – (not less than 2 weeks before the close of registration for the Primary Election) On or before this date, the County Clerk/Registrar of Voters may publish in a newspaper an alphabetical listing of all registered voters, including the precinct of each voter, OR a statement notifying the public that the County Clerk/Registrar of Voters will provide an alphabetical listing of registered voters free of charge to any person upon request.	293.557(2)(a) NAC 293.42.5
MAR. 16, 2022	PLAN FOR DISPOSITION OF MAIL BALLOTS IN CASE OF EMERGENCY – (not later than 90 days before each election) A plan shall be submitted to the Secretary of State setting forth the procedures for the disposition of mail ballots in case of emergency.	NAC 293.318	MAY 31, 2022	MINOR POLITICAL PARTY/INDEPENDENT CANDIDATE BALLOT ACCESS PETITION FILING – (June 1 st or 1 st Monday in June) Last day a Minor Political Party/Independent Candidate seeking ballot access can file a petition with the Secretary of State after verification of signatures by County Clerks/Registrars of Voters.	293.175(2)(c) SB 292 Sec. 3 293.200(4)
MAR. 16, 2022	PLAN FOR SUBMITTING ELECTION RESULTS AND OPENING AND CLOSING OF POLLS – (not later than 90 days before each election) County Clerk/Registrar of Voters shall submit for approval by the Secretary of State a plan setting forth the procedures that will be used to submit election results on Election Day and the opening and closing of polls on Election Day.	NAC 293.177(4)(a)	JUNE 1, 2022	MEDIA TO MAKE COST OF ELECTION ADVERTISEMENTS AVAILABLE – (at least 10 days before, and ending at least 30 days after the Primary Election) During this period, any media or other person that provides any political advertising must make the costs of all such information, arranged alphabetically by candidate, person or group seeking the advertisement, available for inspection within 3 days of the request for inspection.	294.370
MAR. 16, 2022	PLAN FOR THE SECURITY OF BALLOTS, RESULTS, CARTRIDGES, AND VVPATS – (not later than 90 days before the Primary Election) Not later than 90 days before the Primary Election, a plan for the election cycle must be submitted to the Secretary of State for approval. If there is no change to the previous plan, the County Clerk shall notify the Secretary of State in writing.	NAC 293.040	JUNE 3, 2022 through JULY 14, 2022	FILE ELECTION COMPUTER PROGRAM – (at least one week before the Primary Election) Last day a copy of each election computer program for an election in the state must be filed with the Secretary of State at least one week before election. Copies of the programs are not available for inspection by the public.	293.802(1)
MAR. 16, 2022	PLAN FOR THE SECURITY OF BALLOTS FOR EARLY VOTING – (not later than 90 days before each election) Not later than 90 days before the election, a plan for the security of ballots for early voting for the Primary Election must be submitted to the Secretary of State for approval.	293.3594(1)	JUNE 7, 2022	NUMBER OF REGISTERED VOTERS TO SECRETARY OF STATE – (not later than the Friday preceding the Primary Election) During this period, the County Clerk/Registrar of Voters shall ascertain by precinct and district the number of registered voters (broken down by active and inactive voters) and their political affiliation, if any, and transmit this information to the Secretary of State.	293.567
MAR. 16, 2022	PROGRAM OR ACTIVITY FOR PURPOSE OF REMOVING A NAME FROM THE REGISTER – (not later than 90 days before the next Primary Election) Any program or activity conducted within the county for the purpose of removing the name of a person who is ineligible to vote must be completed before this date.	293.503(4)	JUNE 10, 2022	CHALLENGE OF MINOR POLITICAL PARTY – (not later than 5 p.m. on the 2 nd Monday in June) Last day to file challenge against a minor political party's qualifications with appropriate filing officer.	293.174 SB 292 Sec. 3
MAR. 18, 2022	QUESTIONS SUBMITTED TO COUNTY CLERK/REGISTRAR OF VOTERS – (not later than the 2 nd Friday after the 1 st Monday in March) Last day County Clerk/Registrar of Voters may receive questions for the Primary Election ballot submitted by every governing body of a political subdivision, public or quasi-public corporation, or other local agency authorized by law to submit questions to qualified election or registered voters of a designated territory.	293.481(1)(b)	JUNE 14, 2022	SAME-DAY VOTER REGISTRATION Voters are able to register to vote on the day of the Primary Election.	293.569
MAR. 18, 2022	CHANGE MANNER IN WHICH NAME APPEARS ON THE BALLOT – (on the last day 5 p.m. on the last day to file the Declaration of Candidacy) Last day a candidate may change the manner in which his or her name will appear on the ballot by filing a written request with the filing officer with whom he or she filed his or her Declaration of Candidacy.	NAC 293.08(1)	JUNE 14, 2022	PRIMARY ELECTION – (2 nd Tuesday in June of each even-numbered year) The Primary Election is held. Polls open at 7 a.m. and close at 7 p.m.	293.175(1)
MAR. 18, 2022	JUDICIAL CANDIDATE MAY SOLICIT PUBLIC SUPPORT AND CONTRIBUTIONS IF OPPOSED – (beginning at 5:01 p.m.) A judicial candidate in a contested election and the candidate's committee may solicit or accept contributions for the candidate's campaign. A judicial candidate who is unopposed in the election MAY NOT solicit contributions.	Code of Judicial Conduct Canon 4.2	JUNE 14, 2022 through JUNE 18, 2022	RECEIVE AND COUNT POSTMARKED MAIL BALLOTS – (Postmarked on or before the day of the Primary Election and received by the 4 th day after) Mail ballots must be delivered by hand to the county clerk before the time for or closing of the polls on election day or mailed to the county clerk and postmarked on or before the day of the election and received by the county clerk not later than 5 p.m. on the fourth day following the election.	AB 321 Sec. 8(1)(b)
MAR. 28, 2022	FILING OF FINANCIAL DISCLOSURE STATEMENT – JUDICIAL CANDIDATES – (not later than the 10 th day after the last day to qualify as a candidate) On or before this date, every candidate for judicial office who will be entitled to receive annual compensation of \$6,000 or more for serving in the office that the candidate is seeking must file a Financial Disclosure Statement with the Administrative Office of the Courts (AOC).	201.561 Code of Judicial Conduct, Canon 3, Rule 2.15	JUNE 17, 2022	IDENTIFICATION REQUIREMENT FOR PROVISIONAL VOTERS – (not later than 5 p.m. the Friday following the election) Last day a voter who did not provide identification at the time the provisional ballot was cast for Federal Office at the Primary Election may provide identification to County Clerk/Registrar of Voters.	293.808(2)(1)
MAR. 28, 2022	FILING OF FINANCIAL DISCLOSURE STATEMENT – NON-JUDICIAL CANDIDATES – (not later than the 10 th day after the last day to qualify as a candidate) On or before this date, every candidate for non-judicial office who will be entitled to receive annual compensation of \$6,000 or more for serving in the office that the candidate is seeking must file a Financial Disclosure Statement with the Administrative Office of the Courts (AOC).	201.561 Code of Judicial Conduct, Canon 3, Rule 2.15	JUNE 20, 2022	SIGNATURE CURE DEADLINE – (not later than 5 p.m. on the 6 th day following the election) Last day for a voter to provide a signature or confirmation or to otherwise cure the signature to have a mail ballot be counted.	AB 321 Sec. 11(6)
MAR. 29, 2022	LAST DAY A CANDIDATE MAY WITHDRAW CANDIDACY – (within 7 working days after close of candidate filing) Last day candidates may withdraw candidacy; must be in writing and presented in person to appropriate filing officer.	293.202	JUNE 24, 2022 through JUNE 24, 2022	CANVASS OF THE PRIMARY ELECTION RETURNS – (on or before the 10 th day following the Primary Election) During this period, the Board of County Commissioners shall canvass the returns, from all precincts and districts within the county, of the Primary Election, but not before the postmark expiration date and all provisional ballots have been resolved for all counties.	293.387(1)
MAR. 31, 2022	SUBMISSION OF MAPS TO SECRETARY OF STATE AND LEGISLATIVE COUNSEL BUREAU – (on or before the last day in March of even-numbered years) On or before this date, the County Clerk/Registrar of Voters shall provide the Secretary of State and the Director of the Legislative Counsel Bureau with a copy of a map (paper copy or electronic data file) showing the boundaries of all election precincts in the county, along with a written description of the boundaries.	293.202	JUNE 24, 2022 through JULY 22, 2022	FILLING NONPARTISAN VACANCY – (2 nd Monday in June during the 4 th Friday in July) The filing period for vacancies in a nonpartisan office when the vacancy occurs after the close of filing and before the fourth Friday in July and if no primary was held or if there was no more than one person seeking the nomination in the Primary Election. A person may become a candidate for the nonpartisan office at the General Election by filing a Declaration of Candidacy and paying the fee required by NRS 201.193.	293.165
APR. 4, 2022	CHALLENGE OF CANDIDACY MAY BE FILED – (not later than 5 days after the last day to withdraw candidacy) Last day for filing, with the appropriate filing officer, challenge of qualification of a candidate for election to public office.	293.182(1) 293.175(2)	JUNE 24, 2022	POSTELECTION AUDIT AND CERTIFICATION OF VVPATS – (within 7 working days after the date of the election) After each election, all County Clerks/Registrars of Voters shall conduct postelection VVPAT audit and transmit the results to the Secretary of State.	NAC 293.255 NAC 293.120
APR. 4, 2022	CHALLENGE OF JUDICIAL CANDIDATE MAY BE FILED – (not later than 5 days after last day to withdraw candidacy) Last day for filing, with the appropriate filing officer, a challenge of the qualifications of a candidate.	293.182(1) 293.175(2)	JUNE 28, 2022		
APR. 5, 2022	CERTIFICATION OF CANDIDATES BY COUNTY CLERK/REGISTRAR OF VOTERS – (not later than 5 working days after last day to withdraw candidacy) Each County Clerk/Registrar of Voters shall transmit to the Secretary of State a certified list of names and mailing address of each person for whom candidacy papers have been filed in his or her office, together with the title of the office for which such person is a candidate and party designation, if any.	293.187(6)			
APR. 5, 2022	CERTIFICATION OF CANDIDATES BY SECRETARY OF STATE – (not later than 5 working days after last day to withdraw candidacy) The Secretary of State shall transmit to the County Clerk/Registrar of Voters a certified list of names and mailing address of each person for whom candidacy papers have been filed in his or her office, together with the title of the office for which such person is a candidate and party designation, if any.	293.187			

