

BALLOT QUESTION NUM. 1

CITY OF HENDERSON (HEN-1)

Shall the Charter of the City of Henderson be amended to require that a candidate for member of the City Council of the City of Henderson be voted upon only by the registered voters of the ward that the candidate seeks to represent?

Yes

No

EXPLANATION & DIGEST

EXPLANATION - The City of Henderson City Charter directs that the City of Henderson City Council consist of a Mayor and four Council Members. The legislative power of the City of Henderson is vested in the City Council under its City Charter. Each Council Member must be a resident and qualified elector of the ward for which he or she represents. All Council Members, including the Mayor, must be voted upon by the registered voters of the City of Henderson at large. Therefore, Council Members representing a particular ward are in fact elected by the voters of the entire City of Henderson.

In the 2019 Nevada Legislative Session, Assembly Bill 282 was passed by the Nevada Legislature and became law. Assembly Bill 282 (2019) required the City of Henderson to submit to the voters of the City of Henderson the ballot question set forth above at the General Election held in November of 2022. If a majority of the voters of the City of Henderson approve the measure, the changes to the Charter set forth in Assembly Bill 282 (2019) will become effective upon the completion of the canvass of the November 2022 General Election.

A “Yes” vote would amend the City of Henderson City Charter such that future elections for a candidate for Council Member in the City of Henderson will be voted upon only by the registered voters of the ward that the candidate seeks to represent. A “Yes” vote will not amend the City Charter with respect to all other candidates for elective office in the City of Henderson, including the Mayor and Municipal Judges, who will continue to be voted upon by all registered voters of the City of Henderson at large.

A “No” vote would result in no changes to the City of Henderson City Charter such that all elective offices for the City of Henderson will continue to be voted upon by all the registered voters of the City of Henderson at large.

DIGEST - The measure proposed by this question would amend specific provisions in the City of Henderson City Charter if it is approved by the voters of the City. Under the existing Charter, the City is divided into four wards, but the candidates for the office of Council Member are voted on by the registered voters of the City at large. (Henderson City Charter, Sections 1.040, 1.060, 2.010, 5.010, 5.020). This question, as required by Assembly Bill 282 (2019), would directly amend Henderson City Charter Sections 1.060, 2.010, 5.010, and 5.020 if approved by the voters of the City of Henderson.

If the question is approved by the voters of the City of Henderson, the measure would add to, change and repeal portions of Charter sections 1.060, 2.010, 5.010, and 5.020 as described in Assembly Bill 282 (2019) and herein as it asks the registered voters of the City of Henderson whether the Henderson City Charter should be amended to require that the candidates for members of the City Council of the City of Henderson be voted upon only by the registered voters of the ward that the candidate seeks to represent.

If the voters approve the ballot question: (1) the applicable changes to Charter sections 1.060, 2.010, 5.010, and 5.020 will become effective; and (2) candidates for the office of Council Member of the City must be voted upon at subsequent elections only by the registered voters of the ward that the candidate seeks to represent.

If the voters of the City do not approve the ballot question: (1) Charter sections 1.060, 2.010, 5.010, and 5.020 will not be changed; and (2) candidates for the office of Council Member of the City will continue to be voted upon at subsequent elections by the registered voters of the City at large.

This measure, if approved, will not create, generate, increase, or decrease any public revenue in any form.

ANTICIPATED FINANCIAL EFFECT

HEN-1 proposes to amend the City of Henderson City Charter such that future candidates for the office of Council Member of the City would be voted upon by only the registered voters of the ward that the candidate seeks to represent. Currently, a candidate for the office of Council Member of the City is voted upon by the registered voters of the City at large. If approved, HEN-1 would effectively reduce the number of eligible voters for future Council Member races.

According to the Clark County Registrar of Voters, the proposed changes in HEN-1 would have no future fiscal impact on the City of Henderson for Council Member races that regularly appear on even year primary and general elections administered by the Clark County Registrar of Voters.

