

**CITY OF HENDERSON
CHARTER COMMITTEE
REGULAR MEETING AGENDA**

**Tuesday, June 21, 2016
8:30 AM
Meeting Inquiries: (702) 267-1200**

**Mayor & Council Boardroom
240 Water Street
Henderson, Nevada 89015**

NOTICE

Notice to persons with special needs: For those requiring special assistance or accommodation to attend or participate in this meeting, arrangements for a sign language interpreter or services necessary for effective communication for qualified persons with disabilities should be made as soon as possible, but no later than 72 hours before the scheduled event. Listening devices are available for persons with hearing impairments.

Please contact Crystal Bomar at (702) 267-2057 or TTY: 7-1-1 at least 72 hours in advance to request a sign language interpreter. You may also submit your request by using [Contact Henderson](#).

The Chairman reserves the right to hear agenda items out of order, combine two or more agenda items for consideration, remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

Individuals speaking on an item will be limited to three (3) minutes and spokespersons for a group will be limited to ten (10) minutes.

Backup materials for agenda items can be found at the Intergovernmental Relations Office or on the City's website at: <http://henderson.siretechnologies.com/sirepub/meetresults.aspx>. To request backup materials, please contact Crystal Bomar at (702) 267-2057.

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- I. CALL TO ORDER**
 - II. CONFIRMATION OF POSTING AND ROLL CALL**
 - III. PUBLIC COMMENT**
 - IV. ACCEPTANCE OF AGENDA (For Possible Action)**

V. NEW BUSINESS

NB-1 MINUTES
CHARTER COMMITTEE MEETING
MAY 24, 2016

For Possible Action.

RECOMMENDATION: Adopt the Charter Committee Meeting Minutes of May 24, 2016.

City of Henderson Charter Committee Meeting Minutes of May 24, 2016.

NB-2 PRESENTATION REGARDING THE PROCESS AND COST FOR AN ALL-MAIL BALLOT ELECTION SYSTEM

For Discussion Only.

The City Clerk's Office will provide an overview of the process and cost estimate for an all-mail ballot election system.

NB-3 DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING REVISIONS TO THE HENDERSON CITY CHARTER, ARTICLE V, ELECTIONS, TO PROVIDE THE OPTION TO USE AN ALL-MAIL BALLOT ELECTION SYSTEM

For Possible Action.

RECOMMENDATION: For Discussion and Possible Action

Discussion and possible recommendation regarding revisions to the Henderson City Charter, Article V, Elections, to provide the option to use an all-mail ballot election system.

NB-4 DISCUSSION OF FINAL REPORT TO CITY COUNCIL

For Possible Action.

RECOMMENDATION: For Discussion and Possible Action

Discuss final report to City Council and direct the Chair to work with staff to prepare the final report to City Council.

VI. CHAIRMAN\MEMBER COMMENTS

VII. SET NEXT MEETING

VIII. PUBLIC COMMENT

IX. ADJOURNMENT

Posted by 9:00 a.m., June 15, 2016, at the following locations:

City Hall, 240 Water Street, 1st Floor Lobbies

Multigenerational Center, 250 S. Green Valley Parkway

Whitney Ranch Recreation Center, 1575 Galleria Drive

Fire Station No. 86, 1996 E. Galleria Drive

www.cityofhenderson.com

<https://notice.nv.gov>



**CITY OF HENDERSON
CHARTER COMMITTEE
REGULAR MEETING MINUTES
MAY 24, 2016**

I. CALL TO ORDER

Jennifer Carleton called the Charter Committee meeting to order at 8:37 a.m., in the Mayor and Council Board Room, Henderson City Hall, 240 S. Water Street, Henderson, Nevada.

II. CONFIRMATION OF POSTING AND ROLL CALL

Crystal Bomar, Board Secretary, confirmed the Charter Committee meeting had been noticed in compliance with the Open Meeting Law by posting the Agenda three working days prior to the meeting at the Facilities Management Building, City Hall, the Multigenerational Center, the Whitney Ranch Recreation Center, Fire Station No. 86, the Nevada Public Notice Website, the City of Henderson Website, and by emailing a copy of the Agenda to everyone appearing thereon on the Agenda Master Mailing List.