2022 NEVADA ELECTION CALENDAR

GENERAL ELECTION — NOVEMBER 8, 2022

JUNE 24, 2022	COMPILATION OF RETURNS – (immediately after the Primary Election)	293.387(4)	OCT. 15, 2022	FILING OF CONTRIBUTIONS & EXPENSES REPORT #3 – (for the period beginning July 1 and ending on Sept. 30)	294A.120 294A.128 294A.140 294A.200 294A.210
JUNE 24, 2022	Secretary of State shall compile returns for all candidates voted for in more than one county and certify to the County Clerk/Registrar of Voters the name of each person nominated and the office in which he or she is nominated.			Last day for all nonfederal office candidates, and, as required, any persons making independent expenditures, political action committees, political action committees advocating the passage or defeat of a ballot question, political parties, and committees sponsored by political parties, to file the third report of campaign contributions and or expenditures with the Secretary of State.	
JUNE 24, 2022	TRANSMIT ABSTRACT AND MECHANIZED REPORT TO SECRETARY OF STATE – (on or before the 10 th day following the Primary Election)	293.387(3)	OCT. 19, 2022	PREPARE AND DISTRIBUTE MAIL BALLOTS FOR RESIDENTS WITHIN THE STATE – (not later than 20 days before the General Election)	AB 321 Ser. 3(5)
JUNE 24, 2022	The County Clerk/Registrar of Voters shall send a copy of the certified abstract and mechanized report of the abstract to the Secretary of State.			County Clerk/Registrar of Voters shall prepare and distribute mail ballots to residents who reside within the state, not later than this date.	
JUNE 24, 2022	CHALLENGE OF CANDIDACY INDEPENDENT CANDIDATES MAY BE FILED – (not later than 5 p.m. on the 4 th Friday in June)	293.308(8)	OCT. 21, 2022 (Recommended)	PREPARE ELECTION ROSTER – (before the opening of the polls)	293.563
JUNE 28, 2022	Last day for filing with the appropriate filing officer challenge of qualification of an independent candidate for a partisan office.			County Clerk/Registrar of Voters to prepare election roster consisting of the alphabetical list of registered voters in the precinct or district.	
JUNE 28, 2022	FILE STATEMENTS OF CONTENTS – (for the Primary Election)	293.413	OCT. 22, 2022 through NOV. 4, 2022	EARLY VOTING BY PERSONAL APPEARANCE – (begins the 2 nd Saturday before the General Election through the Friday preceding the General Election)	293.358
JUNE 29, 2022	The filing of statements of contents are contingent on the date the roster is completed, or if no roster is demanded, no later than 14 days after the Primary Election. Please see NRS 293.400 through 293.435 for dates and filing deadlines.			During this period, a registered voter may request to vote early in person at designated Early Voting locations.	
JUNE 29, 2022	DEMAND FOR RECOUNTS – (within 3 working days after the canvass for the Primary Election)	293.403	OCT. 22, 2022 through NOV. 8, 2022	NOTIFICATION OF OPENING AND CLOSING OF POLLS AND ELECTION DAY THROUOUT	NAC 293.217 NAC 293.219
JUNE 29, 2022	The last day demand for recount for the Primary Election can be made. Please see NRS 293.400 through 293.435 for dates and filing deadlines.			County Clerk/Registrar of Voters shall notify the Secretary of State of the time at which each polling place opened, closed, and delays, as soon as practicable. A County Clerk/Registrar of Voters shall report to the Secretary of State the turnout of voters on Election Day no less than twice while the polls are open.	
JUNE 29, 2022	INITIATIVE TO AMEND THE CONSTITUTION – (not later than the 15 th day following the Primary Elections)	295.056(3)	OCT. 24, 2022	VERIFICATION AND COUNTING OF MAIL BALLOTS MAY BEGIN – (not earlier than 15 days before the General Election)	AB 321 Ser. 13(1)
JUNE 29, 2022	Last day to submit to County Clerk/Registrar of Voters for signature verification a petition proposing an amendment to the Constitution. All documents of the petition must be submitted at the same time.			The counting board, if it is responsible for counting mail ballots, or mail ballot central counting board shall ascertain that each box or container has the required number of ballots. Ballots delivered to an mail ballot central counting board shall be processed and prepared for counting.	
JUNE 29, 2022	STATE REFERENDUM – (not later than the 15 th day following the Primary Election)	295.056(4)	OCT. 25, 2022	PUBLISH LIST OF REGISTERED VOTERS – (not less than 2 weeks before the close of registration for the General Election)	293.557(2)(b)
JUNE 29, 2022	Last day to submit to County Clerk/Registrar of Voters for signature verification a petition to have any statute or resolution enacted by the Legislature submitted to referendum vote of the people. All documents of the petition must be submitted at the same time.			No later than this date, the County Clerk/Registrar of Voters may cause to be published in a newspaper an alphabetical listing of all registered voters, including the precinct of each voter OR a statement notifying the public that the County Clerk/Registrar of Voters will provide an alphabetical listing of registered voters free of charge to any person upon request.	
JUNE 29, 2022	CERTIFICATION BY THE SECRETARY OF STATE OF NAMES OF PERSONS NOMINATED – (not later than 15 days after the Primary Election)	293.190(1)	OCT. 25, 2022	LAST DAY TO UPDATE REGISTRATION AND BE MAILED A BALLOT – (any time before 5 p.m. on the 14 th calendar day preceding the Primary Election)	AB 321 Ser. 43(2)
JUNE 29, 2022	The Secretary of State shall certify to each County Clerk the name of each person nominated and the title of the office to which he was nominated.			Last day a registered voter may make a written request for a mail voter ballot for the General Election.	
JUNE 29, 2022	CERTIFICATION BY COUNTY CLERK/REGISTRAR OF VOTERS OF NAMES OF PERSONS NOMINATED – (not later than 15 days after the Primary Election)	293.190(2)	OCT. 29, 2022 through DEC. 8, 2022	MEDIA TAKE COST OF ELECTION ADVERTISEMENTS AVAILABLE – (at least 10 days before, and ending at least 30 days after the General Election)	294A.370
JUNE 30, 2022	The County Clerk shall certify to the Secretary of State the name of each person nominated and the title of the office to which he or she was nominated.			During this period, any media or other person that provides any political advertising must make the costs of all such information, arranged alphabetically by candidate, person or group ordering the advertisement, available for inspection within 3 days of the request for inspection.	
JULY 7, 2022	PUBLISH FIRST AND SECOND NOTICE OF GENERAL ELECTION – (once a week for 2 successive weeks)	293.203	NOV. 1, 2022	FILE ELECTION COMPUTER PROGRAM – (at least one week before the General Election)	293.015(1)
JULY 7, 2022	Upon receipt of the Certified List of Candidates from the Secretary of State, the County Clerk/Registrar of Voters shall publish a notice of the Primary Election or General Election once a week for 2 successive weeks in a newspaper of general circulation in the county. If no such newspaper is provided in the county, the publication may be made in a newspaper of general circulation published in the nearest county in the State.			Last day of each of election computer program for an election in the state must be filed with the Secretary of State at least one week before the General Election. Copies of the programs are not available for inspection by the public.	
JULY 1, 2022	COUNTY REFERENDUM – (not later than 120 days before the next succeeding General Election)	295.108(2)	NOV. 4, 2022	NUMBER OF REGISTERED VOTERS TO SECRETARY OF STATE – (not later than the Friday preceding the General Election)	293.567
JULY 5, 2022	Last day to file a county referendum petition with the County Clerks for signature verification.			County Clerk/Registrar of Voters shall ascertain by precinct and district the number of registered voters and their political affiliation, if any, and transmit such information to the Secretary of State.	
JULY 5, 2022	COUNTY CLERK/REGISTRAR OF VOTERS TO NOTIFY CHALLENGE RESULTS – (not later than 21 calendar days after the Primary Election)	293.3035	NOV. 8, 2022	SAME-DAY VOTER REGISTRATION	293.560
JULY 11, 2022	No later than this date, County Clerk/Registrar of Voters shall mail a notice to each person who is listed as the registered voter who initiated a challenge on the Primary Election challenge list. The notice must indicate the name of the person challenged, if known, and the result of the challenge.			Voters are able to register to vote on the day of the General Election. Same-day Voter Registration permits registration through 7pm at the polls.	
JULY 11, 2022	COUNTY CLERK/REGISTRAR OF VOTERS TO FILE VERIFIED STATE REFERENDUM PETITION – (not less than 120 days before the next succeeding General Election)	295.045(1)	NOV. 8, 2022	GENERAL ELECTIONS – (1 st Tuesday after the 1 st Monday in November in each even-numbered year)	293.12755 293.273(1)
JULY 14, 2022	Last day County Clerk/Registrar of Voters shall file a verified state referendum petition with the Secretary of State.			The General Election is held. Polls open at 7 a.m. and close at 7 p.m.	
JULY 14, 2022	CAMPAIGN SIGNS – (within 30 days after the primary election if the candidate, party or question is not to be voted on at the ensuing general election)	410.400	NOV. 11, 2022	IDENTIFICATION REQUIREMENT FOR PROVISIONAL VOTERS – (not later than 5 p.m. the Friday following the election)	293.308(2)(1)
JULY 15, 2022	Last day for candidates who did not advance after the primary election to remove campaign signs.			Last day a voter who did not provide identification at the time the provisional ballot was cast for the Federal office at the General Election can provide identification to the County Clerk/Registrar of Voters.	
JULY 15, 2022	FILING OF CONTRIBUTIONS & EXPENSES REPORT #2 – (for the period beginning April 1 and ending on June 30)	294A.120 294A.128 294A.140 294A.200 294A.210	NOV. 12, 2022	RETURN OF MAIL BALLOTS – (by 5 p.m. on the 4 th day following the General Election)	293.325 293.383
JULY 18, 2022	Last day for all nonfederal office candidates, and, as required, any persons making independent expenditures, political action committees, political action committees advocating the passage or defeat of a ballot question, political parties, and committees sponsored by political parties, to file the second report of campaign contributions and/or expenditures with the Secretary of State.			In order for a mail ballot to be counted for any election, the mail ballot must be delivered by hand to the county clerk, or any ballot drop box, by the close of polls, or mailed to the county clerk and postmarked on or before the day of the election and received by the clerk no later than 5 p.m. on the fourth day following the election.	AB 321 Ser. 8(1)
JULY 18, 2022	QUESTIONS SUBMITTED TO COUNTY CLERK/REGISTRAR OF VOTERS – (on or before the 3 rd Monday in July)	293.481(1)(a)	NOV. 14, 2022	SIGNATURE CHECK DEADLINE – (not later than 5 p.m. on the 4 th day following the election)	AB 321 Ser. 11(6)
JULY 22, 2022	Last day County Clerk/Registrar of Voters shall receive questions for the General Election ballot submitted by the governing body of a political subdivision, public or quasi-public corporation, or other local agency authorized by law to submit questions to qualified electors or registered voters of a designated territory.			Last day for a voter to provide a signature or confirmation or to otherwise cause the signature to have a mail ballot be counted.	
JULY 22, 2022	NOMINATION OF CANDIDATE TO FILL VACANCY – (before 5 p.m. on the 4 th Friday in July)	293.165(5) 293.166(3)	NOV. 17, 2022	POSTELECTION AUDIT AND CERTIFICATION OF VVPATS – (not later than 7 working days after the election)	NAC 293.255
JULY 22, 2022	On or before this date, the designated candidate shall file an acceptance of designation and pay statutory filing fee to the appropriate filing officer.			After each election, County Clerks/Registrars of Voters shall conduct postelection VVPAT audits and transmit the results to the Secretary of State.	
JULY 22, 2022	CHANGES TO THE GENERAL ELECTION BALLOT – (no changes after 5 p.m. on the 4 th Friday in July)	293.165(4)	NOV. 17, 2022	TRANSMIT ABSTRACT AND MECHANIZED REPORT TO SECRETARY OF STATE – (not later than 7 working days after the General Election)	293.387(3)
AUG. 1, 2022	No changes can be made to the General Election ballot after this day.			The County Clerk/Registrar of Voters shall send a copy of the certified abstract and mechanized report of the abstract to the Secretary of State.	
AUG. 1, 2022	REQUEST FOR ESTABLISHMENT OF A POLLING PLACE ON AN INDIAN RESERVATION – (not later than August 1st of an election year)	293.3872 AB 321 Ser. 70	NOV. 18, 2022	CANVASS OF THE GENERAL ELECTION RETURNS – (on or before the 10 th working day following the General Election)	293.387(1)
AUG. 1, 2022	Last day for an Indian reservation or Indian colony to submit a request to the County Clerk/Registrar of Voters for the establishment of an early voting or Election Day polling place or ballot drop box within the boundaries of the Indian reservation or Indian colony for the General Election.			During this period the Board of County Commissioners shall canvass the returns, from all precincts and districts within the county, of the General Election. Counties must wait until the post-mark receipt date and provisional ballots have been processed.	
AUG. 1, 2022	DISTRIBUTION OF PROPOSED CONSTITUTIONAL AMENDMENTS AND STATEWIDE BALLOT MEASURES – (on or before the 1 st Monday in August)	293.253(2)	NOV. 22, 2022	ELECTION CONTENT FOR LOCAL CANDIDATES IF NO RECOUNT DEMANDED – (no later than 14 days after the election)	293.413(2)
AUG. 10, 2022	On or before this date, the Secretary of State shall provide to the County Clerk/Registrar of Voters copies of any proposed constitutional amendment or statewide measure which will appear on the General Election ballot.			For contests involving officers other than for Governor, Lt. Governor, Legislator, Justice of the Supreme Court or Judge of the Court of Appeals, the last day to file a statement of contest with the Secretary of State, if no recount is demanded.	
AUG. 10, 2022	PLAN FOR THE SECURITY OF BALLOTS FOR EARLY VOTING – (not later than 90 days before the General Election)	293.359(1)	NOV. 22, 2022	ELECTION CONTENT FOR STATEWIDE CANDIDATES IF NO RECOUNT DEMANDED – (no later than 14 days after the election)	293.413(2) 293.425(1)
AUG. 10, 2022	No later than 90 days before the election, a plan for the security of ballots for early voting for the General Election must be submitted to the Secretary of State for approval.			For contests involving officers for Governor, Lt. Governor, Legislator, Justice of the Supreme Court or Judge of the Court of Appeals, the last day to file a statement of contest with the Secretary of State if no recount is demanded.	
AUG. 10, 2022	PLAN FOR DISPOSITION OF MAIL BALLOTS IN CASE OF EMERGENCY – (not later than 90 days before election)	NAC 293.318	NOV. 22, 2022 (after the official canvass)	MEMBERS OF SUPREME COURT TO CANVASS VOTERS – (the 4 th Tuesday in November)	293.395(2)
AUG. 10, 2022	A plan shall be submitted to the Secretary of State setting forth the procedures for the disposition of mail ballots in case of emergency.			On this date, the Justices of the Supreme Court, or a majority thereof, shall meet with the Secretary of State to canvass the vote.	
AUG. 10, 2022	PLAN FOR SUBMITTING ELECTION RESULTS AND OPENING AND CLOSING OF POLLS – (not later than 90 days before election)	NAC 293.217(a)(4)	NOV. 23, 2022	GOVERNOR'S PROCLAMATION	293.395(3)
AUG. 10, 2022	A County Clerk/Registrar of Voters shall submit a plan to the Secretary of State setting for approval the procedures that will be used to submit election results on Election Day and the opening and closing of polls on Election Day.			The Governor shall issue certificates of election and shall issue proclamations declaring election of candidates.	
AUG. 10, 2022	PROGRAM OR ACTIVITY CONDUCTED FOR THE PURPOSE OF REMOVING A NAME FROM THE REGISTER – (not later than 90 days before the General Election)	293.303(4)	NOV. 23, 2022	INITIATIVE PETITION TO PROPOSE A NEW STATUTE OR AMEND AN EXISTING ONE – (not later than the 15 th day after the General Election)	295.056(2)
AUG. 12, 2022	Any program or activity conducted within the county for the purpose of removing the name of a person who is ineligible to vote must be complete before this date.			Last date to submit a statutory initiative petition to the County Clerk/Registrar of Voters for verification of signatures.	
AUG. 12, 2022	PROCESS REPORT - PRIMARY ELECTION – (not more than 60 days after each primary and general election)	293.4095	NOV. 25, 2022	DEMAND FOR RECOUNTS – (within 3 working days after the canvass for the General Election)	293.403
AUG. 12, 2022	County Clerk/Registrar of Voters shall submit the information regarding the Primary Election to the Secretary of State on the prescribed form.			The last day demand for recount for the General Election can be made. Please see NRS 293.400 through 293.435 for dates and filing deadlines.	
AUG. 12, 2022	MAIL BALLOT REPORTING – (not later than 60 days after an election)	NAC 293.319	NOV. 29, 2022	COUNTY CLERK/REGISTRAR OF VOTERS TO NOTIFY CHALLENGE RESULTS – (not later than 21 calendar days after each election)	293.3035
AUG. 12, 2022	After each election, a County Clerk/Registrar of Voters shall report the number of mail ballots sent, returned, and counted, that were transmitted electronically.			No later than this date, County Clerk/Registrar of Voters shall mail a notice to each person who is listed as the person who initiated the challenge on the General Election challenge list. The notice must include the name of the person challenged, if known, and the result of the challenge.	293.304
AUG. 12, 2022	MINOR POLITICAL PARTY NOTICE OF CONTINUED EXISTENCE – (the 2 nd Friday in August)	293.171(5)	DEC. 1, 2022	SUBMIT LIST OF PUBLIC OFFICERS REQUIRED TO FILE A FINANCIAL DISCLOSURE STATEMENT – (on or before December 1 st of each year)	281.574
AUG. 15, 2022	Last day a Minor Political Party notice of continued existence shall not appear on the ballot for the General Election must file a notice of continued existence with the Secretary of State.			A list of each public officer who is required to file a Financial Disclosure Statement must be submitted electronically to the Secretary of State by each County Clerk/Registrar of Voters, City Clerk, the Director of the Legislative Counsel Bureau and the Director of the Department of Administration.	
AUG. 15, 2022	CANDIDATES DEFEATED IN PRIMARY MUST DISPOSE OF UNSPENT CONTRIBUTIONS – (not later than the 15 th day of the 2 nd month after candidate's defeat)	294A.160(4)	DEC. 8, 2022	CAMPAIGN SIGNS – (within 30 days after the general election)	410.400
SEPT. 9, 2022	Every candidate defeated at the Primary Election for a state, district, county, city or township office shall dispose of unspent contributions by means authorized in NRS 294A.160.			Last day after the general election for campaign signs to be removed or taken down.	
SEPT. 9, 2022	OFF-CURT FORM FOR MAIL BALLOTS – (received not later than 60 days before the election)	AB 321 Ser. 3(2)	DEC. 15, 2022	FILE AMENDED STATEMENTS OF CONTENT – (on or before Dec. 15 of the year immediately preceding a regular legislative session)	293.425
SEPT. 23, 2022	Last day for clerks to receive a request from a voter to indicate that he/she elects not to receive a mail ballot.			For an election contest involving the office of Legislator, the contestant may file an amended statement of contest and any relevant documents, ballots, and other documents relating to the contest with the Secretary of State.	
SEPT. 23, 2022	PREPARE AND DISTRIBUTE MAIL BALLOTS FOR RESIDENTS OUTSIDE THE STATE – (not later than 45 days before General Election)	293.3092(b) 293.030	JAN. 6, 2023	FOOTNOTES REPORT - GENERAL ELECTIONS – (not more than 60 days after each primary and general election)	293.4095
SEPT. 29, 2022	County Clerk/Registrar of Voters to transmit military-overseas ballots to covered voters who are registered and have requested a ballot by this date.			County Clerk/Registrar of Voters shall submit the information regarding the General Election to the Secretary of State on the prescribed form.	
SEPT. 29, 2022	PREPARE AND DISTRIBUTE MAIL BALLOTS FOR RESIDENTS OUTSIDE THE STATE – (not later than 40 days before the General Election)	AB 321 Ser. 3(5)	JAN. 6, 2023	MAIL BALLOT REPORTING – (not later than 60 days after an election)	NAC 293.319
OCT. 1, 2022 through NOV. 7, 2022 (Recommended)	County Clerk/Registrar of Voters shall prepare and distribute mail ballots to residents who reside outside the state no later than this date.			After each election, a County Clerk/Registrar of Voters shall report the number of mail ballots sent, returned, and counted, that were transmitted electronically.	
OCT. 3, 2022 through OCT. 17, 2022	CONDUCT SCHOOL OF ELECTION	293.227(3) 293B.340 293B.265	JAN. 7, 2023	UNLAWFUL TO SOLICIT OR ACCEPT CONTRIBUTIONS OR COMMITMENTS - CERTAIN OFFICERS – (30 days before a regular session of the Legislature)	294A.300
	The County Clerk/Registrar of Voters shall conduct or cause to be conducted a school for members of an election board and designate one such member as chair. Within a reasonable time before each election, the Clerk/Registrar of Voters shall instruct the election board in the use of the mechanical voting system and in their duties in connection therewith.			Members of the Legislature, the Lieutenant Governor, the Lieutenant Governor-elect, the Governor or the Governor-elect are prohibited from soliciting or accepting any monetary contribution or soliciting or accepting a commitment to make such a contribution for any political purpose, during the period beginning 30 days before a regular session of the Legislature and ending 30 days after final adjournment.	
OCT. 3, 2022 through OCT. 17, 2022	PUBLISH CONSTITUTIONAL AMENDMENTS AND STATEWIDE MEASURES – (on or before the 1 st Monday in October and 2 additional times at intervals of no less than 7 days)	293.253(3)(5)	JAN. 15, 2023	FILING OF CONTRIBUTIONS & EXPENSES REPORT #4 – (for the period beginning Oct. 1 and ending on Dec. 31)	294A.120 294A.128 294A.140 294A.200 294A.210
OCT. 7, 2022 (Recommended)	The County Clerk/Registrar of Voters shall cause to be published for the first time, second time and third time in a newspaper of general circulation, the full text, condensation, explanation, arguments, rebuttals, and fiscal notes of any constitutional amendment or measure. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in the State.			Last day for all nonfederal office candidates, and, as required, any persons making independent expenditures, political action committees, political action committees advocating the passage or defeat of a ballot question, political parties, and committees sponsored by political parties, to file the fourth report of campaign contributions and or expenditures with the Secretary of State.	
OCT. 7, 2022 (Recommended)	APPOINTMENT OF ELECTION BOARD OFFICERS FOR THE GENERAL ELECTION	293.217 through 293.243	JAN. 15, 2023	FILING ANNUAL CONTRIBUTIONS & EXPENSES REPORT - GROUPS – (not later than January 15 th of each year)	294A.140 294A.150 294A.210 281.559 281.561(3)
OCT. 7, 2022 (Recommended)	Last day for County Clerk/Registrar of Voters to have concluded or delegated appointment of election board officers and to send notification to election board officers of their appointments.			Last day for any persons, as required, making independent expenditures, Committees for Political Action (PACs), PACs advocating passage or defeat of a ballot question, political parties, and committees sponsored by political parties, which have received in excess of \$1,000 in contributions to file with the Secretary of State.	
OCT. 7, 2022 (Recommended)	DISTRIBUTE SAMPLE BALLOT FOR GENERAL ELECTION – (before early voting) (mail notice of change of location of polling place 10 days prior)	293.565 NAC 293.130	JAN. 15, 2023	FILING ANNUAL FINANCIAL DISCLOSURE STATEMENTS – (on or before January 15 th of each year of the term)	
OCT. 7, 2022 through OCT. 21, 2022	Before the period for early voting, the County Clerk/Registrar of Voters shall distribute by mail or provide electronically to each registered voter a sample ballot for his or her precinct with a notice of the polling place location. County Clerk/Registrar of Voters shall also mail or provide electronically a copy of each such sample ballot to each candidate who has filed a Declaration of Candidacy, a copy of at least five sample ballots and provide an electronic copy of each sample ballot to the Secretary of State. If the location of the polling place has changed since the last election, the County Clerk/Registrar of Voters shall mail a notice of the change to each registered voter not sooner than 10 days before forwarding the sample ballots.			Last day for every elected public officer (excluding conservation district supervisors elected pursuant to NRS 548.285) and every appointed public officer who is entitled to receive \$6,000 or more annually, to file a Financial Disclosure Statement with the Secretary of State.	
OCT. 7, 2022 through OCT. 21, 2022	VOTING SYSTEM PRE-LAT TEST REQUIRED BEFORE EARLY VOTING – (not earlier than 2 weeks before and not later than 5 p.m. on the day before the 1 st day of early voting)	293B.150	JAN. 15, 2023	FILING ANNUAL PAC REGISTRATION – (on or before January 15 th of each year)	
OCT. 10, 2022 through OCT. 14, 2022	Period during which the County Clerk/Registrar of Voters must conduct the required Pre-LAT test for mechanical recording device or automatic tabulating equipment and program.			Last day a PAC may file with the Secretary of State its annual registration if the PAC intends to continue activity in this State; annual registration form must be filed regardless of whether there is a change in the information previously provided to the Secretary of State.	
OCT. 11, 2022	WRITTEN CHALLENGES MAY BE FILED FOR THE GENERAL ELECTION – (after the 30 th day but not later than the 25 th day prior to the General Election)	293.547(1)	JAN. 15, 2023	CANDIDATES DEFEATED IN GENERAL MUST DISPOSE OF UNSPENT CONTRIBUTIONS – (not later than the 15 th day of the 2 nd month after the candidate's defeat)	294A.160
OCT. 11, 2022	Period in which voter registrations may be challenged in writing by filing with the County Clerk/Registrar of Voters.			Every candidate defeated at the General Election for a state, district, county, city or township office, shall dispose of unspent contributions by means authorized in NRS 294A.160.	
OCT. 11, 2022	CLOSE OF VOTER REGISTRATION BY MAIL – (4 th Tuesday preceding the primary or general election)	293.560(1)(a)(1)	FEB. 6, 2023	FILING CONTRIBUTIONS IN EXCESS OF \$10,000 – (to be reported as part of Annual Filing on or before January 15 th of the year immediately after the year for which the report is made)	294A.125
OCT. 11, 2022	Last day a person may register to vote by mail. (Must be postmarked by this date.)			Each candidate who receives contributions in excess of \$10,000 shall list each of the contributions he receives and expenditures made in that year and each year thereafter until the year of the General Election in which the candidate intends to seek election to public office is held.	
OCT. 11, 2022	CLOSE OF VOTER REGISTRATION BY PERSONAL APPEARANCE – (the 4 th Tuesday preceding the primary or general election)	293.560(1)(a)(2)	FEB. 6, 2023	LAST DAY JUDICIAL CANDIDATE IN A CONTESTED ELECTION MAY SOLICIT PUBLIC SUPPORT AND CONTRIBUTIONS – (not later than 90 days after the last election)	Code of Judicial Conduct Canon 4.2
OCT. 11, 2022 through NOV. 8, 2022	Last day a person may register to vote by appearing in person at the office of the County Clerk/Registrar of Voters.			Last day a judicial candidate or a judicial candidate's committee may solicit public support and campaign contributions.	
OCT. 11, 2022 through NOV. 8, 2022	PUBLICATION OF CLOSING DATE OF REGISTRATION FOR GENERAL ELECTION – (once each week for 4 consecutive weeks before close of registration)	293.560(3)(b) AB 321 Ser. 42.5	FEB. 6, 2023	SECRETARY OF STATE TO TRANSMIT PETITIONS TO THE LEGISLATURE – (as soon as the Legislature convenes)	Nevada Constitution Art. 19, Sec. 2 (2)
OCT. 11, 2022 through NOV. 8, 2022	County Clerk/Registrar of Voters shall cause "Notice of Close of Registration" to be published once each week for 4 consecutive weeks in a newspaper having general circulation in the county before the close of registration for the General Election. If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in the State.			The Secretary of State shall transmit an initiative petition that proposes a statute or an amendment to a statute to the Legislature as soon as the Legislature convenes and organizes.	
OCT. 11, 2022 through NOV. 8, 2022	FORWARD VOTER REGISTRATION APPLICATIONS DAILY – (during the 2 weeks preceding the 4 th Tuesday preceding the General Election)	293.904(4) AB 321 Ser. 42.5			
OCT. 15, 2022 through NOV. 4, 2022	Voter registration applications accepted by voter registration agencies must be transmitted to the appropriate County Clerk/Registrar of Voters on a daily basis during this time.				
OCT. 15, 2022 through NOV. 4, 2022	PUBLISH NOTICE OF EARLY VOTING FOR THE GENERAL ELECTION – (during the week before and at least once a week during early voting)	293.3876			
	The County Clerk shall publish the location, dates and hours of early voting during the week before and at least once a week during the period of early voting.				

1

EXHIBIT 4

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

EXHIBIT 4

26

V4. 326



William Mantle <mantleformayor@gmail.com>

Jenny Brekhus Election Integrity Violation - Unqualified Elector

SOS Elections Division <nvelect@sos.nv.gov>

Mon, Apr 4, 2022 at 2:18 PM

To: "mantleformayor@gmail.com" <mantleformayor@gmail.com>

Cc: Heather Hardy <hardyh@sos.nv.gov>

Good afternoon.

The Secretary of State's Office originally received your email regarding Jenny Brekhus on March 17, 2022.

Please see below dates of when email was transferred internally.

Thank you,

Christa Williams

Elections Division

Office of Secretary of State Barbara K. Cegavske

101 North Carson Street, Suite 3

Carson City, Nevada 89701

775-684-5705

cwilliams@sos.nv.gov

From: SOS Elections Division <nvelect@sos.nv.gov>

Sent: Friday, March 18, 2022 8:22 AM

To: Mark Wlaschin <mwaschin@sos.nv.gov>; Jennifer Russell <jarussell@sos.nv.gov>; Sandra A. Edwards <SEdwards@sos.nv.gov>; Scott Anderson <scotta@sos.nv.gov>

Cc: Heather Hardy <hardyh@sos.nv.gov>; Christa Williams <cwilliams@sos.nv.gov>

Subject: FW: Jenny Brekhus Election Integrity Violation - Unqualified Elector

Forwarded from nvelect email.

Thank you,

Kristen Rhynes

Program Officer I – Elections Division

Office of Nevada Secretary of State Barbara K. Cegavske

V4. 326

V4. 327

101 North Carson Street, Suite 3

Carson City, Nevada 89701

Office: 775-684-7125

Fax: 775-684-5718

rhynes@sos.nv.gov

From: William Mantle <mantleformayor@gmail.com>

Sent: Thursday, March 17, 2022 11:43 PM

To: SOS Elections Division <nvelect@sos.nv.gov>


Subject: Jenny Brekhus Election Integrity Violation - Unqualified Elector

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

[Quoted text hidden]

2 attachments

 **BrekhusElectionIntegrityViolationComplaint_WPM.pdf**
548K

 **Lorton V. Jones Ruling.pdf**
5785K

V4. 327



STATE OF NEVADA

SECRETARY OF STATE
BARBARA K. CEGAVSKE

101 N. Carson St.
Carson City, NV 89701

Phone: 775-684-5705
Fax: 775-684-5718

nvelect@sos.nv.gov

www.nvsos.gov

For official use only:

Received by: _____

Date Received: _____

Complaint
Type: _____

[Stamp here]

ELECTION INTEGRITY VIOLATION REPORT

The information you report on this form may be used to help us investigate violations of Nevada election laws. When completed, mail, email, or fax your form and supporting documents to the office listed above. Upon receipt, your complaint will be reviewed by a member of our staff. The length of this process can vary depending on the circumstances and information you provide with your complaint. The Office of the Secretary of State may contact you if additional information is needed.

INSTRUCTIONS: Please TYPE/PRINT your complaint in dark ink. You must write LEGIBLY. All fields MUST be completed.

SECTION 1.

COMPLAINANT INFORMATION

Salutation: ☒ Mr. ☐ Mrs. ☐ Ms. ☐ Miss

Your Name: Mantle William P
Last First MI

Your Organization, if any: _____

Your Address: 2040 Angel Ridge Dr. Reno NV 89521
Address City State Zip

Your Phone Number : (775) 842-9394
Home Cell Work Fax

Email: mantleformayor@gmail.com Call me between 8am-5pm at: ☐ Home ☒ Cell ☐ Work

SECTION 2.

TYPE OF COMPLAINT

- | | |
|---|---|
| <input type="checkbox"/> Campaign Practices | <input type="checkbox"/> Voter Fraud |
| <input type="checkbox"/> Contributions / Expenses | <input type="checkbox"/> Initiative / Referendum Petition |
| <input type="checkbox"/> Voter Registration | <input type="checkbox"/> Financial Disclosure Statement |
| <input checked="" type="checkbox"/> Other | |

Qualified Elector Violation

SECTION 3.**COMPLAINT IS AGAINST**

Please detail the nature of your complaint. Include the name and contact information (if known) of the individual, candidate, campaign, or group that is the subject of your complaint. Your complaint must also include a clear and concise statement of facts sufficient to establish that the alleged violation occurred. Any relevant documents or other evidence that support your complaint should be listed and attached. You may attach additional sheets if necessary.