According to the Clark County Registrar of Voters, the proposed changes in HEN-1 would reduce costs for a special election to fill a vacancy for the office of Council Member if the special election does not take place on a regularly scheduled even year primary or general election. Costs would be reduced due to the reduced number of eligible voters for such a contest should HEN-1 be approved. Specifically, it is estimated by the Clark County Registrar of Voters that it would cost the City of Henderson \$450,000.00 to conduct a special election to fill a vacancy for a Council Member if voted on a ward-only basis. Whereas, it is estimated by the Clark County Registrar of Voters that it would cost the City of Henderson \$1,400,000.00 to conduct a special election to fill a vacancy for a Council Member if voted on an at-large basis if the special election does not take place on a regularly scheduled even year primary or general election. If the special election takes place on a regularly scheduled even year primary or general election, the City of Henderson does not incur any additional cost.

ARGUMENTS FOR PASSAGE

City Council Representation by Your Ward.

Henderson's City Council Members currently run for office and are elected "at-large" meaning all of Henderson voters vote for a candidate for each City Council ward seat. This ballot question would change the City of Henderson City Charter such that future elections for Council Members will be voted upon only by the registered voters living within the ward that the candidate would represent.

A “YES” vote allows for equitable representation for all demographic groups, especially those located within a geographic area, to be represented on the city council. Ward-represented voting may allow ethnic and racial groups to have a stronger voice in the city’s political process. Additionally, according to the National League of Cities, larger cities tend to use ward-represented voting.¹

A “YES” vote would allow for neighborhood representation, affording Council Members to be more attuned to the unique needs of their neighbors and focused communities such as crime levels, small lot development, trash pick-up, redevelopment, and recreation programs.² The Council Member elected by ward will have the opportunity to become a specialist in their community’s needs rather than a generalist in a larger population. Ward representative voting results in collaborative democracy.³

A “YES” vote can improve citizen participation; Council Members representing a specific ward will be more responsive to their constituents. In turn, citizens will be confident to bring more issues to their Council Member’s attention.⁴ Ward-elected Council Members will be readily identified as one’s neighborhood representative and thus, more easily held accountable.

A “YES” vote can improve candidate diversity as it would be easier and less expensive for candidates to run for office and connect with voters. Thus, more candidates will be motivated to run for office as evidenced by the successful implementation of ward-represented voting for the City of Austin, Texas in 2015.⁵

There is no anticipated environmental, public health, safety or welfare impact for this ballot question and the financial impact has been noted by the Clark County Registrar of Voters.

Simply, a “Yes” vote will ensure that the citizens of the City of Henderson, Nevada, will have a more responsive, equitable, collaborative, community needs-focused, and problem-solving city council that reflects the community they represent.

The above argument for passage was submitted by the Ballot Question Committee composed of citizens in favor of this question. Committee members: LuAnn D. Holmes, Liz Baldizan, and Tina Past.

1 National League of Cities: <https://www.cityofws.org/DocumentCenter/View/13991/Cities-101---District-v-At-Large-Elections---NationalLeague-of-Cities-pdf>

2 Rose Institute’s California PolitCca1 History Archive Database: <https://ccd1.claremount.edu/digital/collection/ric/id/10767>

3 Center for Collaborative Democracy: <https://www.genuingpresentation.org/does-your-community-need-change/election-system-pros-and-cons-glance.html>

4 University of North Carolina, School of Government: https://ww.sog.unc.edu/sites/default/files/course_material/effects-districts%20v%20atlarge.doc

5 Civic Engagement in Austin: https://moody.utexas.edu/sites/default/files/Civic_Engagement%20in%20Austin_Report_Nov%202015.pdf

REBUTTAL TO ARGUMENTS FOR PASSAGE

Changing to ward-based voting is a solution to a nonexistent problem that will create more problems than it will solve.

While other cities have moved to ward-based voting, it is not universally successful in meeting the expected outcomes of increasing diversification and equitable representation. In 2001, California passed a law for the same reasons suggested by the proponents, and, since 2016, 79 California cities have held elections with district based voting. The results have been mixed regarding whether more minorities were elected, and, in three cities, minority seats were lost in cities because of the change.⁶

Moving to district-based voting can create issues where it's challenging to pass policies that only affect a single district, often because the Council Members compete for funding versus working together.