Present: Chair Jennifer Carleton
Lou Cila
Virginia Finnegan
Charlene Frost
Edward Gonzalez (arrived at 8:44 a.m.)
Terry Mannion
Erin McMullen
Robert McNinch (arrived at 8:41 a.m.)
Tina Past
Walt Rulffes
John Simmons (via teleconference)
Vice Chair Nick Vaskov

Absent: Joseph Zerga

Staff: Crystal Bomar, Board Secretary
Chris Boyd, Intergovernmental Relations Specialist
Stacey Brownfield, Assistant City Clerk
David Cherry, Communications & Intergovernmental Relations Manager
Richard Derrick, Chief Financial Officer
Brent Gunson, Assistant City Attorney
Tedie Jackson, Council and Commission Services Reporter
Sabrina Mercadante, City Clerk

Robert Murnane, City Manager
Josh Reid, City Attorney
Rory Robinson, Senior Assistant City Attorney
Javier Trujillo, Director of Public Affairs
Bill Zihlmann, Municipal Court Administrator

III. PUBLIC COMMENT

There were no public comments presented.

IV. ACCEPTANCE OF AGENDA (For Possible Action)

(Motion) Ms. Mannion introduced a motion to accept the agenda as submitted, seconded by Ms. Bear-Finnegan. The vote favoring approval was unanimous. Chair Carleton declared the motion carried.

V. NEW BUSINESS

NB-1 MINUTES
CHARTER COMMITTEE MEETING
APRIL 26, 2016

For Possible Action.

RECOMMENDATION: adopt the Charter Committee Meeting Minutes of April 26, 2016.

City of Henderson Charter Committee Meeting Minutes of April 26, 2016.

(Motion) Ms. Past introduced a motion to adopt the minutes of April 26, 2016, as submitted, seconded by Mr. Vaskov. The vote favoring approval was unanimous. Chair Carleton declared the motion carried.

NB-2 DISCUSSION ON THE OUTCOMES FROM THE 2014 CHARTER
COMMITTEE MEETINGS REGARDING AT-LARGE MUNICIPAL ELECTIONS

For Discussion Only.

Discussion on the outcomes of the 2014 Charter Committee meetings regarding at-large municipal elections.

Javier Trujillo, Director of Public Affairs, reported the Committee members have been provided Charter Committee minutes from 2014 regarding this issue.

There were no questions or additional discussion on this item.

NB-3 DISCUSSION ON THE OUTCOMES FROM THE 2014 CHARTER COMMITTEE MEETINGS REGARDING COMBINED ELECTIONS

For Discussion Only.

Discussion on the outcomes of the 2014 Charter Committee meetings regarding combined elections.

Javier Trujillo, Director of Public Affairs, reported the Committee members have been provided Charter Committee minutes from 2014 regarding this issue.

Ms. Bear-Finnegan commented that she believes the Council has the right to extend their term, but not shorten their term. She noted that municipal elections in odd years result in small voter turnouts and favors incumbents.

Josh Reid, City Attorney, stated that provision 5.02.0.4, subsection 2, states that terms can be shortened, but not lengthened.

Ms. Past suggested that a cost-benefit analysis would be beneficial if the committee were to consider making a recommendation to change to combined municipal elections. She noted that from a candidate perspective, it costs more money to run a campaign during a general election year.

Sabrina Mercadante, City Clerk, reported that combining municipal elections may reduce voter turnout because the municipal elections would be at the end of the ballot. It is common for voters to experience fatigue on long ballots. She noted that 10 to 12 percent is the average voter turnout.

There was a consensus on the importance of increasing voter turnout.