Jenny Brekhus is an Unqualified Elector per Nevada Constitution, Article 15, S3(2). This is Brekhus' 10th year in office for the Reno City Council. She was most recently elected to a term of 4 years in 2020. Brekhus' current term takes her to 2024, the 12 years statutory limit as stated in the NV constitution A15, S3(2), "No person may be elected to any state office or local governing body who has served in that office, or at the expiration of his current term if he is so serving will have served, 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in this constitution." I am unaware of any exception in NRS, the NV constitution, or the Reno City Charter.

Per Lorton V. Jones <<https://law.justia.com/cases/nevada/supreme-court/2014/64194.html>>, the position of Reno City Mayor is as a member of the city's "local governing body". Brekhus' attempted election to that body would be indifferent to an attempt to be elected to any other position on the body and thus runs afoul of term limits.

Conclusion: Jenny Brekhus is limited by her current term's expiration of 12 years and thus is ineligible for election as an unqualified elector per Nevada Constitution, Article 15, S3(2).

Jenny Brekhus
<https://jennybrekhus.com/>
jennybrekhus@gmail.com
 (775) 544-1694
 Or
brekhusj@reno.gov
 775-334-2011

Attached: Lorton V. Jones ruling

SECTION 4.

Sign and date this form. The Secretary of State's Office cannot process any unsigned, incomplete, or illegible complaints. In order to resolve your complaint, we may send a copy of this form to the person or group about whom you are complaining.

I am filing this complaint to notify the Office of the Secretary of State of the activities of a particular candidate, campaign, individual or group. I understand that the information contained in this complaint may be used to establish violations of Nevada law in both private and public enforcement actions. I authorize the Office of the Secretary of State to send my complaint and supporting documents to the individual or group identified in this complaint.

By signing my name below, I certify under penalty of perjury that the information provided in this complaint is true and correct to the best of my knowledge.



Signature

William Mantle

Print Name

3/17/22

Date (mm/dd/yyyy)

130 Nev., Advance Opinion 8

IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE "EDDIE" LORTON,
Petitioner,

vs.

LYNNETTE JONES, IN HER OFFICIAL
CAPACITY AS RENO CITY CLERK;
AND DAN BURK, IN HIS OFFICIAL
CAPACITY AS THE WASHOE COUNTY
REGISTRAR AND CHIEF ELECTIONS
OFFICER OF WASHOE COUNTY,

Respondents,
and

JESSICA SFERRAZZA AND DWIGHT
DORTCH, IN THEIR CAPACITIES AS
CANDIDATES FOR CERTAIN
OFFICES,

Real Parties in Interest.

No. 64194

FILED

FEB 20 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Original petition for a writ of mandamus or prohibition
challenging the eligibility of real parties in interest to run in the 2014
Reno, Nevada, mayoral election.

Petition granted.

Hardy Law Group and Stephanie R. Rice, Reno,
for Petitioner.

John J. Kadlic, City Attorney, and Tracy L. Chase, Chief Deputy City
Attorney, Reno,
for Respondent Lynette Jones.

Richard A. Gammick, District Attorney, and Herbert B. Kaplan, Deputy
District Attorney, Washoe County,
for Respondent Dan Burk.

Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP, and Bradley S. Schrager
and Daniel Bravo, Las Vegas,
for Real Party in Interest Jessica Sferrazza.

Gordon Silver and John P. Desmond, Brett J. Scolari, and Anjali D.
Webster, Reno,
for Real Party in Interest Dwight Dortch.

BEFORE THE COURT EN BANC.

OPINION

By the Court, HARDESTY, J.:

Article 15, Section 3(2) of the Nevada Constitution prohibits an individual from being “elected to any state office or local governing body [if he or she] has served in that office, or at the expiration of his [or her] current term [he or she] will have served, 12 years or more.” The parties do not dispute that the “local governing body” of the City of Reno, Nevada, is the city council, which is made up of six council members and the mayor of Reno. The issue we must decide is whether an individual who has served for 12 years or more as a council member is thereafter prohibited, by the limitations imposed under Article 15, Section 3(2), from running for mayor of Reno. Because the Reno City Charter makes the mayor a member of the city’s “local governing body” for all purposes, we conclude that Article 15, Section 3(2) bars a term-limited council member from thereafter being elected mayor of Reno. We therefore grant the petition for a writ of mandamus.

BACKGROUND

The City of Reno is a municipal corporation, organized and existing under the laws of the State of Nevada through a charter approved by the Legislature. Under the Reno City Charter, the legislative power of the city is vested in the city council, which consists of six city council members and the mayor. Reno City Charter, Art. II, § 2.010(1). The mayor and one of the city council members represent the city at large, while the remaining city council members each represent one of Reno's five wards. *See id.* § 2.010(3).

In this matter, real party in interest Jessica Sferrazza served on the Reno city council as the representative for Ward 3 for 12 years, ending in 2012. Real party in interest Dwight Dortch is currently serving on the Reno city council as the representative for Ward 4. When his term ends in 2014, he will also have served on the city council for 12 years. Both Sferrazza and Dortch have publicly expressed an intention to run for mayor of Reno in the 2014 election.

Petitioner George "Eddie" Lorton, a citizen of Reno who also intends to run for mayor, filed this writ petition seeking extraordinary relief preventing respondents Reno City Clerk Lynette Jones and Washoe County Registrar and Chief Elections Officer Dan Burk from taking the steps necessary to include either Sferrazza or Dortch on the 2014 ballot for the mayoral race. Lorton asserts that both Sferrazza and Dortch are ineligible to run for mayor under Article 15, Section 3(2) of the Nevada Constitution by virtue of their 12 years of service as city council members.

DISCUSSION

Article 15, Section 3(2) of the Nevada Constitution provides, in full, that

[n]o person may be elected to any state office or local governing body who has served in that office, or at the expiration of his [or her] current term if he [or she] is so serving will have served, 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in this Constitution.

It is undisputed that, under this provision, an individual may not serve in the same state office or position on a local governing body for more than 12 years. *See Miller v. Burk*, 124 Nev. 579, 599, 188 P.3d 1112, 1125 (2008). The question here is, when a local governing body includes multiple positions, such as when a city council is made up of both city council members and the city's mayor, does Article 15, Section 3(2) also prevent an individual who has served for 12 years in one position on that local governing body from then serving additional terms in a different position on the same body?¹

Before reaching that question, however, we must first determine whether a writ proceeding is an appropriate avenue for obtaining the relief that petitioner seeks.

Writ relief

It is well established that writ relief is generally not available when the petitioner has a plain, speedy, and adequate remedy at law. *See* NRS 34.170; NRS 34.330; *Int'l Game Tech., Inc. v. Second Judicial Dist.*

¹This court invited the Nevada League of Cities and Municipalities to participate in this original proceeding as amicus curiae, but the League of Cities declined our invitation.

Court, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). But even when a legal remedy is available, this court may exercise its discretion to consider a writ petition when the petition presents a legal issue of statewide importance that needs clarification, and principles of judicial economy and public policy weigh in favor of considering the petition. *See Salaiscooper v. Eighth Judicial Dist. Court*, 117 Nev. 892, 901-02, 34 P.3d 509, 515-16 (2001) (indicating that, even when a legal remedy is available, this court may exercise its discretion to consider a writ petition that presents an issue of statewide importance when principles of sound judicial economy weigh in favor of consideration of the petition); *see also Walker v. Eighth Judicial Dist. Court*, 120 Nev. 815, 819, 101 P.3d 787, 790 (2004) (recognizing that this court may consider a writ petition when “an important issue of law needs clarification and public policy is served by this court’s invocation of its original jurisdiction” (internal quotation marks omitted)).

In city elections, NRS 293C.186 allows a citizen to assert a challenge to a declared candidate on the ground that the candidate does not meet one of the qualifications for office, such as an age or residency requirement. NRS 293C.186(1). Here, Lorton contends that this statutory scheme is insufficient to allow a constitutional challenge to a declared candidate to be timely resolved and argues that Sferrazza and Dortch do not meet the constitutional requirements for the office of mayor because they have each served the maximum permissible number of years on the Reno city council.² Unlike a fact-based challenge to a candidate’s age or

²Dortch, in his answer, agrees with Lorton that this issue should be addressed by way of this writ petition. Sferrazza does not address the propriety of writ relief in her answer.

residency, the facts in this matter are not in dispute, as there is no question that Sferrazza and Dortch will each have served for 12 years as council members. Instead, this petition presents a purely legal question of constitutional interpretation with regard to whether years of service as a council member counts against the number of years that a council member could serve as mayor.

Beyond determining whether Sferrazza and Dortch are eligible for the position of Reno mayor, resolution of this petition will also help define the parameters of Article 15, Section 3(2), so that future potential candidates and challengers will be able to understand the provision's effect and the district courts will be able to apply an established interpretation of the provision to any factual disputes that may arise with regard to a specific candidate's eligibility, not only in Reno, but in any city where the government is structured such that the mayor is a member of the city council. *See, e.g.,* Henderson City Charter, Art. II, § 2.010(1) (providing that the Henderson city council is made up of four council members and the mayor); Las Vegas City Charter, Art. II, § 2.010(1) (providing that the Las Vegas city council is made up of one council member from each of six wards and the mayor); North Las Vegas City Charter, Art. II, § 2.010(1) (providing that the North Las Vegas city council is made up of four council members and the mayor).

We conclude that this petition presents an issue of statewide importance for which judicial economy and public policy warrant consideration of the writ.³ *See Walker*, 120 Nev. at 819, 101 P.3d at 790;

³As we conclude that the nature of the issue presented warrants consideration by way of this writ petition, we need not address Lorton's
continued on next page...

Salaiscooper, 117 Nev. at 901-02, 34 P.3d at 515-16; see also *Child v. Lomax*, 124 Nev. 600, 605-06, 188 P.3d 1103, 1107 (2008) (recognizing that a writ petition relating to the term-limits provisions applicable to members of the Nevada State Assembly presented a question of statewide significance). Additionally, as the issue presented by this petition concerns whether, as a matter of law, respondents are required to exclude Sferrazza and Dortch from the 2014 ballot materials and does not involve any question regarding the exercise of judicial functions, we conclude that mandamus, rather than prohibition, is the appropriate vehicle for seeking the relief requested by Lorton. Compare NRS 34.160 (providing that a writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station), with NRS 34.320 (explaining that the purpose of a writ of prohibition is to arrest “the proceedings of any tribunal . . . when such proceedings are without or in excess of the jurisdiction of such tribunal”). Having determined that this writ petition is appropriate for review, we now turn to the substantive issue presented by the petition.

Standard of review

This court has not previously addressed the specific parameters of Article 15, Section 3(2) with regard to the members of a local governing body.⁴ In the absence of any precedential authority, we

...continued

argument that the statutory scheme for challenging candidates provides an insufficient amount of time for resolution of this matter.

⁴The parties do not dispute that the Reno city council is a local governing body within the meaning of Article 15, Section 3(2), or that the mayor, as a member of the city council, is generally subject to the limitations imposed by that provision. Consequently, we do not address
continued on next page...

must interpret the language of Article 15, Section 3(2) in order to determine whether that provision precludes a term-limited city council member from running for mayor.

“The rules of statutory construction apply to the interpretation of a constitutional provision.” *We the People Nev. ex rel. Angle v. Miller*, 124 Nev. 874, 881, 192 P.3d 1166, 1170 (2008). If a provision is clear and unambiguous, this court will not look beyond the language of the provision, *Miller*, 124 Nev. at 590, 188 P.3d at 1119-20, but will instead apply its plain meaning. *Kay v. Nunez*, 122 Nev. 1100, 1104, 146 P.3d 801, 804-05 (2006). A constitutional provision is ambiguous if “it is susceptible to two or more reasonable but inconsistent interpretations.” *Miller*, 124 Nev. at 590, 188 P.3d at 1120 (internal quotation marks omitted). If a provision is ambiguous, this court “may look to the provision’s history, public policy, and reason to determine what the voters intended.” *Id.*

Article 15, Section 3(2)

Article 15, Section 3(2) states that “[n]o person may be elected to any state office or local governing body who has served in *that office*” for 12 years or more. Nev. Const. art. 15, § 3(2) (emphasis added). In this context, the word “*that*” is used to modify the general term “*office*” in order to refer to a particular office. William A. Sabin, *The Gregg Reference Manual* ¶ 308 (Elizabeth Haefele et al. eds., 11th ed. 2011). Specifically, “*that office*” appears to refer to both the term “state office” and the phrase

...continued

these issues in this opinion. See *In re Contested Election of Mallory*, 128 Nev. ___, ___ n.4, 282 P.3d 739, 742 n.4 (2012) (declining to consider whether a district attorney was subject to term limits based on the “local governing body” portion of Article 15, Section 3(2) because the parties had not raised arguments related to that portion of the term-limits provision).

“local governing body.” See Nev. Const. art. 15, § 3(2). Put differently, the sentence may properly be read as saying that “[n]o person may be elected to any state office . . . who has served in that office” for 12 years or more, and that “[n]o person may be elected to any . . . local governing body who has served in that office” for 12 years or more. See *id.*

As to a state office, the effect of Article 15, Section 3(2) is clear insofar as the word “office” is used in both parts of the phrase. See *id.* So if a person has served in a particular state office for 12 years or more, that person may not serve any additional terms in that specific state office. See *id.*; see also *Miller*, 124 Nev. at 599, 188 P.3d at 1125. The effect of the portion of the provision referring to a “local governing body” is less clear because the words “office” and “local governing body” have different meanings, as an “office” is “[a] position of duty, trust, or authority, esp[ecially] one conferred by a governmental authority for a public purpose,” *Black’s Law Dictionary* 1190 (9th ed. 2009), while a “governing body” refers to “[a] group of . . . officers or persons having ultimate control.” *Id.* at 764.

Lorton’s interpretation

In his petition, Lorton argues that Article 15, Section 3(2) precludes an individual from serving for more than 12 years in any position or combination of positions on a single local governing body. Thus, he contends that because Sferrazza and Dortch will have served for 12 years on the Reno city council, as council members representing their respective wards, they cannot now serve additional terms on the council as mayor. Lorton asserts that this interpretation of Article 15, Section 3(2) is consistent with the purposes of the limitations provision—preventing individuals from becoming career politicians and restricting the power of lobbyists and special interest groups—because it prevents a person from

being elected to different positions within the same local governing body after he or she has served the maximum number of years.

The interpretation of the “local governing body” portion of the provision set forth by Lorton seems to require the phrase “that office” to be read as meaning the entire “local governing body,” such that the provision would be understood to mean that “[n]o person may be elected to any . . . local governing body who has served [on] that [local governing body]” for 12 years or more. *See Nev. Const. art. 15, § 3(2)*. Under this interpretation, when an individual has been a member of a local governing body for 12 years or more, that individual would no longer be eligible for election to that body in any capacity. *See id.*

The problem with this approach, however, is that interpreting the phrase “that office” to refer to an entire governing body assigns a meaning to the term “office” that is somewhat different from its usual and customary meaning. *See State v. Stu’s Bail Bonds*, 115 Nev. 436, 439, 991 P.2d 469, 471 (1999) (explaining that this court should presume that words have “their usual and natural meaning”). In particular, as noted above, the term “office” generally refers to a single position, *Black’s Law Dictionary* 1190, whereas a “governing body” is made up of a group of people. *Id.* at 764.

A different way to consider Lorton’s approach would be to construe “that office” to refer to a particular office or position within a local governing body, but to separate “that office” from the antecedent “local governing body” language, and to then interpret “local governing body” itself to refer to the body as a whole. The effect of this view of Article 15, Section 3(2) would be that “[n]o person may be elected to any . . . local governing body who has served in [any] office [within that

local governing body]" for 12 years or more. But this approach is also problematic, as it would effectively require us to replace the phrase "that office" with "any office within that local governing body." Thus, taking either of these approaches, Lorton's interpretation does not fit squarely within the plain language of Article 15, Section 3(2).

Sferrazza's and Dortch's interpretation

In their answers to the petition, Sferrazza and Dortch each argue that Article 15, Section 3(2) only prevents an individual from serving in a particular "office" or "position" within a local governing body for more than 12 years.⁵ Sferrazza and Dortch contend that interpreting the constitution to mean that a person cannot serve for more than 12 years in distinct offices within a local governing body renders the phrase "in that office" meaningless within the provision. Sferrazza and Dortch therefore assert that because the Reno city council members and the Reno mayor serve in different capacities, one who has served for 12 years as a

⁵In his answer, Dortch points to this court's statement in *Miller*, 124 Nev. at 599, 188 P.3d at 1125, that "Article 15, Section 3(2) plainly states that if a person has served, or at the conclusion of his or her current term will have served, 12 years or more in an office *or a position on* a local governing body, that person may not be reelected to that office *or position*" (emphases added), for the proposition that this court has already determined that the term limits apply only to individual positions within a local governing body. In *Miller*, however, this court did not specifically address the scope of the limitations provision with regard to whether the same limits apply to different positions within a single local governing body. Instead, the language cited by Dortch was contained in a general statement that term limits apply to state offices and local governing bodies. Moreover, the words "position on" were added before "a local governing body" without any express discussion as to the impact of that addition. As a result, we conclude that the language cited from *Miller* is not determinative of this writ petition.

city council member is not precluded from serving additional terms as mayor. Such an interpretation would cause Article 15, Section 3(2) to be understood to mean that “[n]o person may be elected to any . . . [office within a] local governing body who has served in that office” for 12 years or more.

This approach interprets “that office” to refer to a single, specific office, rather than to a group of offices. Nevertheless, as Article 15, Section 3(2) refers to a “local governing body,” and not to an “office” on a local governing body, taking this approach would require us to read words into Article 15, Section 3(2) that are not expressly there. *See State Indus. Ins. Sys. v. Bokelman*, 113 Nev. 1116, 1122, 946 P.2d 179, 183 (1997) (providing that this court should not add to or alter language in a provision “to accomplish a purpose not on the face of the [provision] or apparent from permissible extrinsic aids such as legislative history or committee reports” (internal quotation marks omitted)).

In short, neither reading of Article 15, Section 3(2) set forth by the parties appears to be plainly correct based on the specific language of that provision. Thus, because these inconsistent interpretations are both reasonable, we conclude that Article 15, Section 3(2) is ambiguous. *See Miller*, 124 Nev. at 590, 188 P.3d at 1120 (explaining that a constitutional provision is ambiguous if “it is susceptible to two or more reasonable but inconsistent interpretations” (internal quotation marks omitted)). As a result, we look to the history of Article 15, Section 3(2), public policy, and reason to determine the meaning of the provision. *See Miller*, 124 Nev. at 590, 188 P.3d at 1120.

Context within Article 15, Section 3(2)

Before looking outside the language of the provision, we note that, although the text is ambiguous, the drafters’ word choice may still

provide some indications as to the proper interpretation of the provision. On this point, it is significant that the drafters chose to use different terms in addressing how term limits apply in state and local elections by saying that a person may not be elected to a “state office or local governing body.” See Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 170 (2012) (“[W]here the document has used one term in one place, and a materially different term in another, the presumption is that the different term denotes a different idea.”). To illustrate, the drafters could have used “state governing body” and “local governing body” to indicate the bodies as a whole. Or they could have used “state office” and “local office” to refer to individual positions. Instead, they chose the distinct terms “state office” and “local governing body,” which indicates that, at the state level, the drafters intended to prevent election to a specific office, but at the local level, the intent was to preclude continuing service on the governing body generally.⁶ See *id.*

Purpose and public policy

Outside of the text, the purpose of the provision and public policy are relevant to our interpretation of Article 15, Section 3(2), and these considerations further support the conclusion that the limitations apply to the local governing body as a whole. Article 15, Section 3(2)’s

⁶We are cognizant that the ballot questions used the terms “local public officer” and “local governing body members” to describe to whom Article 15, Section 3(2) would apply. Nevada Ballot Questions 1994, 1996, Nevada Secretary of State, Question No. 9. While this language arguably weighs in favor of the conclusion that the provision was intended to apply to individual positions within a local governing body, when viewed on balance with the remaining considerations discussed in this opinion, this language is not sufficient to support a conclusion different than the one we reach herein.

limitations provision was enacted by the voters through the ballot initiative process following its approval at the 1994 and 1996 elections. When the question was presented to voters, the proponents stated that its purpose was to “stop career politicians” by preventing them from holding office for an excessive number of terms. Nevada Ballot Questions 1994, 1996, Nevada Secretary of State, Question No. 9. The objective of limiting career politicians in order to promote a government of citizen representatives has been recognized as a legitimate state interest validating the imposition of term limits. *See Nev. Judges Ass’n v. Lau*, 112 Nev. 51, 56, 910 P.2d 898, 901-02 (1996) (citing *Legislature of Cal. v. Eu*, 816 P.2d 1309, 1325 (Cal. 1991)).

With regard to city council members, prohibiting reelection to the “local governing body” as a whole is in line with this goal, given that a local governing body may be made up of members who represent different wards, and thus arguably hold different offices, but whose roles are essentially the same. *See Mason’s Manual of Legislative Procedure* § 52 (Nat’l Conference of State Legislatures 2010) (“In public bodies the equality of members is presumed.”); *id.* § 120 (“The rights and duties of members of a legislative body are derived from and founded upon the absolute equality of the members.”). In light of this structure, prohibiting a city council member who is term limited in one ward from being elected to what is essentially the same position in a different ward serves the purpose of preventing one person from holding the same political position for excessive years.

