

**MINUTES  
CITY OF FALLON – CITY COUNCIL  
55 West Williams Ave  
Fallon, Nevada  
March 4, 2022 9:00 a.m.**

The Honorable City Council met in a special meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

**Present:**

Mayor Ken Tedford  
City Councilman James Richardson  
City Councilwoman Kelly Frost  
City Councilwoman Karla Kent  
Chief of Staff Bob Erickson  
City Attorney Mike Mackedon  
Deputy City Attorney Trent deBraga  
Public Works Director Brian Byrd  
Deputy Public Works Ryan Swirczek  
City Engineer Derek Zimney  
Captain Kris Alexander  
City Clerk-Treasurer Sean Richardson  
Deputy City Clerk Mike O'Neill  
Deputy City Clerk Elsie Lee

The meeting was called to order by Mayor Tedford at 9:00 a.m.

Mayor Tedford led the Pledge of Allegiance.

Mayor Tedford inquired if the agenda had been posted in compliance with NRS requirements.

Deputy City Clerk Elsie Lee advised that the agenda was posted in compliance with the NRS requirements.

**Public Comments**

Mayor Tedford inquired if there were any public comments. He noted that comments are to be general in nature, not relative to any agenda items. No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken.

No comments were noted.

**Consideration and possible action to enter into a Cooperative Agreement with Churchill County for Election Services which provides the terms for Churchill County and the City of Fallon to cooperatively hold joint elections.**

Trent deBraga began, in 2019, Assembly Bill 50 was passed in the 80<sup>th</sup> Nevada Legislative session which revised provisions governing the dates for certain city elections. Specifically, changes were made to NRS 293C, which governs city elections, and required the City of Fallon to hold its elections for city offices at the same time as statewide primary and general elections. The Cooperative Agreement for Election Services will allow the City of Fallon and Churchill County to work cooperatively with each other by defining its respective responsibilities and obligations including the responsibilities and obligations of the County Clerk/Treasurer and City Clerk/Treasurer. By holding joint elections, eligible City of Fallon voters will be able to conveniently vote for open city offices in addition to other county and statewide elections on the same day and at the same location. The term of the Agreement will expire on December 31, 2022.

Councilwoman Frost asked if there were others Nevada cities that were affected by Assembly Bill 50 and if they are doing something like this.

Deputy City Attorney deBraga said yes and that they reached out to the City of Henderson, who was in the same position as we were and had a conversation with their Clerk Treasurer and City Attorney. Henderson has entered into a cooperative agreement with Clark County. In addition, we have had conversations with, and seen, other agreements with the City of Sparks, City of Yerington, City of Fernley, and they all have this cooperative agreement as well.

Mayor Tedford offered a legislative history by saying that there were six or seven cities that preferred to have their municipal elections in June. Other cities had already changed to the November elections and then this bill came forward and only we and Henderson prefer to keep the June elections. The other cities didn't know what was happening to them if you recall. Some of the provisions that changed statutorily were not changed by the Legislature, only the date was changed. In their haste, to change the date, they didn't change the other statute. The other statutes that remain in the City Clerk/Treasurer's in the cities, that is what brought me great concern as the Mayor for the City Clerk/Treasurer, whom I appoint, and you confirm. How do we do these elections when only the dates change, and all the responsibilities are still in his office for an election? That is when we started trying to find out what these other cities had done throughout the years and what was Henderson going to do, since it was going to be new to them as well. We began looking for an MOU that would work for us and the County. Staff worked really hard on this, and this is where we ended up and I think it is the best we can do.

Deputy City Attorney deBraga believes that things will run smoothly. Obviously, the agreement will expire at the end of this year so for whatever reason, if we need to reassess then we can certainly do that. I anticipate that we will have good cooperation with the County, and it should be a smooth process. I know the County passed this agreement, yesterday at their meeting.

Councilwoman Frost said she knows that the County runs their elections very well and thinks that this is a good idea.

Mayor Tedford said that we can rely on that with the integrity of the County elections are really without question and we have always relied on that as a community that their elections are without question. That is something that every citizen knows – the integrity of that office goes back many, many years and has been nearly perfect and the citizens of Fallon can rely on that too.

Councilwoman Kent asked if she thought the legislators would change the statutes and the responsibilities of the City Clerk-Treasurer.

Mayor Tedford said no. He said that because these other cities, like Sparks, did it early

on, when it was first allowed, you had your own choice as to whether you could change or not and Sparks changed right away, which was years ago. Legislatively, that was quite a while ago and in all those years, they never changed the statutes for themselves, and they must have been operating under MOUs with Washoe County. They now have a variety of areas where they vote. Even in a city election, they have a variety of places where they vote, where we didn't, we had one spot to vote.

Councilwoman Kent asked if maybe in two years from now, we are going to have to enter into this agreement.

Mayor Tedford agreed and said probably, he thinks they should. We contacted the Secretary of State's Office, and they were not excited about this. He thinks that this will work again, and this seems to be what they do in other communities. He said, "but should it be changed? sure it should." He mentioned that it was a good question. He made mention of the lawyers in the room chuckling because, yes, it should be changed.

Councilwoman Kent made a motion; Councilwoman Frost seconded. The motion carried with a 3-0 vote by the Fallon City Council.

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No comments were noted.

### **Council and Staff Reports**

Mayor Tedford inquired if there were any Council or staff reports.

No comments were noted.

### **Executive Session**

Mayor Tedford tabled the executive session, as it was not needed at this time.

### **Adjournment**

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 9:10 a.m.

Attest:



Sean C. Richardson, City Clerk-Treasurer



Mayor Ken Tedford