Responding to a question as to limitations on an all-mail ballot, Ms. Mercadante said per state law, we can only do an all-mail ballot for a ballot that has one question or one race on it. Staff is pursuing the possibility of an all-mail ballot for full municipal primary and general elections.

Mr. Trujillo stated that discussions regarding the mandating of combined elections have taken place in Carson City for many legislative sessions; however, no progress has ever been made. He explained that the main concerns of combining elections is the lack of resources to run campaigns and voter fatigue. Mr. Trujillo noted that the City Council already has the authority to move in that direction if desired.

Responding to a suggestion for staff to investigate how to improve mail ballots, Mr. Gonzalez said the committee is tasked with making changes to the City Charter, and he does not believe the issue regarding mail ballots is within

the committee's purview.

Chair Carleton suggested staff provide a presentation on mail-in ballots for informational purposes.

Ms. Past noted that the Charter Committee can endorse the mail-in ballot information and process.

Ms. Mercadante said the International Association of City Clerks is pursuing this issue at the legislature. She can provide a presentation at the next meeting, but she will not be able to provide costs from Clark County.

Mr. Simmons stated he does not understand combining the elections and is not interested in moving forward with Items NB-3 or NB-4. He also noted that the mail-in ballot is an important topic being discussed by the City Clerk's Association.

Responding to questions regarding the costs and responsibilities associated with mail-in ballots, Ms. Mercadante explained that the City uses the County's equipment and staff, and the County processes all the mail-in ballots. The City contracts for their services and reimburses them. She noted that the County is unable to provide a cost at this time.

City Attorney Reid commented that it may be helpful to have an action item on the next meeting agenda with specific language to discuss the information provided by the City Clerk.

Ms. Mercadante reported that vote centers were implemented in 2007, and realized a significant cost savings. Combined elections would lose that luxury. There would be 53 polling sites compared to ten vote centers, which would increase costs. She noted the vote centers showed a slight increase in voter turnout.

Staff will provide a presentation on mail-in ballots at the next meeting.

NB-4 PRESENTATION OF THE PROCESS AND COST FOR PLACING A QUESTION ON THE MUNICIPAL ELECTION BALLOT

For Discussion Only.

The City Clerk's Office will provide an overview of the process and cost estimate for placing a question on the municipal election ballot.

Sabrina Mercadante, City Clerk, reported that the City Council or citizens can initiate a ballot question four to five months before a general election. She said the Council would direct the City Attorney to write the ballot question and then create a ballot committee. She noted the cost is unknown at this time as staff is

waiting to receive the final costs from the County under the new fee structure.

City Attorney Reid explained that NRS 268 has specific requirements for a question to be presented, and must meet a 15-percent signature requirement of actual number of voters who voted in the last general election. He said the City Council must approve the question before it goes on the ballot.

NB-5 PRESENTATION OF THE FINANCIAL OPERATIONS OF THE HENDERSON MUNICIPAL COURT

For Discussion Only.

The Henderson Municipal Court Administrator will provide an overview of the budget, including the allocation of collected court fees.

Bill Zihlmann, Court Administrator, stated that their budget is made up of general fund money that the City provides in three special revenue accounts: court technology fund, court construction fund, and collection fees. He explained that extra fees generated in the court process go back into the general fund.

Mr. Vaskov asked whether the court is a net revenue generator, how are revenues segregated and where do they go?

Mr. Zihlmann explained how the fines are imposed and how they are broken out. He said the administrative assessments depend on the fine amount. The administrative assessment amount goes to seven different breakdowns. The Court receives \$10.00 for the court construction fund and \$7.00 for the technology fund. He reviewed the other five funds and amounts received.

Mr. Zihlmann noted that the Court has very specific limitations on what the money can be used for in the court construction and technology funds.

Richard Derrick, Chief Financial Officer, replied that last year, the cost of operations in the Municipal Court was \$6.6 million; and revenue was \$4.3 million. He stated the Municipal Court is not a profit center. Mr. Derrick said the cost for the criminal prosecutors housed in the Municipal Court is an additional \$3.4 million. He noted there are ongoing costs to taxpayers to operate the Municipal Court.