Sferrazza and Dortch argue that this purpose would not be undermined under their interpretation of Article 15, Section 3(2) because their interpretation would not allow a council member to serve for more

than 12 years by representing multiple wards. They say that this is so because the council members collectively serve in one office within the city council, while the mayor serves in a separate office on that body. Building on this foundation, Sferrazza's counsel asserted at oral argument that Article 15, Section 3(2) is "office based," in that it precludes reelection to the same office, as opposed to being "body based" and precluding reelection to the body as a whole. But as discussed above, Article 15, Section 3(2) does not say that a term-limited individual is precluded from reelection to "an office on a local governing body." Instead, it says that the person may not be reelected to the "local governing body."

In further evaluating the "office based" versus "body based" distinction, the term-limits provisions related to the Nevada Legislature provide helpful context. In particular, Article 4, Section 3(2) of the Nevada Constitution provides that "[n]o person may be elected or appointed as a member of the Assembly who has served in that Office . . . 12 years or more, *from any district of this State.*" (Emphasis added). Similarly, Article 4, Section 4(2) states that "[n]o person may be elected or appointed as a Senator who has served in that Office . . . 12 years or more, *from any district of this State.*" (Emphasis added). In these two provisions, "that office" refers to the office of "member of the Assembly" and the office of "Senator," respectively. In the absence of clarifying language, these provisions could have been interpreted to mean that a Senator representing a specific district could not serve for more than 12 years as the representative of that district. But the drafters included the phrase "from any district of this state" to preclude any question as to whether the provisions prevented reelection only to the specific seat or to the Assembly or Senate respectively. While Article 15,

Section 3(2) does not include the same language as Article 4, Section 3(2) and Article 4, Section 4(2), it does provide that the person may not be elected to the “local governing body,” again indicating an intent to preclude election to the body as a whole, which is consistent with the term-limit provisions governing elections to the Legislature.

Based on these considerations, we conclude that the drafters intended to preclude reelection to the local governing body as a whole when a member has served on that body for 12 years or more in any capacity.⁷ Thus, the question that remains is whether the mayor of Reno is sufficiently distinct from the city council to preclude application of Article 15, Section 3(2) to council members who may seek to run for mayor.

Article 15, Section 11 and the Reno City Charter

In construing constitutional provisions, we must read those provisions in harmony with each other whenever possible. *See Williams v. Clark Cnty. Dist. Attorney*, 118 Nev. 473, 485, 50 P.3d 536, 543 (2002) (recognizing this court’s obligation to construe statutory provisions in harmony with each other when possible). Under Article 15, Section 11 of the Nevada Constitution, the provisions of a legally adopted charter control with regard to “the tenure of office or the dismissal from office” of any municipal officer or employee. Reading that provision in conjunction with Article 15, Section 3(2), this court must give effect to any charter

⁷Although not binding authority, we note that our decision herein is consistent with that issued by the Legislative Counsel Bureau in its December 15, 2011, opinion. Letter from Brenda J. Erdoes, Legislative Counsel, to Senator Ben Kieckhefer (December 15, 2011) (discussing the limitations provision of Article 15, Section 3 of the Nevada Constitution).

provisions that shed light on the extent to which the mayor is part of the local governing body, and thus, is subject to Article 15, Section 3(2)'s limitations. As a result, we must look to the Reno City Charter in order to determine whether, in Reno, a council member who has served for 12 years or more is precluded from being elected as the mayor of Reno.

Notably, the Reno City Charter states that the city council is Reno's governing body. See Reno City Charter, Art. I, § 1.014. And the charter expressly provides that the mayor is a member of the city council, *id.*, Art. II, § 2.010(1); *id.*, Art. III, § 3.010(1)(a), which in turn means that the mayor is a member of the local governing body. See also *id.*, Art. I, § 1.014. We recognize that the mayor is identified in the charter as a separate elective officer from the other six council members, see *id.* § 1.060(1)(a) and (b), and that the mayor has additional duties that do not fall on the other council members. See, e.g., *id.*, Art. II, § 2.040(2) (explaining that the mayor is the only council member who may call special meetings of the city council); *id.*, Art. III, § 3.010(1)(a) and (d) (providing that the mayor determines the order of business for and presides over city council meetings); *id.* § 3.010(1)(f) (requiring the mayor to take measures to preserve the public peace and suppress riots and other public disturbances). But these additional responsibilities do not divest the mayor of his or her full and equal membership on the city council. See 4 Eugene McQuillin, *The Law of Municipal Corporations* § 13:29 (3d ed. Rev. 2011) (noting that when a city charter designates a mayor as a member of a city council, the mayor for all intents and purposes serves as a member of that governing body); see also *Harrison v. Campbell*, 254 S.W. 438, 439 (Ark. 1923); *Griffin v. Messenger*, 86 N.W. 219, 219 (Iowa 1901); *Dafoe v. Harshaw*, 26 N.W. 879, 880 (Mich. 1886).

Furthermore, a review of the charter demonstrates that the mayor's primary function relates to his or her service on the city council. *Compare* Reno City Charter, Art. III, § 3.010(1)(a) (providing that the mayor presides over city council meetings and serves as a member of the council), *with* Sparks City Charter, Art. III, § 3.010(1)(a) (explaining that the mayor presides over the meetings of the city council but may not vote on any matter). The mayor of Reno is not the chief executive and administrative officer, as that role is filled by the city manager, see Reno City Charter, Art. III, § 3.020(1), and the mayor has no administrative duties. *See id.*, Art. III, § 3.010(1)(b). The mayor is the head of the city government for ceremonial purposes only. *Compare* Reno City Charter, Art. III, § 3.010(1)(c) (recognizing the mayor as the head of the Reno government for ceremonial purposes), *with* Sparks City Charter, Art. III, § 3.010(1)(b) (requiring the mayor to act as the head of the Sparks government for all purposes). While the Reno City Charter may assign additional duties to the Reno mayor, none of those added duties change the equality of all of the members of the city council or provide a basis for the unequal application of the limitations provision to all members of the "local governing body."

Thus, based on the provisions of the Reno City Charter, we conclude that the Reno mayor is a member of the "local governing body," subject to the same limitations that apply to the other city council members. Accordingly, because Sferrazza and Dortch each will have served on the Reno city council for 12 years by the end of the current term, they are ineligible to be elected as Reno's mayor. *See* Nev. Const. art. 15, §

3(2). We therefore grant the petition and direct the clerk of this court to issue a writ of mandamus requiring respondents to exclude Sferrazza and Dortch from the ballot materials for the 2014 Reno mayoral election.⁸

Hardesty, J.
Hardesty

We concur:

Gibbons, C.J.
Gibbons

Douglas, J.
Douglas

Cherry, J.
Cherry

⁸In light of our decision herein, we deny Sferrazza's request for attorney fees pursuant to NRS 293C.186(6) without considering whether such a request may properly be presented in a writ petition.

PICKERING, J., concurring:

I join the majority but write separately to respond to the dissent, which focuses on dictionary definitions of “office” and “local governing body” but does not adequately consider the meaning these words have in the context of Article 15, Section 3 of the Nevada Constitution. *See United States v. Costello*, 666 F.3d 1040, 1044 (7th Cir. 2012) (Posner, J.) (“Dictionary definitions are acontextual, whereas the meaning of sentences depends critically on context, including all sorts of background understandings.”).

The Nevada Constitution relies on municipal charters to establish standards for the tenure and dismissal of municipal officers and employees. Nev. Const. art. 15, § 11. Here, the Reno City Charter vests all of “[t]he legislative power of the City . . . in a City Council consisting of six Council Members and a Mayor.” Reno City Charter, Art. II, § 2.010(1). To be mayor, a person must also be a member of the city council. *Id.*, Art. III, § 3.010(1)(a). The mayor has a legislative vote, equally with any other member of the city council. *Id.* § 3.010(1)(e). And the City Charter specifies that the mayor of Reno, unlike some other Nevada mayors, “[s]hall not have any administrative duties.” *Id.* § 3.010(1)(b).

The dissent argues that there is a difference between the mayor and other city council members and, to be sure, there is: The mayor has all the duties, powers, and prerogatives of a city council member *plus* acts as the City’s “ceremonial” leader, *id.* § 3.010(1)(c), and is charged with preserving public peace and “suppression of riots,” *id.* § 3.010(1)(f). But does this turn the mayor into a separate officer for purposes of exercising powers of governance ceded by Reno’s citizens to their city council? The


dissent argues that it does because a city council member who becomes a mayor takes on additional duties, making the mayor job a new office. What if the order of things was reversed and the person served first as mayor and then city council member? In that event, the mayor would continue doing the exact same legislative job, just minus his or her ceremonial and riot-suppression duties. Yet, as an equal holder of the substantive vote, the mayor→city council member could perpetuate his or her legislative policies for 24 years.

The dissent accepts that a person could not serve 72 years on the city council by moving from ward to ward and finally taking the at-large position. Why should this be different for someone who, judged by the power ceded to him or her, is a city council member with some ceremonial duties?

Whether we agree or disagree with the policies underlying term limits, the voters amended the Nevada Constitution to impose them. Nev. Const. art. 4, §§ 3(2) & 4(2); *id.*, art. 15, § 3(2). The contemporaneous understanding of the voters who passed the amendment is evident in the question they voted on: "Shall the Nevada Constitution be amended to establish term limits for state and local public officers in the executive and legislative branches of government?" Nevada Ballot Questions 1996, Nevada Secretary of State, Question 9(a). It is further evident in the explanation of the amendment that appeared on the ballot—the voters who passed the measure were told that it would limit the terms of "state officials and local governing body members" to set terms, mostly of 12 years. *Id.* The measure passed decisively, twice. As enacted, the amendments specifically address the two houses of the state Legislature: A person cannot evade the term limits provision by moving from district to

district. Nev. Const. art. 4, §§ 3(2) & 4(2). And they make no exception for the legislator who serves as speaker or in another legislative leadership role.

The point is to put time limits on the exercise of legislative or executive authority by elected politicians. This explains the reference to “local *governing* body.” Nev. Const. art. 15, § 3(2) (emphasis added). Reno voters only ceded the power to *govern* the City—that is to say, exercise legislative authority over them—for a maximum of 12 years. Just as at the state level a member of the senate or assembly cannot perpetuate his or her tenure beyond 12 years by moving from district to district, a Reno city council member’s authority is limited to 12 years. To me, the fact that the mayor exercises the exact legislative authority a city council member does—and has no administrative duties, Reno City Charter, Article III, § 3.010(1)(b)—answers the term-limits question. The addition of ceremonial and riot-suppression duties doesn’t change the time limits on that exercise of ceded powers of civic governance.

_____, J.
Pickering

SAITTA, J., with whom PARRAGUIRRE, J., agrees, dissenting:

I would deny the petition for a writ of mandamus or prohibition. Although the majority frames the issue in terms of whether Article 15, Section 3(2) of the Nevada Constitution prohibits reelection to a local governing body as a whole, the effect of the court's conclusion is to find that the Reno mayor is essentially just a seventh city council member with a few minor additional responsibilities thrown in to his or her job description. This conclusion gives short shrift to both the language of the constitutional provision and the role of the Reno mayor. To reach its result, the court focuses on the "local governing body" language and discounts the phrase "that office." To me, it is the "that office" language that determines the provision's operation here.

The majority recognizes that its governing body-based interpretation necessitates construing "that office" to mean either "that local governing body" or "any office within that local governing body." Such a construction, however, is contrary to our well-established rules of construction, which charge this court with giving words their usual and natural meaning. *See State v. Stu's Bail Bonds*, 115 Nev. 436, 439, 991 P.2d 469, 471 (1999). *Black's Law Dictionary* defines "office" as "[a] position of duty, trust, or authority." 1190 (9th ed. 2009) (emphasis added). A "governing body," on the other hand, encompasses a group of officers. *See Black's Law Dictionary* 764 (defining "governing body" as "[a] group of . . . officers or persons having ultimate control"). Thus, an office cannot be equated to a governing body. Moreover, the drafters used the word "that" to modify the word "office," which demonstrates that the phrase "that office" refers to a specific office, not to any particular

governing body as a whole. See William A. Sabin, *The Gregg Reference Manual* ¶ 308 (Elizabeth Haefele et al. eds., 11th ed. 2011). Undeniably, the words “that office,” as used in Article 15, Section 3(2), cannot be read as meaning “that local governing body” or “any office within that local governing body.”

As used in Article 15, Section 3(2), “that office” identifies the specific position that the person at issue has held for 12 or more years. And for the phrase to have any significance within the term-limits provision, “that office” must be the office to which the person is ineligible for election. See Nev. Const. art. 15, § 3(2).

Here, the Reno City Charter explains that the Reno city council is made up of two separate elective offices: mayor and city council member. Reno City Charter, Art. I, § 1.060(1)(a), (b) (identifying the mayor as one elective office and the six city council members as a separate elective office); see also *id.*, Art. II, § 2.010(1) (“The legislative power of the City is vested in a City Council consisting of six Council Members *and* a Mayor.” (emphasis added)). In this context, no one disputes that the six city council members all hold the same office, that of city councilman or city councilwoman.¹ Indeed, the charter does not distinguish them from one another and they are all granted the same duties and powers. See generally *id.*, Art. II. And, as discussed by the majority, the council


¹Thus, while the city council members each represent a separate ward or the city at large, they are nonetheless all subject to the same term limits. See Reno City Charter, Art. I, § 1.060(1)(b). As a result, any concerns that my interpretation of Article 15, Section 3(2) of the Nevada Constitution would allow council members to avoid the application of term limits by shifting positions on the city council are unfounded.

members are all of equal rank. *See Mason's Manual of Legislative Procedure* § 52 (Nat'l Conference of State Legislatures 2010) ("In public bodies the equality of members is presumed."); *id.* § 120 ("The rights and duties of members of a legislative body are derived from and founded upon the absolute equality of the members.").

But the mayor is different. The mayor is elected to the office of mayor, not to the office of city council member. Bob Cashell is formally recognized as Mayor Cashell, not Councilman Cashell. Further, the mayor's responsibilities are set out distinctly in the part of the charter governing the executive department, Reno City Charter, Art. III, § 3.010(1), while the city council members' duties are included in the article governing the legislative department. *See generally id.*, Art. II. And unlike the council members, the mayor is the public figurehead of the Reno city government. *See id.*, Art. III, § 3.010(1)(c).

Quite significantly, the mayor alone is charged with protecting the public peace and suppressing riots, and section 3.010(1)(f) authorizes him or her to declare emergencies and empowers the mayor to take immediate protective actions such as establishing a curfew, barricading streets and roads, and redirecting funds for emergency use. *See Reno Municipal Code* §§ 8.34.050(a), 8.34.060. And finally, the mayor is responsible for appointing certain commission and committee members. *See Reno City Charter*, Art. IX, § 9.030(1) (providing that the mayor appoints the members of the Reno Civil Service Commission). These duties are among those that set the mayor apart from the six city council members, establishing the office of mayor as a separate and distinct office.

As a result, a person who has served for 12 years as a city council member has not served in the office of mayor, and thus, is not precluded by Article 15, Section 3(2) from holding "that office."


Saitta, J.

I concur:

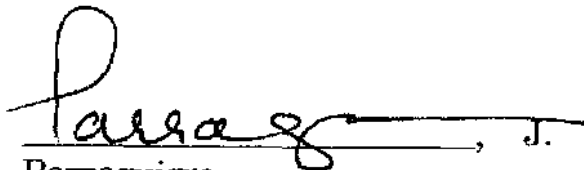

Parraguirre, J.

EXHIBIT 5

EXHIBIT 5

BARBARA K. CEGAVSKE
Secretary of State

STATE OF NEVADA



OFFICE OF THE
SECRETARY OF STATE

SCOTT W. ANDERSON
Chief Deputy Secretary of State

MARK A. WLASCHIN
Deputy Secretary for Elections

April 6, 2022

William Mantle
mantleformavon@gmail.com

Via Email

Re: Alleged Violation of Nevada Revised Statutes
File C22-14 SOS

Dear Mr. Mantle,

The Secretary of State's office has finished its review of the Election Integrity Violation Report received March 18, 2022. Specifically, the allegation asserted that Jenny Brekhuis is an unqualified elector.

All county specific office challenges must be submitted in writing to the County Clerk Registrar. On April 4, 2022, Heather from the Secretary of State's office contacted you informing you to submit your challenge directly to the Washoe County Registrar.

The Secretary of State, as the Chief Election Officer for the State of Nevada, is responsible for enforcement of the election laws contained in Title 24 of the Nevada Revised Statutes; however, county specific challenges are submitted directly to the County Clerk Registrar. As a result, no further action will be taken by this office and this file will be closed.

If you have any questions regarding this letter and the Secretary of State's determination in the matter, please contact the undersigned at (775) 684-7172 or sedwards@sos.nv.gov.

Respectfully,

Barbara K. Cegavske
Secretary of State

By:

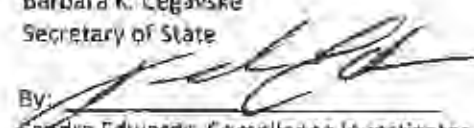

Sandra Edwards, Compliance Investigator
Office of Nevada Secretary of State Barbara K. Cegavske

EXHIBIT 6

EXHIBIT 6

V4. 359



William Mantle <mantleformayor@gmail.com>

Candidacy challenge - Jenny Brekhus Reno City Mayor

1 message

William Mantle <mantleformayor@gmail.com>

Mon, Apr 4, 2022 at 1:28 PM

To: electionsdepartment@washoecounty.us

Hello,

Please find attached my official complaint form. I had originally submitted an election integrity violation report to the SOS but was told today that I have to submit this complaint to your office instead and so I'm doing so.

If anything is amiss please let me know as soon as possible. Please reach out to me at 775-842-9394.

—
~William Mantle 775-842-9394

**BrekhusUnqualifiedElectorComplaint_WPM.pdf**

186K

V4. 359



REGISTRAR OF VOTERS

Washoe County Registrar of Voters

1001 E 9th St

Reno, NV 89512

Phone: (775) 328-3670

Fax: (775) 328-3747

electionsdepartment@washoecounty.us

www.washoecounty.us/voters

Registration and Election Report/Complaint

The information you report on this form may be used to help us investigate the situation reported and, upon receipt, will be assigned to the appropriate staff member. This report/complaint may be forwarded to another agency depending on the nature of the issue reported. In order for our office to facilitate a resolution, please include as much detail as possible, such as names, dates, times, locations, and other specifics of the event being reported. The length of this process can vary depending on the circumstances and information you provide. The Office of the Registrar of Voters staff may contact you for more details.

Section 1 – Complainant Information

YOUR NAME William Mantle
 (First) (Last)

YOUR ADDRESS 2040 Angel Ridge Dr. Reno NV 89521
 (Address) (City) (State) (Zip)

TELEPHONE: 7758429394
 (Home) (Work) (Cell)

Email Address mantleformayor@gmail.com

How would you prefer to be contacted: ☒ Email ☒ Cell ☐ Home ☐ Work

Section 2 – Type of Report/Complaint

- ☐ Voter Registration ☒ Election ☐ Polling Place
- ☐ Other (please describe in box below):

Qualified Elector Violation - Jenny Brekhus Reno City Mayor

Rev. 4/14/20

Section 3 – Details of Report/Complaint

Please provide a description of the report/complaint and full details including the name, date and time, location, and any other details of the complaint. Submitting the full details and any supporting documentation of the complaint will expedite the process and resolution (attach additional pages if needed).

Jenny Brekhus is an Unqualified Elector per Nevada Constitution, Article 15, S3(2). This is Brekhus' 10th year in office for the Reno City Council. She was most recently elected to a term of 4 years in 2020. Brekhus' current term takes her to 2024, the 12 years statutory limit as stated in the NV constitution A15, S3(2). "No person may be elected to any state office or local governing body who has served in that office, or at the expiration of his current term if he is so serving will have served, 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in this constitution." I am unaware of any exception in NRS, the NV constitution, or the Reno City Charter.

Per Lorton V. Jones <<https://law.justia.com/cases/nevada/supreme-court/2014/64194.html>>, the position of Reno City Mayor is as a member of the city's "local governing body". Brekhus' attempted election to that body would be indifferent to an attempt to be elected to any other position on the body and thus runs afoul of term limits.

Conclusion: Jenny Brekhus is limited by her current term's expiration of 12 years and thus is ineligible for election as an unqualified elector per Nevada Constitution, Article 15, S3(2) and cannot run for election of Reno City Mayor.

Jenny Brekhus
<https://jennybrekhus.com/>
jennybrekhus@gmail.com
 (775) 544-1884
 Or
brekhusj@reno.gov
 775-334-2011

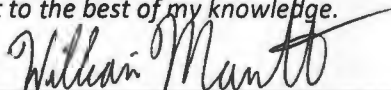
Please sign and date below. In order to resolve your report/complaint, we may send a copy of this form to the person(s) or group(s) about whom you are reporting.

Declaration by Complainant

I am filing this report/complaint to notify the Washoe County Registrar of Voters office of concerns in regards to either registration and/or election related issue. I understand that the information I provide in this report/complaint, along with supporting documentation, may be provided to other agencies to further the investigation, along with the individual(s) or group(s) that is named in the report/complaint.

Upon signing my name I certify under penalty of perjury that the information provided in this report/complaint is true and correct to the best of my knowledge.

Signature



Print Name

William

Mantle

(First)

(Last)

Date

04/04/2022

(mm/dd/yyyy)

FOR OFFICE USE ONLY:

Received By

(Staff Name)

Date Received

(mm/dd/yyyy)

Assigned to:



Registration



Polling Place



Warehouse



Technology Services



Administration



Absent Ballot

Mail, email, or fax this form to the address below.

Washoe County Registrar of Voters Office 1001 E 9th Street Reno NV 89512

Fax: 775-328-3747

Email: electionsdepartment@washoecounty.us

Washoe County Registrar of Voters Complaint Report Staff Form (For Internal Research Use)

EXHIBIT 7

EXHIBIT 7

reno gazette journal

POLITICS

Lorton likely skipping deadline to keep Schieve, Brekhus out of Reno mayor's race

The perennial Reno political candidate says he's not sure when he'll file promised legal action against top mayor's race foes



James DeHaven

Reno Gazette Journal

Published 2:49 p.m. PT April 4, 2022

George "Eddie" Lorton could be cooling on plans to formally challenge the candidacy of two top contenders for Reno mayor.