A "No" vote to keep our current system allows all registered voters to express their voices in each election cycle rather than having to wait 4 years to make changes.

The proponent's arguments demonstrate why ward-based voting would be detrimental to the City of Henderson. Our current system has enabled the Henderson City Council to create the wonderful city where we live. Vote "No" and keep Henderson a great "Place to Call Home"!

The above rebuttal to arguments for passage was submitted by the Ballot Question Committee composed of citizens in opposition to this question. Committee members: April Mastroluca, Aviva Gordon, and David Edelblute.

6 <https://archive.kpcc.org/news/2019/01/07/87786/district-elections-mean-big-governing-changes-for/>

ARGUMENTS AGAINST PASSAGE

HEN-1 would amend the Henderson City Charter so that future elections for any candidate for a Council Member of the City of Henderson will be voted upon only by the registered voters within the ward that the candidate seeks to represent, and not the City of Henderson at-large, even though all Council Members of the City of Henderson are tasked with making decisions for the whole City of Henderson.

A "No" vote ensures that each registered voter in the City of Henderson has a voice in the entire City Council. The current system requires candidates for a City Council seat to seek support from all registered voters throughout Henderson, providing a system of city-wide accountability for each Council Member. This also encourages voter participation in each election, not only in the years in which a voter's ward has an open Council seat.

A "No" vote preserves the cohesive decision-making and allocation of resources. The current electoral procedure promotes consistency between Council Members for purposes of development and redevelopment, as opposed to preferential treatment for ward-based projects when Council Members are only responsive to their ward. It also enables the City of Henderson staff to remain focused on serving the City of Henderson as a whole, rather than being pulled into several directions.

A "No" vote promotes transparency and accountability. Even though Henderson is a fast-growing City, our at-large elections provide residents a "small town" feeling, because all of our Council Members are accessible to each voter instead of only those voters in their ward. The current system makes it unnecessary to only contact your representative, because all Council Members are accountable to each and every voter and resident within the City of Henderson. With ward only voting, it would be easier for Council Members to focus on their ward first, and above the best interests of the City.

A "No" vote prevents candidates from running on a single issue platform versus working on issues that are in the best interest of the entire City. The current system ensures that candidates for City Council must listen to and address the concerns of the entire population when in office.

A "No" vote encourages more people to run for City Council which promotes diverse outcomes. The current system of at-large voting provides voters with more candidates to choose from instead of the one or two people running to represent a single ward.

The above argument against passage was submitted by the Ballot Question Committee composed of citizens in opposition to this question. Committee members: April Mastroluca, Aviva Gordon, and David Edelblute.

REBUTTAL TO ARGUMENTS AGAINST PASSAGE

The proponent's argument that ensures each registered voter has a voice is simply not possible. Voter turnout for the city of Henderson for the last decade averages less than 12% of registered voters voicing their choice at the polls.⁷ Low turnout is often attributed to political disengagement and the belief that voting will do little to alter public policy.⁸ It is misleading to infer that these same citizens would be more likely to run for City Council if this question does not pass.

Since the City's incorporation in 1953, there has been a significant lack of ethnic or racial diversity elected to the Mayor's seat.⁹ Best practices in public engagement and city governance, as identified by the International City/County Management Association (ICMA), the National Civic League, and the American Society for Public Administration state a preference for the use of ward-represented voting elections or combinations of ward-represented and at-large seats to ensure that the council accurately represents the population as a whole and to promote a closer relationship between Council Members and residents.¹⁰ Ward-represented voting would provide for a deserving and reflective representation of our Henderson community, whereas at-large voting may not.

The above rebuttal to argument against passage was submitted by the Ballot Question Committee composed of citizens in favor of this question. Committee members: LuAnn D. Holmes, Liz Baldizan, and Tina Past.

7 Clark County Election Department: https://www.clarkcountynv.gov/government/departments/elections/past_elections.php

8 Fair Vote.Org: https://www.fairvote.org/voter_turnout#voter_turnout_101

9 UNLV Special Collections and Archive: <https://www.library.unlv.edu/specco>

10 Model City Charter Documentation: <https://icma.org/sites/default/files/2022-04/Model%20City%20>