



**Mesquite City Council
Special Meeting
Mesquite City Hall
10 E. Mesquite Blvd.
Wednesday, June 22, 2016 - 5:00 PM**

Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the Mayor and Council. Additionally, the Mayor and Council may combine two or more agenda items for consideration, and may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Public comment is limited to three minutes per person.

Ceremonial Matters

- PLEDGE OF ALLEGIANCE

Public Comments

During the Public Comment portion of the agenda comments must be limited to matters within the authority and jurisdiction of the City Council. Items raised under this portion of the Agenda cannot be deliberated or acted upon until the notice provisions of the Nevada Open Meeting Law have been met. If you wish to speak to the City Council at this time, please step up to the podium and clearly state your name. Comments are limited to 3 minutes in length.

1. Public Comments

Administrative Items

2. Consideration of approval of the Canvass of the June 14, 2016 Mesquite Primary Elections returns and declaration of the result.

- - Discussion and Possible Action

Public Comments

During the Public Comment portion of the agenda comments must be limited to matters within the authority

and jurisdiction of the City Council. Items raised under this portion of the Agenda cannot be deliberated or acted upon until the notice provisions of the Nevada Open Meeting Law have been met. If you wish to speak to the City Council at this time, please step up to the podium and clearly state your name. Comments are limited to 3 minutes in length.

3. Public Comments

Adjournment

4. Adjournment

Note: Please be advised that the Standing Rules of the City Council are attached for your information. The Standing Rules govern the conduct of City Council Meetings. These Standing Rules may be acted upon and utilized by the Mayor and City Council at any City Council Meeting.

To obtain any or all supporting materials for this Agenda, please contact the Clerk's Office at 702-346-5295.

Members of the public who are disabled and require special assistance or accommodation at the meeting are requested to notify the City Clerk's Office -City Hall in writing at 10 E. Mesquite Blvd., Mesquite, NV, 89027 or by calling 346-5295 twenty-four hours in advance of the meeting.

THIS NOTICE AND AGENDA HAS BEEN POSTED ON OR BEFORE 9:00 AM ON THE THIRD WORKING DAY BEFORE THE MEETING AT THE FOLLOWING LOCATIONS:

1. *Mesquite City Hall, 10 E. Mesquite Blvd., Mesquite, Nevada*
2. *Mesquite Community & Senior Center, 102 W. Old Mill Road, Mesquite, Nevada*
3. *Mesquite Post Office, 510 W. Mesquite Blvd., Mesquite, Nevada*
4. *Mesquite Library, 121 W. First North, Mesquite, Nevada*

The agenda is also available on the Internet at <http://www.mesquitenv.gov> and <http://nv.gov>

In accordance with Federal law and U.S. Department of Agriculture policy, the City of Mesquite is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410, or call (800) 795-3272 (voice), or (202) 720-6382 (TDD).

RULES OF PROCEDURE

1. Authority

1.1 NRS 266.240 provides that the Council may determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules are adopted in the manner provided by these rules.

2. General Rules

2.1 *Public Meetings:* All meetings of the Council shall be open to the public, except those provided in NRS 241 and 288. The agenda and backup material shall be open to public inspection in the City Clerk's Office.

2.2 *Quorum:* A majority of the members of the Council shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

2.3 *Compelling Attendance:* The Council may adjourn from day to day to compel attendance of absent members.

2.4 *Minutes:* A written account of all proceedings of the Council shall be kept by the City Clerk and shall be entered into the official records of the Council.

2.5 *Right to Floor:* Any member desiring to speak shall be recognized by the chair, and shall confine his remarks to the item under consideration.

2.6 *City Manager:* The City Manager or his designee shall attend all meetings of the Council. The City Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council, but shall have no vote.

2.7 *City Attorney:* The City Attorney or Deputy City Attorney shall attend all meetings of the Council and shall, upon request, given an opinion, either written or verbal, on questions of the law.

2.8 *City Clerk:* The City Clerk or Deputy City Clerk shall attend all meetings of the Council and shall keep the official minutes and perform such other duties as required by the Council.

2.9 *Officers and Staff:* Department heads of the City, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings upon request of the City Manager.

2.10 *Rules of Order:* "Roberts Rules of Order Newly Revised" 10th Edition shall govern the proceedings of the Council in all cases, provided they are not in conflict with these rules.

3. Types of Meetings

3.1 *Regular Meeting:* The Council shall meet in the Council Chambers for all regular meetings. Regular Council meetings will be held on the second and fourth Tuesday of each month. If the second or fourth Tuesday falls on or near a holiday or falls on any day wherein it is determined a quorum may not be available, the Council may provide for another meeting time.

3.2 *Special Meetings:* Special meetings may be called by the Mayor or by a majority of the City Council. The call for a special meeting shall be filed with the City Clerk in written form, except that an announcement of a special meeting during any regular meeting at which all members are present shall be sufficient notice of such special meeting. The call for a special meeting shall specify the day, the hour, and the location of the special meeting and shall list the subject or subjects to be considered.