Lorton — a frequent filer for Reno's top political seat — has long objected to running against Mayor Hillary Schieve and Councilwoman Jenny Brekhus, who were first elected to the City Council in 2012 and could end up serving 14 years if elected mayor this year.

Nevada law says someone can't run for office if they've already served 12 years in the same position. It's a rule Lorton knows well, having successfully argued the point in front of the state Supreme Court in 2014, when he faced an entirely different slate of mayoral campaign foes.

Related: Brekhus says she's 'not beholden to special interests,' joins crowded Reno mayor's race

The longtime Reno businessman regularly raises complaints about Schieve and Brekhus' ballot eligibility, and has not ruled out a move to block the pair from running by filing an official objection with the Nevada Secretary of State's office.

But reached hours ahead of a Monday deadline to do so, Lorton seemed to soften his approach.

"They can be on the ballot, I don't care," he said, before immediately reversing himself. "I don't know what I'm going to do. I oppose them being on the ballot, they should follow the

V4. 363

law.

“There will be a legal action to follow, but it might not be today, that’s all I’m saying.”

Lorton later reiterated that “a court action can occur at any time and (Brekhus and Schieve) can be found eligible or ineligible later.”

Both Brekhus and Schieve have shrugged off legal threats aimed at their candidacy. Schieve toppled Lorton by a 30-percentage point landslide in the 2018 mayoral election.

That said, Lorton’s far from the only one to express concerns about the issue.

Robert Dickens, an associate professor of political science at the University of Nevada, Reno, last week told the RGJ that he didn’t think either Brekhus or Schieve can legally run for mayor.

Reno City Attorney Karl Hall said his office generally does not verify the eligibility of candidates, and that a judge would likely need to settle any formal disputes over term-limit eligibility.

Lorton has launched three failed bids for a seat on the Reno City Council, including two mayoral campaigns and a 2020 effort to take down Councilman Devon Reese.

Nevadans will head to the polls for a primary election scheduled on June 14.

James DeHaven is the politics reporter for the Reno Gazette Journal. He covers campaigns, the Nevada Legislature and everything in between. Support his work by subscribing to RGJ.com right here.

EXHIBIT 8

EXHIBIT 8

reno gazette Journal

stop Schieve, Brekhus from running for Reno mayor



Mark Robison

Reno Gazette Journal

Published 8:14 p.m. PT March 29, 2022 | Updated 9:07 a.m. PT March 30, 2022

This coverage of the Reno City Council was made possible by the Reno Gazette Journal Fund. Consider a donation to help us sustain Mark Robison's journalism by visiting RGJ.com/donate.

The two likely front-runners in the race for Reno mayor may be subjects in a lawsuit aimed at keeping them off the ballot.

Mayor Hillary Schieve and Councilwoman Jenny Brekhus were first elected to the Reno City Council in 2012 and will end up serving 14 years if elected mayor this year. Nevada law says that someone cannot run for office if they've served 12 years in that position.

This means Brekhus and Schieve should not be allowed to run for mayor, George "Eddie" Lorton said in a phone interview with the RGJ.

"Here are two career politicians trying to once again circumvent what term limits mean, and then make a living off the backs of citizens one more time," said Lorton, a businessman in commercial real estate. "I think they should go out in the world and make a living like how all of us have to, so I disagree with it (them running for mayor) strongly."

According to the Nevada Secretary of State's office, April 4 – Monday – is the deadline for challenging a candidate's eligibility.

If Lorton moves forward and is successful, this would likely make the 2022 Reno mayoral election much more competitive. In the 2018 race, Schieve received 64.5 percent of the votes to Lorton's 35.5%.

This year, in addition to Brekhus and Schieve, there are nine other candidates who filed. Among them, Lorton has the greatest name recognition, having run twice before for mayor and once for a Reno city council seat. The others are Chad Dehne, Michael Graham, Matthew Johnson, William Mantle, Jesse Razo, Joaquin Rocas, Judi Rought and Tabitha Schneider.

reno gazette journal

RGJ.

Brekhus also responded to the possibility of a Lorton lawsuit by email.

“It is always preferable in electoral matters that voters make decisions, not courts,” she wrote. “However, should someone make a judicial challenge, I am prepared to participate in a proceeding.”

Replay of 2014

For Lorton, the situation is déjà vu.

He filed suit back in 2014 when his main opponents for Reno mayor were former Councilwoman Jessica Sferrazza and then-current Councilman Dwight Dortch.

At the time, the legal debate was over whether Reno's mayor is a separate elective office from the city council. If separate, Sferrazza and Dortch could run because their time on the council would *not* count against their 12-year term limit. If the mayor is essentially the same as a council member in Reno, their council time *would* count against the term limit and therefore they could not run. The Nevada Supreme Court ruled they could not run.

Siding with Lorton, the court majority wrote, “Thus, based on the provisions of the Reno City Charter, we conclude that the Reno mayor is a member of the ‘local governing body,’ subject to the same limitations that apply to the other city council members. Accordingly, because Sferrazza and Dortch each will have served on the Reno city council for 12 years by the end of the current term, they are ineligible to be elected as Reno’s mayor.”

When Sferrazza subsequently dropped out, her friend Schieve jumped into the crowded mayoral primary race with 18 other candidates, including Lorton. She won the 2014 primary and general elections.

Lorton said the 2014 scenario is happening again, this time with Schieve and Brekhus running for a seat for which he thinks they should be term-limited out. He thinks he'll be successful again in court.

“The Supreme Court case specifically stated that you shouldn't be able to do 12 years on the same governing body,” he said. “They’re sitting at 10, and if they won, they'd be at 14.”

reno gazette journal

person may be elected to any state office or local governing body who has served in that office, or at the expiration of his current term if he is so serving will have served, 12 years or more...”

In a phone interview, Brekhus said that when she heard Schieve was running, she figured she must be eligible, too, because both had joined the council at the same time in 2012.

Robert Dickens doesn’t think either Brekhus or Schieve can legally run for mayor.

“The clock is determinative regardless of whether serving or running for a particular office: a mayor or council member serves 12 years,” the associate professor of political science at the University of Nevada, Reno said by email.

“The politics of this issue currently could lead to a lawsuit against this precedent, arguing that there is a mayor/council distinction ignored by the Supreme Court.”

Dickens said 12 years has become a term-limit precedent in the state followed by many other politicians so he thinks Schieve and Brekhus potentially serving 14 would not be looked upon favorably by the Nevada Supreme Court.

“Term limits are a hard reality: 12 years is 12 years. Given the precedent, I doubt its success,” he said about Schieve and Brekhus’ case to stay on the ballot.

The city of Reno’s position

Reno City Attorney Karl Hall said his office generally does not verify the eligibility of candidates.

“They have to sign an affidavit that they’re over 18 and they live here,” he said in a phone call with the RGJ. “But unless there is a challenge, we haven’t been looking at it.”

He expects a judge would need to decide such a challenge.

“We may be asked to enter an opinion,” Hall said. “If that happens, we will.”

Lorton said he thinks the city should decide who can run, but that he’ll pursue the case if he must.

reno gazette journal

did (in 2014). And now here they are once again.”

He added, “Even if there is a loophole, I just think, in the spirit of the law, it really looks bad, so I hope term limits are stuck to.”

Mark Robison covers local government for the Reno Gazette-Journal, as well as writes Fact Checker and Ask the RGJ articles. His position is supported by donations and grants. Because of this, all of the journalism he publishes will be made available for free without concern for commercial return. If you'd like to see more articles like this, please consider sharing this article or donating at [RGJ.com/donate](https://www.rgj.com/donate).

Ask a question at [RGJ.com/AskRGJ](https://www.rgj.com/AskRGJ).

Follow him @GreaterReno, [Facebook.com/GreaterReno](https://www.facebook.com/GreaterReno), and [Instagram.com/GreaterRenoRGJ](https://www.instagram.com/GreaterRenoRGJ).

EXHIBIT 9

EXHIBIT 9

Assembly Bill No. 50—Committee on
Legislative Operations and Elections

CHAPTER.....

AN ACT relating to elections; revising provisions governing the dates for certain city elections; revising provisions relating to candidates in certain city elections; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under the Nevada Constitution, the Legislature may require city elections to be held in even-numbered years on the statewide election cycle by amending: (1) the general law governing cities and their elections; and (2) the charters of the cities organized under special legislative acts or the commission form of government. (Nev. Const. Art. 4, § 27, Art. 8, § 1; chapters 266, 267 and 293C of NRS) In transitioning city elections to even-numbered years, the Legislature may shorten or lengthen the existing terms of office of elected city officers, without violating federal and state constitutional limitations, where the object of the legislation is to regulate the time of holding city elections, and not merely to reduce or extend the terms of particular incumbents. (Nev. Att'y Gen. Op. 2005-02 (Feb. 8, 2005); *Spencer v. Knight*, 98 N.E. 342, 346 (Ind. 1912); *Long v. City of New York*, 81 N.Y. 425, 427-28 (1880); *Lanza v. Wagner*, 183 N.E.2d 670, 673-74 (N.Y. 1962); *State ex rel. Voss v. Davis*, 418 S.W.2d 163, 167-72 (Mo. 1967))

Existing law authorizes the governing body of a city incorporated pursuant to general law to choose by ordinance whether to: (1) hold city elections on the statewide election cycle; or (2) hold a primary city election on the first Tuesday after the first Monday in April and hold a general city election on the second Tuesday after the first Monday in June of odd-numbered years. (NRS 293C.115, 293C.140, 293C.145, 293C.175) Existing provisions of various city charters also authorize the cities incorporated under those charters to make the same choice by ordinance regarding the dates of their city elections, and some of the charter cities currently hold their city elections on the statewide election cycle in even-numbered years, while other charter cities currently hold their city elections in odd-numbered years.

Sections 1, 2, 4, 5, 6.4, 7.4 and 17-50 of this bill require that all cities hold elections on the statewide election cycle beginning in the year 2022. **Sections 3, 3.8, 6.2, 7.2 and 8-16** of this bill amend various provisions relating to city elections, such as the date for filing declarations of candidacy, in order to facilitate the transition to the statewide election cycle.

Under existing law, the cities of Ely and Fallon are the only cities incorporated pursuant to general law that currently hold their city elections in odd-numbered years. To carry out the transition to the statewide election cycle in those general-law cities, **section 51** of this bill provides that officials of those cities who were elected in 2017 will hold office until the city elections are held in 2022, and officials of those cities who will be elected in 2019 will hold office until the city elections are held in 2024.

Certain charter cities currently hold general municipal elections in June of odd-numbered years (Boulder City, Caliente, Henderson, Las Vegas, North Las Vegas and Yerington). **Sections 17-50** of this bill amend the charter of each of those cities to require that the cities hold their city elections on the same dates as the statewide election cycle in even-numbered years. **Section 52** of this bill provides for the terms of office of officials of such cities who were elected in 2017 or who will be

elected in 2019, and the terms of office of municipal judges who were elected to 6-year terms in 2015 or 2017 or who will be elected in 2019, to be extended by 1 year to allow for the transition to the statewide election cycle. **Section 52.5** of this bill requires Boulder City to transition to the statewide election cycle in accordance with the ordinance adopted by the City Council of Boulder City for such purpose effective November 1, 2018.

Under existing law, with limited exception, a judicial candidate for justice of the Supreme Court, judge of the Court of Appeals, judge of a district court or justice of the peace must file a declaration of candidacy with the appropriate filing officer in January in even-numbered years. (NRS 293.177) Depending on the organization of a city and its population category, existing law provides that a judge of a municipal court of the city may be either elected or appointed to office or, under certain circumstances, a justice of the peace of the township in which the city is located may serve ex officio as a judge of a municipal court of the city. (NRS 5.020, 266.405) If a judge of a municipal court is elected to office, existing law provides that a judicial candidate for the elective office must file a declaration of candidacy with the city clerk: (1) in cities that currently hold their city elections in even-numbered years, in March in even-numbered years; and (2) in cities that currently hold their city elections in odd-numbered years, not less than 60 days or more than 70 days before the date of the primary city election or, if the city does not hold a primary city election, not less than 60 days nor more than 70 days before the date of the general city election. (NRS 293.177, 293C.115, 293C.145, 293C.175)

Sections 3.8, 6.2 and 7.2 of this bill provide that, beginning in the year 2020, a judicial candidate for the elective office of judge of a municipal court in cities that currently hold their city elections in even-numbered years must file a declaration of candidacy with the city clerk not earlier than the first Monday in January and not later than 5 p.m. on the second Friday after the first Monday in January in even-numbered years, consistent with the filing period for all other judicial candidates in even-numbered years. When all other cities transition to the statewide election cycle beginning in the year 2022, **sections 6.4 and 7.4** of this bill provide that all judicial candidates for the elective office of judge of a municipal court must file a declaration of candidacy with the city clerk during that same period in January in even-numbered years.

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

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

Section 1. NRS 293.059 is hereby amended to read as follows:

293.059 “General city election” means an election held pursuant to NRS ~~293C.115,~~ 293C.140 or 293C.145. The term includes a general municipal election held pursuant to the provisions of a special charter of an incorporated city.

Sec. 2. NRS 293.079 is hereby amended to read as follows:

293.079 “Primary city election” means an election held pursuant to NRS ~~293C.115 or~~ 293C.175. The term includes a

primary municipal election held pursuant to the provisions of a special charter of an incorporated city.

Sec. 3. NRS 293B.354 is hereby amended to read as follows:

293B.354 1. The county clerk shall, not later than April 15 of each year in which a general election is held, submit to the Secretary of State for approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of ballots at a polling place, receiving center or central counting place.

2. The city clerk shall, not later than ~~January 1~~ **April 15** of each year in which a general city election is held, submit to the Secretary of State for approval a written plan for the accommodation of members of the general public who observe the delivery, counting, handling and processing of the ballots at a polling place, receiving center or central counting place.

3. Each plan must include:

(a) The location of the central counting place and of each polling place and receiving center;

(b) A procedure for the establishment of areas within each polling place and receiving center and the central counting place from which members of the general public may observe the activities set forth in subsections 1 and 2;

(c) The requirements concerning the conduct of the members of the general public who observe the activities set forth in subsections 1 and 2; and

(d) Any other provisions relating to the accommodation of members of the general public who observe the activities set forth in subsections 1 and 2 which the county or city clerk considers appropriate.

Sec. 3.8. NRS 293C.115 is hereby amended to read as follows:

293C.115 1. The governing body of a city incorporated pursuant to general law may by ordinance provide for a primary city election and a general city election on:

(a) The dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS; or

(b) The dates set forth for primary city elections and general city elections pursuant to the provisions of this chapter.

2. If a governing body of a city adopts an ordinance pursuant to paragraph (a) of subsection 1, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165, and in NRS 293.175, ~~293.177,~~ 293.345 and 293.368 apply for purposes of conducting the primary city elections and general city elections of the city.

3. If a governing body of a city adopts an ordinance pursuant to subsection 1:

(a) The term of office of any elected city official may not be shortened as a result of the ordinance; and

(b) Each elected city official holds office until the end of his or her term and until his or her successor has been elected and qualified.

Sec. 4. NRS 293C.115 is hereby amended to read as follows:

293C.115 ~~{1-}~~ The governing body of a city incorporated pursuant to general law ~~{may}~~ *shall* by ordinance provide for a primary city election and a general city election on ~~{:~~

~~—(a) The dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS; or~~

~~—(b) The~~ *the* dates set forth for primary city elections and general city elections pursuant to the provisions of this chapter.

~~{2.— If a governing body of a city adopts an ordinance pursuant to paragraph (a) of subsection 1, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165, and in NRS 293.175, 293.345 and 293.368 apply for purposes of conducting the primary city elections and general city elections of the city.~~

~~—3.— If a governing body of a city adopts an ordinance pursuant to subsection 1:~~

~~—(a) The term of office of any elected city official may not be shortened as a result of the ordinance; and~~

~~—(b) Each elected city official holds office until the end of his or her term and until his or her successor has been elected and qualified.}~~

Sec. 5. NRS 293C.140 is hereby amended to read as follows:

293C.140 1. ~~{Except as otherwise provided in NRS 293C.115, a}~~ *A* general city election must be held in each city of population categories one and two on the ~~{second}~~ *first* Tuesday after the first Monday in ~~{June}~~ *November* of the first ~~{odd-numbered}~~ *even-numbered* year after incorporation, and ~~{on the same day every}~~ *at each successive interval of* 2 years, ~~{thereafter as determined by law, ordinance or resolution,}~~ at which time there must be elected the elective city officers, the offices of which are required next to be filled by election. All candidates, except as otherwise provided in NRS 266.220, at the general city election must be voted upon by the electors of the city at large.

2. ~~{Unless the terms of office of city council members are extended by an ordinance adopted pursuant to NRS 293C.115, the}~~ *The* terms of office *of the council members* are 4 years, which

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

Sec. 6. (Deleted by amendment.)

Sec. 6.2. NRS 293C.145 is hereby amended to read as follows:

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

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

3. ~~Except as otherwise provided in NRS 293C.115, a~~ A candidate for ~~any~~ *an* office to be voted for at the general city election must file a declaration of candidacy with the city clerk :

(a) If the city has provided by ordinance for a general city election on the same date as the statewide general election pursuant to chapter 293 of NRS and the candidate is filing for:

(1) The office of judge of a municipal court, not earlier than the first Monday in January of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January.

(2) Any other office, not earlier than the first Monday in March of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

(b) If the city has not provided by ordinance for a general city election on the same date as the statewide general election pursuant to chapter 293 of NRS, not ~~less~~ earlier than ~~60 days~~

~~nor more~~ *the 70th day before the applicable election is to be held and not later than* ~~[70 days]~~ *5 p.m. on the 60th day before the* ~~[day of the general city election. The]~~ *applicable election is to be held.*

4. *At the time that a candidate files a declaration of candidacy, the* city clerk shall charge and collect from the candidate, and the candidate must pay to the city clerk, ~~[at the time of filing the declaration of candidacy,]~~ a filing fee in an amount fixed by the city council by ordinance or resolution.

~~[4.]~~ 5. Candidates for mayor must be voted upon by the electors of the city at large. Candidates for the city council must be voted upon by the electors of their respective wards to represent the wards in which they reside or by the electors of the city at large in accordance with the provisions of chapter 266 of NRS.

Sec. 6.4. NRS 293C.145 is hereby amended to read as follows:

293C.145 1. ~~[Except as otherwise provided in NRS 293C.115, a]~~ *A* general city election must be held in each city of population category three on the ~~[second]~~ *first* Tuesday after the first Monday in ~~[June]~~ *November* of the first ~~[odd-numbered]~~ *even-numbered* year after incorporation, and ~~[on the same day every]~~ *at each successive interval of* 2 years . ~~[thereafter, as determined by ordinance.]~~

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

3. A candidate for an office to be voted for at the general city election must file a declaration of candidacy with the city clerk ~~[:]~~ *not earlier than:*

(a) ~~[If the city has provided by ordinance for a general city election on the same date as the statewide general election pursuant to chapter 293 of NRS and the candidate is filing for:~~

~~———(1) The]~~ *For* the office of judge of a municipal court, ~~[not earlier than]~~ the first Monday in January of the year in which the

applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January.

~~[(2) Any]~~

(b) *For any* other office, ~~[not earlier than]~~ the first Monday in March of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

~~[(b) If the city has not provided by ordinance for a general city election on the same date as the statewide general election pursuant to chapter 293 of NRS, not earlier than the 70th day before the applicable election is to be held and not later than 5 p.m. on the 60th day before the applicable election is to be held.]~~

4. At the time that a candidate files a declaration of candidacy, the city clerk shall charge and collect from the candidate, and the candidate must pay to the city clerk, a filing fee in an amount fixed by the city council by ordinance or resolution.

5. Candidates for mayor must be voted upon by the electors of the city at large. Candidates for the city council must be voted upon by the electors of their respective wards to represent the wards in which they reside or by the electors of the city at large in accordance with the provisions of chapter 266 of NRS.

Sec. 7. (Deleted by amendment.)

Sec. 7.2. NRS 293C.175 is hereby amended to read as follows:

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

2. ~~[Except as otherwise provided in NRS 293C.115, a]~~ A candidate for ~~[any]~~ *an* office to be voted for at the primary *or general* city election must file a declaration of candidacy with the city clerk :

(a) If the city has provided by ordinance for the primary and general city elections on the same dates, respectively, as the statewide primary and general elections pursuant to chapter 293 of NRS and the candidate is filing for:

(1) The office of judge of a municipal court, not earlier than the first Monday in January of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January.

(2) Any other office, not earlier than the first Monday in March of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

(b) If the city has not provided by ordinance for the primary and general city elections on the same dates, respectively, as the statewide primary and general elections pursuant to chapter 293 of NRS, not ~~less~~ earlier than ~~{60 days or more}~~ the 70th day before the applicable election is to be held and not later than ~~{70 days}~~ 5 p.m. on the 60th day before the ~~{date of the primary city election. The}~~ applicable election is to be held.

3. At the time that a candidate files a declaration of candidacy, the city clerk shall charge and collect from the candidate, and the candidate must pay to the city clerk, ~~{at the time of filing the declaration of candidacy,}~~ a filing fee in an amount fixed by the governing body of the city by ordinance or resolution. The filing fees collected by the city clerk must be deposited to the credit of the general fund of the city.

~~{3.}~~ 4. All candidates, except as otherwise provided in NRS 266.220, must be voted upon by the electors of the city at large.