In response to questions by Mr. Vaskov regarding how missed payments are addressed, Mr. Zihlmann said people who do not appear for a court date are sent a courtesy notice through regular mail. A warrant is then issued for their arrest if the person does not respond.

Mr. Vaskov stated other courts that are using a text alert notice have seen great success in people appearing for their court date. He asked if Henderson

Municipal Court has thought about going to a text alert system.

Mr. Zihlmann replied that they use mail addresses because that is the information received from the police department. He noted they are looking at adding email notifications if that information is captured by police officers when citations are written.

Mr. Zihlmann noted that payment options are afforded to individuals upon request, and people can pay fees online or in person with a clerk. Another option is a work program (community service) through the alternative sentencing division. There is also a warrant walk-in program that allows people to pay their warrants without being arrested. He said one of the challenges they have is address and telephone data changes frequently.

Responding to a question as to whether Henderson offers an amnesty day, Mr. Zihlmann said staff has found this is not beneficial. Amnesty allows people to wait and sit on their warrants because they know they will get away with it.

City Attorney Reid noted there is a grant for the Police Department to get electronic citation machines. He said there is nothing that prohibits police officers from asking for phone number information.

In response to a question as to the whether the City is recouping the costs for supplementing the court operations, Mr. Derrick responded that the largest part of the general fund comes from sales tax. He said government services supports court operations, and the City partners with the court to be as cost efficient as possible.

VI. CHAIRMAN\MEMBER COMMENTS

There were no Chairman\Member comments presented.

VII. SET NEXT MEETING

The next meeting was set for June 21, 2016, at 8:30 a.m.

A future meeting was tentatively set for July 26, 2016, at 8:30 a.m.

Erin McMullen and Robert McNinch noted they will not be able to attend the July 26, 2016 meeting.

VIII. PUBLIC COMMENT

There were no public comments presented.

IX. ADJOURNMENT

There being no further business to be discussed, the meeting was adjourned at 9:40 a.m.

Respectfully submitted,

Tedie Jackson, Council and
Commission Services Reporter



Voting by Mail

Sabrina Mercadante, City Clerk
June 21, 2016

What is All-Mail Ballot Voting?

A more accessible, modernized Election process where all active, registered voters receive a ballot via USPS mail 2-3 weeks prior to election day. Ballots are cast by returning via USPS mail or hand-carrying to a designated drop-off site on or before Election Day.

What is the process?

- Every active registered voter will receive a ballot via USPS mail 2-3 weeks prior to election day
- Ballots are enclosed in a secure envelope with a return envelope and secrecy sleeve
- City Hall hosts an ADA site to accommodate voters with visual disabilities
- Four sites are designated for ballot drop-off on Election Day
- Voted ballots are checked against voter registration for valid signatures
- Ballots are inspected before scanned
- If intent is not clear, ballot is sent to inspection board

Advantages

- More accessible and modernized
- Potential increased voter turnout
- All three states with all-mail ballot systems consistently outperform the U.S. turnout rate
- Voter convenience and satisfaction
- Cost savings – no need to staff polling locations
- Streamlines voting process
- Voters don't have to travel to polling sites
- Campaigns benefit – target list is refined daily
- Increases civic engagement – voters more likely to look, consider, and cast vote if ballot is on hand for 2-3 weeks

Disadvantages

- Single point of failure – USPS (could disenfranchise some voters if the post office delivery is slow)
- Non-traditional – no civic experience visiting polling locations
- Security – coercion by family members or others might occur

What other states utilize mail voting?