3.3 *Adjourned Meeting:* Any meeting of the Council may be adjourned to a later date and time, provided that no adjournment shall be for a longer period than until the next regular meeting.

3.4 *Workshop and Study Sessions:* The Council may meet in workshops or study sessions to review upcoming projects, receive progress reports on current projects, or receive other similar information from the City Manager, provided that all discussions thereon shall be informal and open to the public.

3.5 *Executive Sessions:* Closed meetings may be held in accordance with NRS 241 and 288.

4. Duties of Presiding Officer

4.1 *Presiding Officer:* The Mayor, if present, shall preside at all meetings of the Council. In the Mayor's absence, the Mayor Pro Tem shall preside. In the absence of both the Mayor and Mayor Pro Tem, the Council members present shall elect a Presiding Officer.

4.2 *Preservation of Order:* The Presiding Officer shall preserve order and decorum; prevent attacks of a personal nature or the impugning of members' motives, and confine members in debate to the question under discussion.

4.3 *Points of Order:* The Presiding Officer shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be: "Shall the decision of the Presiding Officer be sustained?"

5. Order of Business and Agenda

5.1 *Agenda:* The order of business of each meeting shall be as contained in the agenda in accordance with NRS 241 prepared by the City Clerk and approved by the City Manager. The agenda shall be delivered to members of the Council at least three (3) working days preceding the meeting to which it pertains.

5.2 *Special Interest/Presentation Items:* Unless otherwise approved by the City Manager, and in order to provide for the effective administration of City Council business, a maximum of four (4) items of special interest or presentation shall be scheduled on one agenda. Special Interest/Presentation items must appear on the agenda and it is not appropriate for presentations to be made during the public comment portion of the meeting.

6. Creation of Committees, Boards and Commissions

6.1 *Resolution:* The Council may by resolution create committees, boards, and commission to assist in the operation of the City government with such duties as the Council may specify, which shall not be inconsistent with law.

6.2 *Membership and Selection:* Membership and selection of members shall be as provided by the Council if not specified by law. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, as provided in the initial resolution, or when abolished by a majority vote of the Council. No committee, board or commission shall have powers other than advisory to the Council or to the City Manager, except as otherwise provided by law.

6.3 *Removal:* The Council may remove any member which they have appointed to any board, committee or commission by a vote of at least a majority of the Council. Such appointed members will be removed automatically if they fail consistently (three or more unexcused absences) to attend meetings.

7. Voting

7.1 All voting procedures shall be in accordance with Parliamentary Authority.

7.2 *Point of Order:* Any Council member may raise a Point of Order if s/he perceives a breach of the Council's procedural rules and insists on the enforcement of the rule by the Presiding Officer. A Point of Order take precedence over any main motion, is not debatable, is not amendable, but may be superseded by a motion to table the item over which the Point of Order was raised, and is ruled on immediately by the Presiding Officer.

7.3 *Point of Information:* This is a request by a Council member, directed to the Presiding Officer or appropriate individual for information relevant to the pending item. A Point of Information takes precedence over a main motion,

is not debatable, is not amendable, is not superseded by other motions, and is ruled on for appropriateness by the Presiding Officer.

7.4 *Abstentions:* A member may abstain from voting for any reason s/he deems appropriate.

7.5 *Failure of Affirmative Motion:* The failure of a motion calling for affirmative action is not the equivalent of the passage of a motion calling for the opposite negative action. The failure of such affirmative motion constitutes no action.

7.6 *Failure of Negative Motion:* The failure of a motion calling for a negative action is not the equivalent of the passage of a motion calling for the opposite affirmative action. The failure of such a negative motion constitutes no action.

7.7 *Lack of Passage of a Motion:* In some instances (maps in particular, per NRS) lack of passage of a motion may result in the item being “deemed approved.” In other instances no action may result in confusion and complication for the applicant. In all cases the City Council will strive to achieve a decision or action.

8. Citizens’ Rights

8.1 *Addressing the City Council:* Any person desiring to address the Council by oral communication shall first secure the permission of the Presiding Officer.

8.2 *Time Limit:* Each person addressing the Council shall step to the microphone, shall give his/her name and residence address in an audible tone of voice for the record and, unless further time is granted by the Presiding Officer, shall limit the time of his/her comments to three (3) minutes.

8.3 *Disruptive Conduct:* Any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical may be removed from the meeting by order of the Presiding Officer or majority of the City Council. A person willfully disrupts a meeting when s/he (1) uses physical violence, threatens the use of physical violence or provokes the use of physical violence, or (2) continues to use loud, boisterous, unruly, or provocative behavior after being asked to stop, which behavior is determined by the Presiding Officer or a majority of the City Council present to be disruptive to the orderly conduct of the meeting, or (3) fails to comply with any lawful decision or order of the Presiding Officer or of a majority of the City Council relating to the orderly conduct of the meeting.