~~{4.}~~ 5. If, in a primary city election held in a city of population category one or two, one candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the candidate must be declared elected to the office and the candidate's name must not be placed on the ballot for the general city election. If, in the primary city election, no candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election.

Sec. 7.3. (Deleted by amendment.)

Sec. 7.4. NRS 293C.175 is hereby amended to read as follows:

293C.175 1. ~~{Except as otherwise provided in NRS 293C.115, at}~~ A primary city election must be held in each city of population category one, and in each city of population category two that has so provided by ordinance, on the ~~{first}~~ *second* Tuesday ~~{after the first Monday}~~ in ~~{April}~~ *June* of ~~{every}~~ *each even-numbered* year, ~~{in which a general city election is to be held,}~~ at which time there must be nominated candidates for offices to be voted for at the next general city election.

2. A candidate for an office to be voted for at the primary or general city election must file a declaration of candidacy with the city clerk ~~{}~~ *not earlier than:*

(a) ~~If the city has provided by ordinance for the primary and general city elections on the same dates, respectively, as the statewide primary and general elections pursuant to chapter 293 of NRS and the candidate is filing for:~~

~~—(1) The~~ **For the** office of judge of a municipal court, ~~[not earlier than]~~ the first Monday in January of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in January.

~~[(2) Any]~~

(b) **For any** other office, ~~[not earlier than]~~ the first Monday in March of the year in which the applicable election is to be held and not later than 5 p.m. on the second Friday after the first Monday in March.

~~[(b) If the city has not provided by ordinance for the primary and general city elections on the same dates, respectively, as the statewide primary and general elections pursuant to chapter 293 of NRS, not earlier than the 70th day before the applicable election is to be held and not later than 5 p.m. on the 60th day before the applicable election is to be held.]~~

3. At the time that a candidate files a declaration of candidacy, the city clerk shall charge and collect from the candidate, and the candidate must pay to the city clerk, a filing fee in an amount fixed by the governing body of the city by ordinance or resolution. The filing fees collected by the city clerk must be deposited to the credit of the general fund of the city.

4. All candidates, except as otherwise provided in NRS 266.220, must be voted upon by the electors of the city at large.

5. If, in a primary city election held in a city of population category one or two, one candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the candidate must be declared elected to the office and the candidate's name must not be placed on the ballot for the general city election. If, in the primary city election, no candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general city election.

Sec. 7.7. NRS 293C.180 is hereby amended to read as follows:

293C.180 1. If at 5 p.m. on the last day for filing a declaration of candidacy, there is only one candidate who has filed for nomination for an office, that candidate must be declared elected and no election may be held for that office.

2. Except as otherwise provided in subsection 1, if not more than twice the number of candidates to be elected have filed for nomination for an office, the names of those candidates must be omitted from all ballots for a primary city election and placed on all ballots for a general city election.

3. If more than twice the number of candidates to be elected have filed for nomination for an office, the names of the candidates must appear on the ballot for a primary city election. Except as otherwise provided in subsection ~~4~~ 5 of NRS 293C.175, those candidates who receive the highest number of votes at that election, not to exceed twice the number to be elected, must be declared nominees for the office.

Sec. 8. NRS 293C.185 is hereby amended to read as follows:

293C.185 1. Except as otherwise provided in NRS ~~293C.115 and~~ 293C.190, a name may not be printed on a ballot to be used at a primary *or general* city election unless the person named has *, in accordance with NRS 293C.145 or 293C.175, as applicable, timely* filed a declaration of candidacy or an acceptance of candidacy and ~~has~~ paid the fee established by the governing body of the city *.* ~~{not earlier than 70 days before the primary city election and not later than 5 p.m. on the 60th day before the primary city election.}~~

2. A declaration *or acceptance* of candidacy required to be filed ~~by~~ *pursuant to* this ~~{section}~~ *chapter* must be in substantially the following form:

DECLARATION OF CANDIDACY OF FOR THE
OFFICE OF

State of Nevada

City of.....

For the purpose of having my name placed on the official ballot as a candidate for the office of, I,, the undersigned do swear or affirm under penalty of perjury that I actually, as opposed to constructively, reside at, in the City or Town of, County of, State of Nevada; that my actual, as opposed to constructive, residence in the city, township or other area prescribed by law to which the office pertains began on a date at least 30 days immediately preceding the date of the close of filing of declarations of candidacy for this office; that my telephone number is, and the address at which I

receive mail, if different than my residence, is; that I am a qualified elector pursuant to Section 1 of Article 2 of the Constitution of the State of Nevada; that if I have ever been convicted of treason or a felony, my civil rights have been restored by a court of competent jurisdiction; that if nominated as a candidate at the ensuing election I will accept the nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practices in campaigns and elections in this State; that I will qualify for the office if elected thereto, including, but not limited to, complying with any limitation prescribed by the Constitution and laws of this State concerning the number of years or terms for which a person may hold the office; that I understand that knowingly and willfully filing a declaration of candidacy or acceptance of candidacy which contains a false statement is a crime punishable as a gross misdemeanor and also subjects me to a civil action disqualifying me from entering upon the duties of the office; and that I understand that my name will appear on all ballots as designated in this declaration.

.....
(Designation of name)

.....
(Signature of candidate for office)

Subscribed and sworn to before me
this day of the month of of the year

.....
Notary Public or other person
authorized to administer an oath

3. The address of a candidate that must be included in the declaration or acceptance of candidacy pursuant to subsection 2 must be the street address of the residence where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050, if one has been assigned. The declaration or acceptance of candidacy must not be accepted for filing if the candidate fails to comply with the following provisions of this subsection or, if applicable, the provisions of subsection 4:

(a) The candidate shall not list the candidate's address as a post office box unless a street address has not been assigned to the residence; and

(b) Except as otherwise provided in subsection 4, the candidate shall present to the filing officer:

(1) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate and the candidate's residential address; or

(2) A current utility bill, bank statement, paycheck, or document issued by a governmental entity, including a check which indicates the candidate's name and residential address, but not including a voter registration card issued pursuant to NRS 293.517.

4. If the candidate executes an oath or affirmation under penalty of perjury stating that the candidate is unable to present to the filing officer the proof of residency required by subsection 3 because a street address has not been assigned to the candidate's residence or because the rural or remote location of the candidate's residence makes it impracticable to present the proof of residency required by subsection 3, the candidate shall present to the filing officer:

(a) A valid driver's license or identification card issued by a governmental agency that contains a photograph of the candidate; and

(b) Alternative proof of the candidate's residential address that the filing officer determines is sufficient to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050. The Secretary of State may adopt regulations establishing the forms of alternative proof of the candidate's residential address that the filing officer may accept to verify where the candidate actually, as opposed to constructively, resides in accordance with NRS 281.050.

5. The filing officer shall retain a copy of the proof of identity and residency provided by the candidate pursuant to subsection 3 or 4. Such a copy:

(a) May not be withheld from the public; and

(b) Must not contain the social security number, driver's license or identification card number or account number of the candidate.

6. By filing the declaration or acceptance of candidacy, the candidate shall be deemed to have appointed the city clerk as his or her agent for service of process for the purposes of a proceeding pursuant to NRS 293C.186. Service of such process must first be attempted at the appropriate address as specified by the candidate in the declaration or acceptance of candidacy. If the candidate cannot

be served at that address, service must be made by personally delivering to and leaving with the city clerk duplicate copies of the process. The city clerk shall immediately send, by registered or certified mail, one of the copies to the candidate at the specified address, unless the candidate has designated in writing to the city clerk a different address for that purpose, in which case the city clerk shall mail the copy to the last address so designated.

7. If the city clerk receives credible evidence indicating that a candidate has been convicted of a felony and has not had his or her civil rights restored by a court of competent jurisdiction, the city clerk:

(a) May conduct an investigation to determine whether the candidate has been convicted of a felony and, if so, whether the candidate has had his or her civil rights restored by a court of competent jurisdiction; and

(b) Shall transmit the credible evidence and the findings from such investigation to the city attorney.

8. The receipt of information by the city attorney pursuant to subsection 7 must be treated as a challenge of a candidate pursuant to subsections 4 and 5 of NRS 293C.186 to which the provisions of NRS 293.2045 apply.

9. Any person who knowingly and willfully files a declaration of candidacy or acceptance of candidacy which contains a false statement in violation of this section is guilty of a gross misdemeanor.

Sec. 9. NRS 293C.190 is hereby amended to read as follows:

293C.190 1. ~~{Except as otherwise provided in NRS 293C.115, a vacancy occurring in a nomination for a city office after the close of filing and on or before 5 p.m. of the first Tuesday after the first Monday in March in a year in which a general city election is held must be filled by filing a nominating petition that is signed by at least 1 percent of the persons who are registered to vote and who voted for that office at the last preceding general city election. Except as otherwise provided in NRS 293C.115, the petition must be filed not earlier than the third Tuesday in February and not later than the third Tuesday after the third Monday in March. A candidate nominated pursuant to the provisions of this subsection may be elected only at a general city election, and the candidate's name must not appear on the ballot for a primary city election.~~

~~—2. Except as otherwise provided in NRS 293C.115, a~~ A vacancy occurring in a nomination for a city office ~~{after 5 p.m. of the first Tuesday after the first Monday in March and on or}~~ before 5 p.m. of the ~~{second Tuesday after the second Monday in April}~~

fourth Friday in July of the year in which the general city election is held must be filled by the person who received the next highest vote for the nomination in the primary city election ~~†~~.

~~—3. Except to place a candidate nominated pursuant to subsection 1 on the ballot and except as otherwise provided in NRS 293C.115, no~~ *if a primary city election was held for that office. If no primary city election was held for that city office or if there was not more than one person who was seeking the nomination in the primary city election, a person may become a candidate for the city office at the general city election if the person files a declaration of candidacy or acceptance of candidacy and pays the appropriate filing fee before 5 p.m. on the fourth Friday in July.*

2. No change may be made on the ballot for the general city election after 5 p.m. ~~{of the second Tuesday after the second Monday in April}~~ *on the fourth Friday in July* of the year in which the general city election is held. If ~~{a}~~, *after that time and date:*

(a) A nominee dies ~~{after that time and date,}~~ *or is adjudicated insane or mentally incompetent; or*

(b) *A vacancy in the nomination is otherwise created,*

↳ the nominee's name must remain on the ballot for the general city election and, if elected, a vacancy exists.

~~{4. Except as otherwise provided in NRS 293C.115, all designations provided for in this section must be filed on or before 5 p.m. on the second Tuesday after the second Monday in April of the year in which the general city election is held. The filing fee must be paid and an acceptance of the designation must be filed on or before 5 p.m. on that date.}~~

Sec. 10. NRS 293C.2675 is hereby amended to read as follows:

293C.2675 1. If an Indian reservation or Indian colony is located in whole or in part within a city, the Indian tribe may submit a request to the city clerk for the establishment of a polling place within the boundaries of the Indian reservation or Indian colony for the day of a primary city election or general city election.

2. A request for the establishment of a polling place within the boundaries of an Indian reservation or Indian colony for the day of a primary city election or general city election:

(a) Must be submitted to the city clerk by the Indian tribe on or before:

(1) If the request is for a primary city election, ~~{that is held: (1) On the dates set forth for primary elections pursuant to the provisions of chapter 293 of NRS,}~~ the first Friday in January of the year in which the primary city election is to be held.

~~{(H) On the dates set forth for primary city elections pursuant to the provisions of this chapter, the first Friday in December of the year immediately preceding the year in which the primary city election is to be held.}~~

(2) If the request is for a general city election, ~~{that is held:~~

~~—(I) On the dates set forth for general elections pursuant to the provisions of chapter 293 of NRS,}~~ the first Friday in July of the year in which the general city election is to be held.

~~{(H) On the dates set forth for general city elections pursuant to the provisions of this chapter, the first Friday in January of the year in which the general city election is to be held.}~~

(b) May include one or more proposed locations within the boundaries of the Indian reservation or Indian colony for the polling place. Any proposed location for a polling place must satisfy the criteria the city clerk uses for the establishment of any other polling place.

3. Except as otherwise provided in this subsection, if the city clerk receives a request that satisfies the requirements set forth in subsection 2, the city clerk must establish at least one polling place within the boundaries of the Indian reservation or Indian colony at a location or locations, as applicable, approved by the Indian tribe for the day of a primary city election or general city election. The city clerk is not required to establish a polling place within the boundaries of the Indian reservation or Indian colony for the day of a primary city election or general city election if the city clerk established a temporary branch polling place for early voting pursuant to NRS 293C.3572 within the boundaries of the Indian reservation or Indian colony for the same election.

Sec. 11. NRS 293C.291 is hereby amended to read as follows:

293C.291 If a candidate whose name appears on the ballot at a primary city election or general city election dies after the applicable date set forth in ~~+~~

~~—1.} NRS 293C.370 ~~+~~ or~~

~~—2. NRS 293.368, if the governing body of the city has adopted an ordinance pursuant to paragraph (a) of subsection 1 of NRS 293C.115,~~

~~→} but before the time of the closing of the polls on the day of the election, the city clerk shall post a notice of the candidate's death at each polling place where the candidate's name will appear on the ballot for the primary city election or general city election.~~

Sec. 12. NRS 293C.345 is hereby amended to read as follows:

293C.345 ~~{Except as otherwise provided in NRS 293C.115,~~
~~the} **The** city clerk shall mail to each registered voter in each~~

mailing precinct and in each absent ballot mailing precinct ~~1, before 5 p.m. on the third Thursday in March and before 5 p.m. on the fourth Tuesday in May of any year in which a general city election is held,~~ an official mailing ballot to be voted by the voter at the election ~~1,~~ *before 5 p.m. on the last business day preceding the first day of the period for early voting for any primary city election or general city election, as applicable.*

Sec. 13. NRS 293C.3572 is hereby amended to read as follows:

293C.3572 1. In addition to permanent polling places for early voting, except as otherwise provided in subsection ~~3,~~ **4**, the city clerk may establish temporary branch polling places for early voting pursuant to NRS 293C.3561.

2. If an Indian reservation or Indian colony is located in whole or in part within a city, the Indian tribe may submit a request to the city clerk for the establishment of a temporary branch polling place within the boundaries of the Indian reservation or Indian colony.

3. A request for the establishment of a temporary branch polling place within the boundaries of an Indian reservation or Indian colony:

(a) Must be submitted to the city clerk by the Indian tribe on or before:

(1) If the request is for a primary city election, ~~that is held:~~

~~(I) On the dates set forth for primary elections pursuant to the provisions of chapter 293 of NRS,~~ the first Friday in January of the year in which the primary city election is to be held.

~~(II) On the dates set forth for primary city elections pursuant to the provisions of this chapter, the first Friday in December of the year immediately preceding the year in which the primary city election is to be held.~~

(2) If the request is for a general city election, ~~that is held:~~

~~(I) On the dates set forth for general elections pursuant to the provisions of chapter 293 of NRS,~~ the first Friday in July of the year in which the general city election is to be held.

~~(II) On the dates set forth for general city elections pursuant to the provisions of this chapter, the first Friday in January of the year in which the general city election is to be held.~~

(b) May include one or more proposed locations within the boundaries of the Indian reservation or Indian colony for the temporary branch polling place and proposed hours thereof. Any proposed location must satisfy the criteria established by the city clerk pursuant to NRS 293C.3561.

4. Except as otherwise provided in this subsection, if the city clerk receives a request that satisfies the requirements set forth in subsection 3, the city clerk must establish at least one temporary branch polling place for early voting within the boundaries of the Indian reservation or Indian colony. The location and hours of operation of such a temporary branch polling place for early voting must be approved by the Indian tribe. The city clerk is not required to establish a temporary branch polling place within the boundaries of the Indian reservation or Indian colony if the city clerk determines that it is not logistically feasible to establish a temporary branch polling place within the boundaries of the Indian reservation or Indian colony.

5. The provisions of subsection 3 of NRS 293C.3568 do not apply to a temporary branch polling place. Voting at a temporary branch polling place may be conducted on any one or more days and during any hours within the period for early voting by personal appearance, as determined by the city clerk.

6. The schedules for conducting voting are not required to be uniform among the temporary branch polling places.

7. The legal rights and remedies which inure to the owner or lessor of private property are not impaired or otherwise affected by the leasing of the property for use as a temporary branch polling place for early voting, except to the extent necessary to conduct early voting at that location.

Sec. 14. NRS 293C.370 is hereby amended to read as follows:

293C.370 Except as otherwise provided in NRS ~~293C.115;~~
293C.190:

1. Whenever a candidate whose name appears upon the ballot at a primary city election dies after 5 p.m. ~~on the first~~ **second** Tuesday ~~after the first Monday~~ in ~~March,~~ **April**, the deceased candidate's name must remain on the ballot and the votes cast for the deceased candidate must be counted in determining the nomination for the office for which the decedent was a candidate.

2. If the deceased candidate on the ballot at the primary city election receives the number of votes required to receive the nomination to the office for which he or she was a candidate, the nomination is filled ~~as provided in subsection 2 of NRS 293C.190;~~
by the person who received the next highest vote for the nomination in the primary election.

3. Whenever a candidate whose name appears upon the ballot at a general city election dies after 5 p.m. ~~on the second Tuesday after the second Monday in April,~~ **fourth Friday in July of the year in which the primary city election was held,** the votes

cast for the deceased candidate must be counted in determining the results of the *general city* election for the office for which the decedent was a candidate.

4. If the deceased candidate on the ballot at the general *city* election receives the majority of the votes cast for the office, the deceased candidate shall be deemed elected and the office to which he or she was elected shall be deemed vacant at the beginning of the term for which he or she was elected. The vacancy created must be filled in the same manner as if the candidate had died after taking office for that term.

Sec. 15. NRS 266.405 is hereby amended to read as follows:

266.405 1. In addition to the mayor and city council, there must be in each city of population category one or two a city clerk, a city treasurer, or if those offices are combined pursuant to subsection 4, a city clerk and treasurer, a municipal judge and a city attorney. The offices of city clerk, city treasurer, municipal judge and city attorney may be either elective or appointive offices, as provided by city ordinance. Except as otherwise provided in this subsection, ~~, [and unless the terms of those elected officers are extended by an ordinance adopted pursuant to NRS 293C.115,]~~ the elected officers shall hold their respective offices for 4 years and until their successors are elected and qualified. The cities of population category three may by ordinance provide that the mayor and city council members must be elected and shall hold office for 2 years. ~~[unless the terms of office of the mayor and city council members are extended by an ordinance adopted pursuant to NRS 293C.115.]~~

2. In each city of population category one or two, in which the officers are appointed pursuant to ordinance, the mayor, with the advice and consent of the city council, shall appoint all of the officers.

3. In cities of population category three, the mayor, with the advice and consent of the city council, may appoint any officers as may be deemed expedient.

4. The city council may provide by ordinance for the office of city clerk and the office of city treasurer to be combined into the office of city clerk and treasurer.

Sec. 16. NRS 267.110 is hereby amended to read as follows:

267.110 1. Any city having adopted a charter pursuant to the provisions of NRS 267.010 to 267.140, inclusive, has pursuant to the charter:

(a) All of the powers enumerated in the general laws of the State for the incorporation of cities.

(b) Such other powers necessary and not in conflict with the Constitution and laws of the State of Nevada to carry out the commission form of government.

2. The charter, when submitted, must:

(a) Fix the number of commissioners, their terms of office and their duties and compensation.

(b) Provide for all necessary appointive and elective officers for the form of government therein provided, and fix their salaries and emoluments, duties and powers.

(c) Fix, in accordance with the provisions of NRS 293C.140 and 293C.175 or with the provisions of NRS 293C.145, ~~for with the provisions of paragraph (a) of subsection 1 of NRS 293C.115,~~ the time for the first and subsequent elections for all elective officers. After the first election and the qualification of the officers who were elected, the old officers and all boards or offices and their emoluments must be abolished.

Sec. 17. Section 4 of the Charter of Boulder City is hereby amended to read as follows:

Section 4. Number; selection ; ~~and term;~~ eligibility for office; recall.

1. Except as otherwise provided in section 96, the City Council shall have four Council Members and a Mayor elected from the City at large in the manner provided in Article IX . ~~for terms of four years and until their successors have been elected and have taken office as provided in section 16.~~ No Council Member shall represent any particular constituency or district of the City, and each Council Member shall represent the entire City. (Amd. 2; 6-4-1991; Add. 17; Amd. 1; 11-5-1996)

2. (Repealed by Amd. 1; 6-4-1991)

3. No person may be elected to the office of Mayor who has served in that office for 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in the Nevada Constitution. (Add. 26; Amd. 4; 11-2-2010)

4. No person may be elected to the office of Council Member who has served in that office for 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in the Nevada Constitution. (Add. 26; Amd. 4; 11-2-2010)

5. The Council Members and the Mayor are subject to recall as provided in section 111.5.

Sec. 18. Section 12 of the Charter of Boulder City is hereby amended to read as follows:

Section 12. Vacancies in Council.

Except as otherwise provided in NRS 268.325, a vacancy on the Council must be filled by appointment by a majority of the remaining members of the Council within 30 days or after three regular or special meetings, whichever is the shorter period of time. In the event of a tie vote among the remaining members of the Council, selection must be made by lot. No such appointment extends beyond the next *general* municipal election. (Add. 19; Amd. 1; 7-16-1997)

Sec. 19. Section 96 of the Charter of Boulder City is hereby amended to read as follows:

Section 96. Conduct of municipal elections.