- Several states credit all-mail ballot elections for increased voter turnout
 - Oregon – 2000
 - Average turnout is 60.13% (8.5% above national average)
 - Oregon SOS attributes high turnout to vote-by-mail system
 - Washington – 2011
 - In early 1990's allowed permanent absentee mail ballot
 - By 1996, 50% of all votes cast by mail
 - In some elections, turnout was as high as 90%
 - Colorado – 2013
 - No state has seen faster growth in the use of mail ballot system
 - In 2012, 74% of voters cast their ballot by mail
- 19 other states have variations
 - Alaska, Arizona, Arkansas, California, Florida, Hawaii, Idaho, Kansas, Maryland, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Dakota, Utah, Wyoming

Henderson's Turnout Historically

Election	Reg Voters	Turnout	%
2015 Primary	133,765	15,794	11.81%
2014 Primary	133,920	23,454	17.51%
2014 General	138,252	66,555	48.14%
2013 Primary	142,813	17,638	12.35%
2013 General	143,933	10,720	7.45%
2012 Primary	119,580	20,010	16.73%
2012 General	142,599	121,728	85.36%

How do we move forward?

Legislative change to NRS or Charter

Current Statue:

NRS 293C.112 Governing body authorized to conduct city election by mail under certain circumstances.

1. The governing body of a city may conduct a city election in which all ballots must be cast by mail, if:
 - a. The election is a special election; or
 - b. The election is a primary city election or general city election in which the ballot includes only:
 - i. Offices and ballot questions that may be voted on by the registered voters of only one ward; or
 - ii. One office or ballot question.

NMCA proposed change to NRS 293C.112:

NRS 293C.112 Governing body authorized to conduct city election by mail [~~under certain circumstances~~].

~~1. The governing body of a city may conduct a city election in which all ballots must be cast by mail. [if:~~

~~a. The election is a special election; or~~

~~b. The election is a primary city election or general city election in which the ballot includes only:~~

~~i. Offices and ballot questions that may be voted on by the registered voters of only one ward; or~~

~~ii. One office or ballot question.]~~

Henderson, NV

Proposed change to Section 5.030 - Applicability of state election laws; elections under City Council control; mail ballot election.