1. All municipal elections must be nonpartisan in character and must be conducted in accordance with the provisions of the general election laws of the State of Nevada and any ordinance regulations as adopted by the City Council which are consistent with law and this Charter. (1959 Charter)

2. ~~IAH~~ *On the first Tuesday after the first Monday in November 2022, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

3. *On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, two Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

4. *All full terms of office in the City Council are 4 years, and Council Members must be elected at large without regard to precinct residency. ~~Except as otherwise provided in subsection 8, two full term Council Members and the Mayor are to be elected in each year immediately preceding a federal presidential election, and two full term Council Members are to be elected in each year immediately following a federal presidential election.~~ In each election, the candidates receiving the greatest number of votes must be declared*

elected to the ~~{vacant}~~ *available* full-term positions. (Add. 17; Amd. 1; 11-5-1996)

~~{3-}~~ 5. In the event one or more 2-year term positions on the Council will be available at the time of a *general* municipal election as provided in section 12, candidates must file specifically for such position(s). Candidates receiving the greatest respective number of votes must be declared elected to the respective available 2-year positions. (Add. 15; Amd. 2; 6-4-1991)

~~{4-}~~ 6. Except as otherwise provided in subsection ~~{8-}~~ 7, a primary municipal election must be held ~~{on}~~ :

(a) *On* the first Tuesday after the first Monday in April ~~{of each odd-numbered year and a general municipal election must be held on the second Tuesday after the first Monday in June of each odd-numbered year.~~

~~—5- 2019; and~~

(b) *Beginning in 2022, on the second Tuesday in June of each even-numbered year.*

7. A primary municipal election must not be held if no more than double the number of Council Members to be elected file as candidates. A primary municipal election must not be held for the office of Mayor if no more than two candidates file for that position. The primary municipal election must be held for the purpose of eliminating candidates in excess of a figure double the number of Council Members to be elected. (Add. 17; Amd. 1; 11-5-1996)

~~{6-}~~ 8. If, in the primary municipal election, a candidate receives votes equal to a majority of voters casting ballots in that election, he or she shall be considered elected to one of the vacancies and his or her name shall not be placed on the ballot for the general municipal election. (Add. 10; Amd. 7; 6-2-1981)

~~{7-}~~ 9. In each primary and general municipal election, voters are entitled to cast ballots for candidates in a number equal to the number of seats to be filled in the municipal elections. (Add. 11; Amd. 5; 6-7-1983)

~~{8-} The City Council may by ordinance provide for a primary municipal election and general municipal election on the dates set forth for primary elections and general elections pursuant to the provisions of chapter 293 of NRS.~~

~~—9. If the City Council adopts an ordinance pursuant to subsection 8, the dates set forth in NRS 293.12755, in subsections 2 to 5, inclusive, of NRS 293.165 and in~~

~~NRS 293.175, 293.177, 293.345 and 293.368 apply for the purposes of conducting the primary municipal elections and general municipal elections.~~

~~—10. If the City Council adopts an ordinance pursuant to subsection 8, the ordinance must not affect the term of office of any elected official of the City serving in office on the effective date of the ordinance. The next succeeding term for that office may be shortened but may not be lengthened as a result of the ordinance.~~

~~—11.† 10.~~ The conduct of all municipal elections must be under the control of the City Council, which shall adopt by ordinance all regulations which it considers desirable and consistent with law and this Charter. Nothing in this Charter shall be construed as to deny or abridge the power of the City Council to provide for supplemental regulations for the prevention of fraud in such elections and for the recount of ballots in cases of doubt or fraud. (Add. 24; Amd. 1; 6-3-2003)

Sec. 20. The Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, at page 55, is hereby amended by adding thereto a new section to be designated as section 5.120, immediately following section 5.110, to read as follows:

Sec. 5.120 Continuation of certain officers.

The Mayor and two Council Members elected at the general municipal election held on the second Tuesday after the first Monday in June 2017 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.010.

Sec. 21. Section 1.060 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as last amended by chapter 515, Statutes of Nevada 1997, at page 2449, is hereby amended to read as follows:

Sec. 1.060 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:

1. A vacancy in the City Council or in the office of Mayor 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 Council before the vacancy occurs. In such a case, 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 elected official.

2. The appointee shall serve until the next *general* municipal election and his or her successor is elected and qualified. At the time of the election, if a balance remains in the term of office to which the appointee was appointed, the successor may be elected only for the balance of that term.

Sec. 22. Section 2.010 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 954, is hereby amended to read as follows:

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

1. The legislative power of the City is vested in a City Council consisting of five Council Members, including the Mayor.

2. The Mayor and each Council Member must be:

(a) Bona fide residents of the City for at least 2 years immediately prior to their election.

(b) Qualified electors within the City.

3. All Council Members, including the Mayor, must be voted upon by the registered voters of the City at large and shall serve for terms of 4 years except as otherwise provided in ~~section~~ *sections* 5.010 ~~and~~ *5.120*.

4. The Mayor and Council Members shall receive a salary in an amount fixed by the City Council. Such salary must not be increased or diminished during the term of the recipient.

Sec. 23. Section 5.010 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as last amended by chapter 336, Statutes of Nevada 2015, at page 1889, is hereby amended to read as follows:

Sec. 5.010 ~~Municipal~~ *General municipal* elections.

1. ~~Except as otherwise provided in subsection 2:~~

~~—(a)~~ On the second Tuesday after the first Monday in June 2019, ~~and at each successive interval of 4 years thereafter,~~ there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, two Council Members who shall hold office ~~for a period of 4 years and~~ until their successors have been elected and qualified ~~and~~ *pursuant to subsection 3*.

~~(b)~~ 2. On the ~~second~~ *first* Tuesday after the first Monday in ~~June 2017,~~ *November 2022*, and at each

successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

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

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

~~—4. If the City Council adopts an ordinance pursuant to subsection 2, the term of office of any elected official may be shortened but may not be lengthened as a result of the ordinance.]~~

3. On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, two Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.

Sec. 24. Section 5.100 of the Charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, as amended by chapter 185, Statutes of Nevada 2007, at page 627, is hereby amended to read as follows:

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

1. The election returns from any municipal election shall be filed with the City Clerk, who shall immediately place such returns in a safe or vault, and no person shall be permitted to handle, inspect or in any manner interfere with such returns until canvassed by the City Council.

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

3. The City Clerk, under his or her hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers so elected shall qualify and enter upon the discharge of their respective duties on the first Monday in :

(a) July next following their election ~~HH~~ *for those officers elected in June 2019.*

(b) *January next following their election for those officers elected in November 2022 and November of every even-numbered year thereafter.*

4. If any election should result in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie by lot. The Clerk shall then issue to the winner a certificate of election.

Sec. 25. The Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 402, is hereby amended by adding thereto a new section to be designated as section 5.120, immediately following section 5.110, to read as follows:

Sec. 5.120 Continuation of certain officers.

1. The Municipal Judge for Department 2 elected at the general municipal election held in June 2015 shall continue in office until the election, and qualification thereafter, of his or her successor pursuant to subsection 3 of section 5.020.

2. The Municipal Judge for Department 3 elected at the general municipal election held in June 2017 shall continue in office until the election, and qualification thereafter, of his or her successor pursuant to subsection 5 of section 5.020.

3. The Mayor and one Council Member elected at the general municipal election held in June 2017 shall continue in office until the election, and qualification thereafter, of his or her successor pursuant to subsection 2 of section 5.020.

Sec. 26. Section 2.010 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 955, is hereby amended to read as follows:

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

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

2. The Mayor must be:

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

(b) A qualified elector within the City.

3. Each Council Member must be:

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

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

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

4. All Council Members, including the Mayor, must be voted upon by the registered voters of the City at large and, except as otherwise provided in ~~section~~ **sections** 5.020 ~~and 5.120~~, shall serve for terms of 4 years.

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

Sec. 27. Section 3.010 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, at page 412, is hereby amended to read as follows:

Sec. 3.010 Mayor: Duties; Mayor pro tempore.

1. The Mayor shall:

(a) Serve as a member of the City Council and preside over its meetings.

(b) Have no administrative duties.

(c) Be recognized as the head of the City government for all ceremonial purposes.

(d) Perform such emergency duties as may be necessary for the general health, welfare and safety of the City.

(e) Perform such other duties, except administrative duties, as may be prescribed by ordinance or by the

provisions of Nevada Revised Statutes which apply to a mayor of a city organized under the provisions of a special charter.

2. The City Council shall elect one of its members to be Mayor pro tempore. Such person shall:

(a) Hold such office and title, without additional compensation, during the term for which he or she was elected.

(b) Perform the duties of Mayor during the absence or disability of the Mayor.

(c) Act as Mayor until the ~~next municipal election if the office of Mayor becomes vacant.~~ *vacancy is filled pursuant to section 1.070.*

Sec. 28. Section 4.015 of the Charter of the City of Henderson, being chapter 231, Statutes of Nevada 1991, as last amended by chapter 218, Statutes of Nevada 2011, at page 955, is hereby amended to read as follows:

Sec. 4.015 Municipal Court.

1. There is a Municipal Court of the City which consists of at least one department. Each department must be presided over by a Municipal Judge and has such power and jurisdiction as is prescribed in, and is, in all respects which are not inconsistent with this Charter, governed by, the provisions of chapters 5 and 266 of NRS which relate to municipal courts.

2. The City Council may from time to time establish additional departments of the Municipal Court and shall appoint an additional Municipal Judge for each.

3. At the first primary or general municipal election which follows the appointment of an additional Municipal Judge to a newly created department of the Municipal Court, the successor to that Municipal Judge must be elected for a term of not more than 5 years, as determined by the City Council, in order that, as nearly as practicable, one-third of the number of Municipal Judges be elected every 2 years.

4. Except as otherwise provided in subsection 3, each Municipal Judge must be voted upon by the registered voters of the City at large and, except as otherwise provided in ~~section~~ *subsection 3 and sections 5.020* ~~and 5.120,~~ shall serve for a term of 6 years.

5. The respective departments of the Municipal Court must be numbered 1 through the appropriate Arabic number, as additional departments are approved by the City Council.

A Municipal Judge must be elected for each department by number.

6. The Senior Municipal Judge is selected by a majority of the sitting judges for a term of 2 years. If no Municipal Judge receives a majority of the votes, the Senior Municipal Judge is the Municipal Judge who has continuously served as a Municipal Judge for the longest period.

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

Sec. 5.010 Primary municipal election.

1. ~~Except as otherwise provided in section 5.020, a~~ A primary municipal election must be held ~~on~~ :

(a) *On the first Tuesday after the first Monday in April of each odd-numbered year, 2019; and*

(b) *Beginning in 2022, on the second Tuesday in June of each even-numbered year,*

↳ at which time there must be nominated candidates for offices to be voted for at the next general municipal election.

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

3. All candidates for elective office must be voted upon by the registered voters of the City at large.

4. If in the primary municipal election no candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, the names of the two candidates receiving the highest number of votes must be placed on the ballot for the general municipal election. If in the primary municipal election, regardless of the number of candidates for an office, one candidate receives a majority of votes cast in that election for the office for which he or she is a candidate, he or she must be declared elected and no general municipal election need be held for that office. Such candidate shall enter upon his or her respective duties at :

(a) *If the primary municipal election was held in 2019, the second regular meeting of the City Council held in June of the year of the general municipal election, 2019.*

(b) *If the primary municipal election was held on the second Tuesday of June of an even-numbered year, the first regular meeting of the City Council held in January of the year following the primary municipal election.*

Sec. 30. Section 5.020 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 336, Statutes of Nevada 2015, at page 1890, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

1. ~~{Except as otherwise provided in subsection 2:~~

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

~~—(b) All candidates for the office of Mayor, Council Member and Municipal Judge must be voted upon by the registered voters of the City at large. The term of office for members of the City Council and the Mayor is 4 years. Except as otherwise provided in subsection 3 of section 4.015, the term of office for a Municipal Judge is 6 years.~~

~~—(c) On the second Tuesday after the first Monday in June 2019, {and every 6 years thereafter,} there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose {, at}:~~

(a) Three Council Members who shall hold office until their successors have been elected and qualified pursuant to subsection 4; and

(b) A Municipal Judge for Department 1 who {will} shall hold office until his or her successor has been elected and qualified {;

~~—(d) pursuant to subsection 6.~~

2. On the first Tuesday after the first Monday in November 2022, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and one Council Member who shall hold office for a period of 4 years and until their successors have been elected and qualified.

3. On the {second} first Tuesday after the first Monday in {June 2021,} November 2022, and {every} at each successive interval of 6 years, {thereafter,} there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Municipal Judge for Department 2 who {will} shall hold office for a period of 6 years and until his or her successor has been elected and qualified.

~~(e)~~ 4. On the ~~second~~ *first* Tuesday after the first Monday in ~~June 2017,~~ *November 2024, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, three Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

5. *On the first Tuesday after the first Monday in November 2024, and ~~every~~ at each successive interval of 6 years , ~~thereafter,~~ there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Municipal Judge for Department 3 who ~~will~~ shall hold office *for a period of 6 years and* until his or her successor has been elected and qualified.*

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

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

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

6. *On the first Tuesday after the first Monday in November 2026, and at each successive interval of 6 years, there must be elected by the qualified voters of the City, at a general municipal election held for that purpose, a Municipal Judge for Department 1 who shall hold office for a period of 6 years and until his or her successor has been elected and qualified.*

Sec. 31. Section 5.100 of the Charter of the City of Henderson, being chapter 266, Statutes of Nevada 1971, as last amended by chapter 266, Statutes of Nevada 2013, at page 1216, is hereby amended to read as follows:

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

2. The City Council shall meet at any time 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. No person may have access to the returns except on order of a court of competent jurisdiction or by order of the City Council.

3. The City Clerk, under his or her hand and official seal, shall issue to each person elected a certificate of election. Except as otherwise provided in section 1.070, ~~the officers~~ *an officer* so elected shall qualify and enter upon the discharge of ~~their~~ *his or her* respective duties at :

(a) If the officer is elected pursuant to subsection 1 of section 5.020, the second regular meeting of the City Council held in June of the year of the general municipal election.

(b) If the officer is elected pursuant to subsection 2, 3, 4, 5 or 6 of section 5.020, the first regular meeting of the City Council held in January of the year following the general municipal 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 by lot. The City Clerk shall then issue to the winner a certificate of election.

Sec. 32. The Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1391, is hereby amended by adding thereto a new section to be designated as section 5.140, immediately following section 5.130, to read as follows:

Sec. 5.140 Continuation of certain officers.

1. The Municipal Judges for Departments 1, 4 and 6 elected at the general municipal election held in June 2015 shall continue in office until the general municipal election, and qualification thereafter, of their successors pursuant to subsection 3 of section 5.020.

2. The Municipal Judges for Departments 2, 3 and 5 elected at the general municipal election held in June 2017 shall continue in office until the general municipal election, and qualification thereafter, of their successors pursuant to subsection 5 of section 5.020.

3. The Council Members from even-numbered wards elected at the general municipal election held in June 2017 shall continue in office until the general municipal election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.020.

Sec. 33. Section 1.140 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 218, Statutes of Nevada 2011, at page 958, is hereby amended to read as follows:

Sec. 1.140 Elective offices.

1. The elective officers of the City consist of:

- (a) A Mayor.
- (b) One Council Member from each ward.
- (c) Municipal Judges.

2. Except as otherwise provided in ~~section~~ *sections* 5.020 ~~and~~ *and 5.140*, the terms of office of the Mayor and Council Members are 4 years.

3. Except as otherwise provided in subsection 3 of section 4.010 and ~~section~~ *sections* 5.020 ~~and~~ *and 5.140*, the term of office of a Municipal Judge is 6 years.

Sec. 34. Section 1.160 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 336, Statutes of Nevada 2015, at page 1891, is hereby amended to read as follows:

Sec. 1.160 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:

1. A vacancy in the office of Mayor, Council Member or Municipal Judge must be filled by the majority vote of the entire City Council within 30 days after the occurrence of that vacancy. A person may be selected to fill a prospective vacancy before the vacancy occurs. In such a case, 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, including, without limitation, any applicable residency requirement.

2. Except as otherwise provided in section 5.010, no appointment extends beyond the first regular meeting of the City Council that follows the next general municipal election, at that election the office must be filled for the remainder of the unexpired term . ~~or beyond the first regular meeting of the City Council after the second Tuesday after the first~~

~~Monday in the next succeeding June in an odd-numbered year, if no general municipal election is held in that year.~~

Sec. 35. Section 2.030 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, at page 1394, is hereby amended to read as follows:

Sec. 2.030 Mayor: Duties; Mayor pro tempore; duties.

1. The Mayor shall preside over and conduct the meetings of the City Council.

2. The City Council shall elect one of its members to be Mayor pro tempore. That person:

(a) Shall hold that office and title without additional compensation during the term for which he or she was elected as Mayor pro tempore.

(b) Possesses the powers and shall perform the duties of Mayor during the absence or disability of the Mayor.

(c) Shall act as Mayor until the ~~{next municipal election, if the office of Mayor becomes vacant.}~~ *vacancy is filled pursuant to section 1.160.*

Sec. 36. Section 4.020 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 218, Statutes of Nevada 2011, at page 958, is hereby amended to read as follows:

Sec. 4.020 Municipal Court: Qualifications of Municipal Judges; salary; Master Judge; departments; Alternate Judges.

1. Each Municipal Judge shall devote his or her full time to the duties of his or her office and must be:

(a) A duly licensed member, in good standing, of the State Bar of Nevada, but this qualification does not apply to any Municipal Judge who is an incumbent when this Charter becomes effective as long as he or she continues to serve as such in uninterrupted terms.

(b) A qualified elector who has resided within the territory which is established by the boundaries of the City for a period of not less than 30 days immediately before the last day for filing a declaration of candidacy for the department for which he or she is a candidate.

(c) Voted upon by the registered voters of the City at large.

2. The salary of the Municipal Judges must be fixed by ordinance and be uniform for all departments of the Municipal Court. The salary may be increased during the terms for which the Judges are elected or appointed.

3. The Municipal Judges of the six departments shall elect a Master Judge from among their number. The Master Judge shall hold office for a term of 2 years commencing on :

(a) *If the general municipal election is held in an odd-numbered year*, July 1 of each year of a general municipal election.

(b) *If the general municipal election is held in an even-numbered year, January 1 of the year following the general municipal election.*

4. If a vacancy occurs in the position of Master Judge, the Municipal Judges shall elect a replacement for the remainder of the unexpired term. If two or more Municipal Judges receive an equal number of votes for the position of Master Judge, the candidates who have received the tie votes shall resolve the tie vote by the drawing of lots. The Master Judge:

(a) Shall establish and enforce administrative regulations for governing the affairs of the Municipal Court.

(b) Is responsible for setting trial dates and other matters which pertain to the Court calendar.

(c) Shall perform such other Court administrative duties as may be required by the City Council.

~~14.1~~ 5. Alternate Judges in sufficient numbers may be appointed annually by the Mayor, each of whom:

(a) Must be a duly licensed member, in good standing, of the State Bar of Nevada and have such other qualifications as are prescribed by ordinance.

(b) Has all of the powers and jurisdiction of a Municipal Judge while acting as such.

(c) Is entitled to such compensation as may be fixed by the City Council.

~~15.1~~ 6. Any Municipal Judge, other than an Alternate Judge, automatically forfeits his or her office if he or she ceases to be a resident of the City.

Sec. 37. Section 5.010 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as last amended by chapter 218, Statutes of Nevada 2011, at page 959, is hereby amended to read as follows:

Sec. 5.010 Primary municipal elections. ~~Except as otherwise provided in section 5.020:-~~

~~1. On the Tuesday after the first Monday in April 2001, and at each successive interval of 4 years, a]~~

1. A primary municipal election must be held in the City ~~at which time candidates for half of the offices of Council Member and for Municipal Judge, Department 2, must be nominated.~~

~~—2.:~~

(a) On the *first* Tuesday after the first Monday in April ~~[2003, and at each successive interval of 4 years, a primary municipal election must be held in the City at which time candidates for Mayor, for the other half of the offices of Council Member and for Municipal Judge, Department 1, must be nominated.~~

~~—3.:~~ 2019; and

(b) *Beginning in 2022, on the second Tuesday in June of each even-numbered year.*

2. *In the primary municipal elections:*

(a) The candidates for Council Member who are to be nominated ~~[as provided in subsections 1 and 2]~~ must be nominated and voted for separately according to the respective wards. ~~[The candidates from each even-numbered ward must be nominated as provided in subsection 1, and the candidates from each odd-numbered ward must be nominated as provided in subsection 2.]~~

~~—4.:~~ (b) If the City Council has established an additional department or departments of the Municipal Court pursuant to section 4.010 and, as a result, more than one office of Municipal Judge is to be filled at any election, the candidates for those offices must be nominated and voted upon separately according to the respective departments.

~~[5.]~~ 3. Each candidate for ~~[the municipal offices which are provided for in subsections 1, 2 and 4]~~ *municipal office* must file a declaration of candidacy with the City Clerk. All filing fees collected by the City Clerk must be paid into the City Treasury.

~~[6.]~~ 4. If, in the primary municipal election, regardless of the number of candidates for an office, one candidate receives a majority of votes which are cast in that election for the office for which he or she is a candidate, he or she must be declared elected for the term which commences on the day of the first regular meeting of the City Council next succeeding the meeting at which the canvass of the returns is made, and no general municipal election need be held for that office. If, in the primary municipal election, no candidate receives a majority of votes which are cast in that election for

the office for which he or she is a candidate, the names of the two candidates who receive the highest number of votes must be placed on the ballot for the general municipal election.

Sec. 38. Section 5.020 of the Charter of the City of Las Vegas, being chapter 517, Statutes of Nevada 1983, as amended by chapter 336, Statutes of Nevada 2015, at page 1892, is hereby amended to read as follows:

Sec. 5.020 General municipal election.

1. ~~{Except as otherwise provided in subsection 2,}~~ *On the second Tuesday after the first Monday in June 2019, there must be elected, at* a general municipal election ~~{must be held in the City on the second Tuesday after the first Monday in June of each odd-numbered year and on the same day every 2 years thereafter, at which time there must be elected those officers whose offices are required to be filled by election in that year.~~

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

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

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

~~—5.}~~ *held for that purpose, the Mayor and Council Members from odd-numbered wards who shall hold office until their successors have been elected and qualified pursuant to subsection 4.*

2. *On the first Tuesday after the first Monday in November 2022, and at each successive interval of 4 years, there must be elected, at a general municipal election held for that purpose, the Council Members from even-numbered wards who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

3. *On the first Tuesday after the first Monday in November 2022, and at each successive interval of 6 years, there must be elected, at a general municipal election held for that purpose, Municipal Judges for Departments 1, 4 and 6 who shall hold office for a period of 6 years and until their successors have been elected and qualified.*

4. *On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, there must be elected, at a general municipal election held for that purpose, the Mayor and Council Members from odd-numbered wards who shall hold office for a period of 4 years and until their successors have been elected and qualified.*

5. *On the first Tuesday after the first Monday in November 2024, and at each successive interval of 6 years, there must be elected, at a general municipal election held for that purpose, Municipal Judges for Departments 2, 3 and 5 who shall hold office for a period of 6 years and until their successors have been elected and qualified.*

6. All candidates for elective office, except the office of Council Member, must be voted upon by the registered voters of the City at large.

Sec. 39. The Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, at page 1210, is hereby amended by adding thereto a new section to be designated as section 5.100, immediately following section 5.090, to read as follows:

Sec. 5.100 Continuation of certain officers.

1. *The Municipal Judge elected at the general municipal election held in June 2015 shall continue in office until the election, and qualification thereafter, of his or her successor pursuant to subsection 3 of section 5.010.*

2. *The Mayor and two Council Members elected at the general municipal election held in June 2017 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.010.*

Sec. 40. Section 1.060 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 515, Statutes of Nevada 1997, at page 2451, is hereby amended to read as follows:

Sec. 1.060 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:

1. A vacancy in the City Council or in the office of Mayor 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 such a case, 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.

2. No such appointment extends beyond the first day of ~~July after~~ *the month following* the next *general* municipal election, at which election the office must be filled for the remaining unexpired term.

Sec. 41. Section 2.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 961, is hereby amended to read as follows:

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

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

2. The Mayor must be:

(a) A bona fide resident of the City for at least 6 months immediately preceding his or her election.

(b) A qualified elector within the City.

3. Each Council Member:

(a) Must be a qualified elector who has resided in the ward which he or she represents for at least 30 days immediately preceding the last day for filing a declaration of candidacy for his or her office.

(b) Must continue to live in the ward he or she represents, except that changes in ward boundaries made pursuant to section 1.045 will not affect the right of any elected Council Member to continue in office for the term for which he or she was elected.

4. At the time of filing, if so required by an ordinance duly enacted, candidates for the office of Mayor and Council Member shall produce evidence in satisfaction of any or all of the qualifications provided in subsection 2 or 3, whichever is applicable.

5. Each Council Member must be voted upon only by the registered voters of the ward that he or she seeks to

represent, and except as otherwise provided in sections 5.010 and ~~5.025,~~ **5.100**, his or her term of office is 4 years.

6. The Mayor must be voted upon by the registered voters of the City at large, and except as otherwise provided in sections 5.010 and ~~5.025,~~ **5.100**, his or her term of office is 4 years.

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

Sec. 42. Section 4.005 of the Charter of the City of North Las Vegas, being chapter 215, Statutes of Nevada 1997, as last amended by chapter 218, Statutes of Nevada 2011, at page 962, is hereby amended to read as follows:

Sec. 4.005 Municipal Court.

1. There is a Municipal Court of the City which consists of at least one department. Each department must be presided over by a Municipal Judge and has such power and jurisdiction as is prescribed in, and is, in all respects which are not inconsistent with this Charter, governed by the provisions of chapters 5 and 266 of NRS which relate to municipal courts.

2. The City Council may, from time to time, by ordinance, establish additional departments of the Municipal Court and shall appoint an additional Municipal Judge for each additional department.

3. At the first primary or general municipal election that follows the appointment of an additional Municipal Judge to a newly created department of the Municipal Court, the successor to that Municipal Judge must be elected for an initial term of not more than 6 years, as determined by the City Council, in order that, as nearly as practicable, one-third of the number of Municipal Judges be elected every 2 years.

4. Except as otherwise provided by the ordinance establishing an additional department, each Municipal Judge must be voted upon by the registered voters of the City at large and, except as otherwise provided in sections 5.010 and ~~5.025,~~ **5.100**, holds office for a period of 6 years and until his or her successor has been elected and qualified.

5. The respective departments of the Municipal Court must be numbered 1 through the appropriate Arabic numeral, as additional departments are approved by the City Council. A Municipal Judge must be elected for each department by number.

Sec. 43. Section 5.010 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 336, Statutes of Nevada 2015, at page 1892, is hereby amended to read as follows:

Sec. 5.010 General municipal elections.

1. ~~1. Except as otherwise provided in section 5.025: (a) On the second Tuesday after the first Monday in June {2017, and at each successive interval of 4 years thereafter,} 2019, there must be elected, at a general municipal election to be held for that purpose, {a Mayor and} two Council Members, who shall hold office {for a period of 4 years and} until their successors have been elected and qualified {~~
~~(b) pursuant to subsection 4.~~
2. On the ~~{second}~~ *first* Tuesday after the first Monday in ~~{June 2019,}~~ *November 2022*, and at each successive interval of 4 years thereafter, there must be elected, at a general municipal election to be held for that purpose, *a Mayor and* two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.
- ~~{2.}~~ 3. *On the first Tuesday after the first Monday in November 2022, and at each successive interval of 6 years, there must be elected, at a general municipal election to be held for that purpose, a Municipal Judge who shall hold office for a period of 6 years and until his or her successor has been elected and qualified.*
4. *On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years thereafter, there must be elected, at a general municipal election to be held for that purpose, two Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.*
5. In a general municipal election:
 - (a) A candidate for the office of City Council Member must be elected only by the registered voters of the ward that he or she seeks to represent.
 - (b) Candidates for all other elective offices must be elected by the registered voters of the City at large.

Sec. 44. Section 5.020 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 963, is hereby amended to read as follows:

Sec. 5.020 Primary municipal elections; declaration of candidacy.

1. The City Council shall provide by ordinance for candidates for elective office to declare their candidacy and file the necessary documents. The seats for City Council Members must be designated by the numbers one through four, which numbers must correspond with the wards the candidates for City Council Members will seek to represent. A candidate for the office of City Council Member shall include in his or her declaration of candidacy the number of the ward which he or she seeks to represent. Each candidate for City Council must be designated as a candidate for the City Council seat that corresponds with the ward that he or she seeks to represent.

2. ~~{Except as otherwise provided in section 5.025, a}~~ A primary municipal election must be held ~~{on}~~ :

(a) On the Tuesday following the first Monday in April ~~{preceding the general municipal election, at which time there must be nominated candidates for offices to be voted for at the next general municipal election.}~~ 2019; and

(b) Beginning in 2022, on the second Tuesday in June of each even-numbered year.

3. In the primary municipal election:

(a) A candidate for the office of City Council Member must be voted upon only by the registered voters of the ward that he or she seeks to represent.

(b) Candidates for all other elective offices must be voted upon by the registered voters of the City at large.

~~{3-}~~ 4. Except as otherwise provided in subsection ~~{4,}~~ 5, after the primary municipal election, the names of the two candidates who receive the highest number of votes must be placed on the ballot for the general municipal election.

~~{4-}~~ 5. If, regardless of the number of candidates for an office, one candidate receives a majority of the total votes cast for that office in the primary municipal election, he or she must be declared elected to that office and no general municipal election need be held for that office.

Sec. 45. Section 5.080 of the Charter of the City of North Las Vegas, being chapter 573, Statutes of Nevada 1971, as last amended by chapter 465, Statutes of Nevada 1985, at page 1440, is hereby amended to read as follows:

Sec. 5.080 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

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

2. The City Council shall meet at any time within 16 days after any election and shall 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 his or her hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers so elected shall qualify and enter upon the discharge of their respective duties on the 1st day of ~~July~~ *the month* next following their election.

4. If any election should result in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie by lot. The Clerk shall then issue to the winner a certificate of election.

Sec. 46. The Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, at page 901, is hereby amended by adding thereto a new section to be designated as section 5.110, immediately following section 5.100, to read as follows:

Sec. 5.110 Continuation of certain officers.

The two Council Members elected at the general municipal election held in June 2017 shall continue in office until the election, and qualification thereafter, of their successors pursuant to subsection 2 of section 5.010.

Sec. 47. Section 1.060 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as amended by chapter 515, Statutes of Nevada 1997, at page 2453, is hereby amended to read as follows:

Sec. 1.060 Elective offices: Vacancies. Except as otherwise provided in NRS 268.325:

1. A vacancy in the City Council or in the office of Mayor must be filled by a majority vote of the members of the City Council, or the remaining members, in the case of a vacancy in the City Council, within 30 days after the occurrence of the vacancy. The appointee must have the same qualifications as are required of the elective official.

2. No such appointment extends beyond the first Monday ~~in July after~~ *of the month following* the next municipal election, at which election the office must be filled.

Sec. 48. Section 2.010 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as last amended by chapter 218, Statutes of Nevada 2011, at page 963, is hereby amended to read as follows:

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

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

2. The Council Members must be:

(a) Bona fide residents of the City for at least 6 months immediately preceding their election.

(b) Qualified electors in the City.

3. All Council Members must be voted upon by the registered voters of the City at large and, except as otherwise provided in ~~section~~ *sections* 5.010 ~~+~~ *and 5.110*, shall serve for terms of 4 years.

4. The Council Members shall receive a salary in an amount fixed by the City Council.

Sec. 49. Section 5.010 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, as last amended by chapter 336, Statutes of Nevada 2015, at page 1893, is hereby amended to read as follows:

Sec. 5.010 Municipal elections.

1. ~~Except as otherwise provided in subsection 2:~~
~~—(a)—~~ On the second Tuesday after the first Monday in June 2019, ~~and at each successive interval of 4 years,~~ there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members, who shall hold office ~~for a period of 4 years and~~ until their successors have been elected and qualified ~~+~~

~~—(b)—~~ *pursuant to subsection 3.*

2. On the ~~second~~ *first* Tuesday after the first Monday in ~~June 2017,~~ *November 2022*, and at each successive

interval of 4 years , ~~{thereafter,}~~ there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, two Council Members, who shall hold office for a period of 4 years and until their successors have been elected and qualified.

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

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

~~4. If the City Council adopts an ordinance pursuant to subsection 2, the term of office of any elected official may be shortened but may not be lengthened as a result of the ordinance.~~

3. On the first Tuesday after the first Monday in November 2024, and at each successive interval of 4 years, there must be elected by the qualified voters of the City, at a general municipal election to be held for that purpose, a Mayor and two Council Members who shall hold office for a period of 4 years and until their successors have been elected and qualified.

Sec. 50. Section 5.090 of the Charter of the City of Yerington, being chapter 465, Statutes of Nevada 1971, at page 913, is hereby amended to read as follows:

Sec. 5.090 Election returns; canvass; certificates of election; entry of officers upon duties; tie vote procedure.

1. The election returns from any municipal election shall be filed with the City Clerk, who shall immediately place such returns in a safe or vault, and no person shall be permitted to handle, inspect or in any manner interfere with such returns until canvassed by the City Council.

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

3. The City Clerk, under his or her hand and official seal, shall issue to each person declared to be elected a certificate of election. The officers so elected shall qualify and enter upon the discharge of their respective duties on the 1st Monday ~~in July next~~ *of the month* following their election.

4. If any election should result in a tie, the City Council shall summon the candidates who received the tie vote and determine the tie by lot. The Clerk shall then issue to the winner a certificate of election.

Sec. 51. Notwithstanding any other provision of law to the contrary, if a city incorporated pursuant to general law held a general city election in:

1. June 2017, the elective city officers elected at such general city election shall continue in office until the election, and qualification thereafter, of their successors in the general city election to be held on the first Tuesday after the first Monday in November 2022.

2. June 2019, the elective city officers elected at such general city election shall continue in office until the election, and qualification thereafter, of their successors in the general city election to be held on the first Tuesday after the first Monday in November 2024.

Sec. 52. Except as otherwise provided in section 52.5 of this act, notwithstanding any other provision of law to the contrary, if the term of any elective city officer whose term of office expires in 2021, 2023 or 2025 is not otherwise extended or shortened pursuant to sections 1 to 51, inclusive, of this act, the person or entity designated by law to fill vacancies that occur on the city council of the city shall appoint the incumbent elective city officer to serve as city council member, mayor, municipal judge or other elective city officer, as applicable, in that office until his or her successor is elected and qualified at the general city election in 2022, 2024 or 2026, as applicable, if that person is willing to serve in that capacity. If the person is not willing to serve in that capacity, the position must be filled in the same manner as if a vacancy occurred in the position.

Sec. 52.5. 1. Notwithstanding any other provision of this act, Boulder City shall transition to the statewide election cycle pursuant to Ordinance No. 1613, effective on November 1, 2018, and any amendments consistent thereto, passed by the City Council of Boulder City.

2. To carry out and accomplish this purpose, Ordinance No. 1613, and any amendments consistent thereto, are not preempted or repealed, either expressly or by implication, by the provisions of this act and must remain in effect until Boulder City has completed its transition to the statewide election cycle and is conducting elections in a manner consistent with the provisions of this act.

3. Any person elected to the office of Mayor or Council Member in Boulder City in June 2019 or June 2021 under Ordinance No. 1613, and any amendments consistent thereto, shall serve a shortened term in office pursuant to Ordinance No. 1613, and any amendments consistent thereto, until their successors are elected and qualified at the general city election in November 2022 or November 2024, as applicable.

Sec. 52.7. The amendatory provisions of this act do not abrogate, alter or affect the results of any election conducted before July 1, 2019.

Sec. 53. Section 5.025 of the Charter of the City of North Las Vegas, being chapter 218, Statutes of Nevada 2011, at page 961, is hereby repealed.

Sec. 54. 1. This section and sections 3.8, 6.2, 7.2, 7.7, 8, 17, 18 and 20 to 53, inclusive, of this act become effective on July 1, 2019.

2. Sections 1, 2, 3, 4, 5, 6.4, 7.4, 9 to 16, inclusive, and 19 of this act become effective on July 1, 2021.

JOHN L. MARSHALL, ESQ.
SBN 6733
570 Marsh Ave.
Reno, Nevada 89509
(775) 303-4882
johnladuemarshall@gmail.com

LUKE A. BUSBY, ESQ.
SBN 10319
316 California Ave.
Reno, Nevada 89509
(775) 453-0112
luke@lukeandrewbusbyltd.com

Attorneys for the Respondent

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WASHOE**

* * *

IN THE MATTER OF CHALLENGE TO
THE QUALIFICATIONS OF JENNY
BREKHUS,

Jenny Brekhus, Respondent; William
Mantle, Challenger, and Real Parties in
Interest.

CASE NO: CV22-00560

DEPT NO: 4

**SUBPOENA FOR WITNESS TESTIMONY
AND FOR THE PRODUCTION OF DOCUMENTS**

TO: William Mantle
2040 Angel Ridge Dr.
Reno, NV 89521

YOU ARE HEREBY COMMANDED, that all and singular, business and excuses
being set aside, you must appear at the Hearing in the above captioned matter,

1 which is set to commence on April 20, 2022 at the Second Judicial District Court,
2 State of Nevada, Washoe County, 75 Court Street, Reno, Nevada, Department 4, for
3 the purpose of providing oral testimony. The Hearing will commence at 10:00 a.m.
4 until completed. The exact date and time of your testimony will be determined by
5 Court schedule and you will be notified no less than 24 hours before your required
6 appearance.

7
8 Failure by any person without adequate excuse to obey a subpoena served
9 upon that person may be deemed in contempt of the court from which the
10 subpoena issued. [Nevada Rules of Civil Procedure, Rule 45(e)].
11

12 **YOU ARE ORDERED**, pursuant to NRCP 45, to produce and permit
13 inspection and copying of the books, documents, or tangible things set forth below
14 in the "ITEMS TO BE PRODUCED" section that are in your possession, custody, or
15 control, by delivering a true, legible, and durable copy of the records described
16 below to the requesting attorney or party appearing in proper person, by United
17 States mail or similar delivery service, no later than April 19, 2022 at 5:00 p.m. at the
18 following address:
19

20 Luke Andrew Busby, Ltd.
21 432 Court St.
22 Reno, NV 89509

23 Please provide electronic copies in pdf format wherever possible on a suitable
24 digital storage device.
25

26 **CONTEMPT:** Failure by any person without adequate excuse to obey a
27 subpoena served upon that person may be deemed a contempt of the court, NRCP
28 45(e), punishable by a fine not exceeding \$500 and imprisonment not exceeding 25

1 days, NRS 22.100. Additionally, a witness disobeying a subpoena shall forfeit to the
2 aggrieved party \$100 and all damages sustained as a result of the failure to attend,
3 and a warrant may issue for the witness' arrest. NRS 50.195, 50.205, and 22.100(3).
4

5 Please see the attached Exhibit "A" for information regarding your rights and
6 responsibilities relating to this Subpoena.

7 Affirmation

8 **NRS 239B.030(4) AFFIRMATION**

9 Pursuant to NRS 239B.030 the undersigned hereby affirms that this document
10 does not contain the social security number of any person.
11

12 **DATED** this Apr 16, 2022
13

14 By: /s/ Luke Busby, Esq.
15 JOHN L. MARSHALL, ESQ.
16 SBN 6733
17 570 Marsh Ave.
18 Reno, Nevada 89509
(775) 303-4882
johnladuemarshall@gmail.com

19 LUKE A. BUSBY, ESQ.
20 SBN 10319
21 316 California Ave.
22 Reno, Nevada 89509
(775) 453-0112
luke@lukeandrewbusbyltd.com
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ITEMS TO BE PRODUCED

1. Any and all emails between William Mantle and any official or employee of the City of Reno from April 1, 2022 to April 19, 2022.

2. Any and all text messages between William Mantle and any official or employee of the City of Reno from April 1, 2022 to April 19, 2022.

Exhibit A**NCRP Rule 45****(c) Protection of Persons Subject to Subpoena.**

(1) **Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court that issued the subpoena must enforce this duty and may impose an appropriate sanction — which may include lost earnings and reasonable attorney fees — on a party or attorney who fails to comply.

(2) **Command to Produce Materials or Permit Inspection.**

(A) **Appearance Not Required.**

(i) A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(ii) If documents, electronically stored information, or tangible things are produced to the party that issued the subpoena without an appearance at the place of production, that party must, unless otherwise stipulated by the parties or ordered by the court, promptly copy or electronically reproduce the documents or information, photograph any tangible items not subject to copying, and serve these items on every other party. The party that issued the subpoena may also serve a statement of the reasonable cost of copying, reproducing, or photographing, which a party receiving the copies, reproductions, or photographs must promptly pay. If a party disputes the cost, then the court, on motion, must determine the reasonable cost of copying the documents or information, or photographing the tangible items.

(B) **Objections.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, or a person claiming a proprietary interest in the subpoenaed documents, information, tangible things, or premises to be inspected, may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The person making the objection must serve it before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made:

(i) the party serving the subpoena is not entitled to inspect, copy, test, or sample the materials or tangible things or to inspect the premises except by order of the court that issued the subpoena;

(ii) on notice to the parties, the objecting person, and the person commanded to produce or permit inspection, the party serving the subpoena may move the court that issued the subpoena for an order compelling production or inspection; and

(iii) if the court enters an order compelling production or inspection, the order must protect the person commanded to produce or permit inspection from significant expense resulting from compliance.

(3) **Quashing or Modifying a Subpoena.**

(A) When Required. On timely motion, the court that issued a subpoena must quash or modify the subpoena if it:

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person to travel to a place more than 100 miles from the place where that person resides, is employed, or regularly transacts business in person, unless the person is commanded to attend trial within Nevada;
- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or
- (iv) subjects a person to an undue burden.

(B) When Permitted. On timely motion, the court that issued a subpoena may quash or modify the subpoena if it requires disclosing:

- (i) a trade secret or other confidential research, development, or commercial information; or
- (ii) an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order an appearance or production under specified conditions if the party serving the subpoena:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

1 (A) Information Withheld. A person withholding subpoenaed
2 information under a claim that it is privileged or subject to protection as
3 trial-preparation material must:

- 4 (i) expressly make the claim; and
5 (ii) describe the nature of the withheld documents,
6 communications, or tangible things in a manner that, without revealing information
7 itself privileged or protected, will enable the parties to assess the claim.

8 (B) Information Produced. If information produced in response to a
9 subpoena is subject to a claim of privilege or of protection as trial-preparation
10 material, the person making the claim may notify any party that received the
11 information of the claim and the basis for it. After being notified, a party must
12 promptly return, sequester, or destroy the specified information and any copies it
13 has; must not use or disclose the information until the claim is resolved; must take
14 reasonable steps to retrieve the information if the party disclosed it before being
15 notified; and may promptly present the information under seal to the court for a
16 determination of the claim. The person who produced the information must preserve
17 the information until the claim is resolved.
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I certify that on the date shown below, I caused service to be completed of a true and correct copy of the foregoing Document by:

_____ personally delivering;

_____ delivery via Reno/Carson Messenger Service;

_____ sending via Federal Express (or other overnight delivery service);

_____ depositing for mailing in the U.S. mail, with sufficient postage affixed thereto; or,

 X delivery via electronic means (fax, eflex, NEF, etc.) to:

KARL HALL, ESQ. for CITY OF RENO

And via US Mail and email to:

William Mantle
2040 Angel Ridge Dr.
Reno, NV 89521
Email: mantleformayor@gmail.com

DATED this Apr 16, 2022

By: /s/ Luke Busby, Esq.