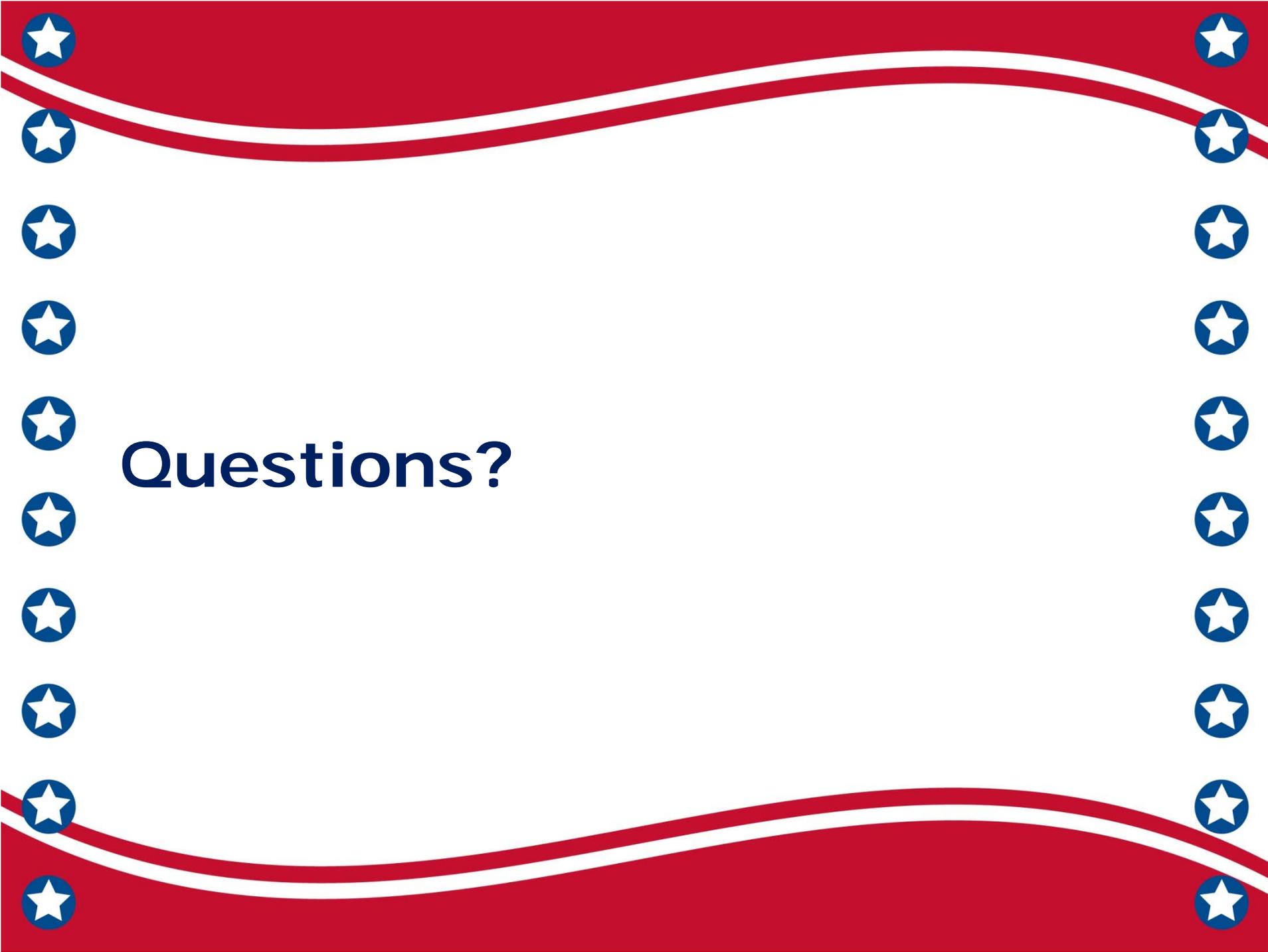
Add to Section 5.030

3. The City Council may adopt an ordinance to conduct a primary municipal election, general municipal election or special election in which all ballots must be cast by mail. The provisions of NRS 293C.265 to 293C.302, inclusive, 293C.305 to 293C.340, inclusive, and 293C.355 to 293C.361, inclusive, do not apply to an election conducted pursuant to this subsection. For the purposes of an election conducted pursuant to this subsection, each precinct in the City shall be deemed to have been designated a mailing precinct pursuant to NRS 293C.342.



Cost: \$364,174.000

- Staffing & Equipment \$236,162
- Printing and Postage \$117,012
- Legal Notices/Advertising \$11,000



Questions?

Section 5.030 - Applicability of state election laws; elections under City Council control; mail ballot election.

1. All elections held under this Charter are governed by the provisions of the election laws of this State, so far as those laws can be made applicable and are not inconsistent herewith.
2. The conduct of all municipal elections is under the control of the City Council. The City Council shall by ordinance provide for the holding of the election, appoint the necessary officers thereof and do all the things required to carry the election into effect as it considers desirable and consistent with law and this Charter.
3. The City Council may adopt an ordinance to conduct a primary municipal election, general municipal election or special election in which all ballots must be cast by mail. The provisions of NRS 293C.265 to 293C.302, inclusive, 293C.305 to 293C.340, inclusive, and 293C.355 to 293C.361, inclusive, do not apply to an election conducted pursuant to this subsection. For the purposes of an election conducted pursuant to this subsection, each precinct in the City shall be deemed to have been designated a mailing precinct pursuant to NRS 293C.342.

DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING REVISIONS TO THE HENDERSON CITY CHARTER, ARTICLE V, ELECTIONS, TO PROVIDE THE OPTION TO USE AN ALL-MAIL BALLOT ELECTION SYSTEM

POTENTIAL CHARTER LANGUAGE

Section 5.030 - Applicability of state election laws; elections under City Council control; mail ballot election.

1. All elections held under this Charter are governed by the provisions of the election laws of this State, so far as those laws can be made applicable and are not inconsistent herewith.
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