8.4 *Written Communications:*

a. *In General:* Interested parties or their authorized representatives may address the Council by written communication in regard to any matter concerning the City’s business or over which the Council has control at any time by direct mail to Council members, email, or by addressing it to the City Clerk and copies will be distributed to the Council members.

b. *At City Council Meetings:* Except as provided in subsection c, written communications will not be read at City Council meetings, but will be attached to the item as part of the record, tallied, and reported by the City Clerk as generally in favor of or against the proposition.

c. *Exceptions:* A written communication to the City Council may be read by City staff at a City Council meeting when (1) the person making the written communication has asked it be read aloud, (2) the person is unavailable to be at the meeting due to emergency or illness, (3) the written communication can be read in an ordinary cadence within three minutes, and (4) the person’s name appears on the written communication and will be read into the record.

9. Suspension and Amendment of These Rules

9.1 *Suspension of these Rules:* Any provision of these rules not governed by law may be temporarily suspended by a majority vote of the City Council.

9.2 *Amendment of these Rules:* These rules may be amended, or new rules adopted, by a majority vote of all members of the City Council, provided that the proposed amendments or new rules have been introduced into the records at a prior City Council meeting.



June 22, 2016

City Council Special Meeting Agenda Item 1.

Subject:

Public Comments

Petitioner:

Andy Barton, City Manager

Staff Recommendation:

None

Fiscal Impact:

None

Budgeted Item:

No

Background:

None

Attachments:

None



June 22, 2016

City Council Special Meeting Agenda Item 2.

Subject:

Consideration of approval of the Canvass of the June 14, 2016 Mesquite Primary Elections returns and declaration of the result.

- - Discussion and Possible Action

Petitioner:

Tracy E. Beck, City Clerk

Staff Recommendation:

Council canvass the June 14, 2016 Mesquite City Primary Elections returns and declare the results as presented.

Fiscal Impact:

None

Budgeted Item:

No

Background:

Mesquite Municipal Code Section 1-8-12B states the City Council shall meet after a City election and canvass the returns and declare the result.

The results from the June 14, 2016 Primary Elections will be provided and posted once received.



June 22, 2016

Attachments:

Unofficial Final Report



Election Department

965 Trade Dr • Ste A • North Las Vegas NV 89030
Voter Registration (702) 455-8683 • Fax (702) 455-2793

Joseph Paul Gloria, Registrar of Voters

Charles Hurley, Assistant Registrar of Voters

June 16, 2016

RESULTS OF CANVASS OF THE PRIMARY ELECTION IN THE CITY OF MESQUITE JUNE 14, 2016

The results of the June 14, 2016 Primary Election were canvassed comparing the computer printout of ballots counted and the results thereof, with the official ballot statement for the 8 precincts utilized in this election.

There were no unreconcilable errors in the 2,625 ballots cast in the 8 precincts, making the tabulation 100% accurate. In addition, there were no tabulation errors in the 8 precincts.

Therefore, as the duly appointed Registrar of Voters of Clark County, Nevada, I do hereby approve the canvassed results of the Primary Election for certification.

A handwritten signature in black ink, appearing to read "Joseph Paul Gloria".

Joseph Paul Gloria
Registrar of Voters

BOARD OF COUNTY COMMISSIONERS

STEVE SISOLAK, Chairman • LARRY BROWN, Vice Chairman
SUSAN BRAGER • CHRIS GIUNCHIGLIANI • MARILYN KIRKPATRICK • MARY BETH SCOW • LAWRENCE WEEKLY
DONALD G. BURNETTE, County Manager

2016 PRIMARY ELECTION
June 14, 2016
Subdivision Report
Clark County
Mesquite Unofficial Final Report

MESQUITE

NP Registration & Turnout		2,367
Election Day Turnout	199	8.41%
Early Vote Turnout	176	7.44%
Mail Turnout	54	2.28%
Total...	429	18.12%

DEM Registration & Turnout		2,409
Election Day Turnout	260	10.79%
Early Vote Turnout	336	13.95%
Mail Turnout	127	5.27%
Total...	723	30.01%

REP Registration & Turnout		3,934
Election Day Turnout	693	17.62%
Early Vote Turnout	548	13.93%
Mail Turnout	232	5.90%
Total...	1,473	37.44%

Registration & Turnout		8,710
Election Day Turnout	1,152	13.23%
Early Vote Turnout	1,060	12.17%
Mail Turnout	413	4.74%
Total...	2,625	30.14%

COUNCILMEMBER, AT LARGE		8/8	100.00%
Ballweg, David P.	1,087	16.41%	
Benham, Mike	687	10.37%	
Delaney, Cynthia "Cindi"	955	14.41%	
Larsen, CJ	631	9.52%	
Rapson, George	1,230	18.56%	
West, David D.	793	11.97%	
Wursten, Brian	1,243	18.76%	
Total...	6,626	100.00%	

**2016 PRIMARY ELECTION
June 14, 2016
Statement of Vote
Clark County**

NP COUNCILMEMBER, AT LARGE

	Registered	Turnout	Percent	1	2	3	4	5	6	7
2465 - MES	1,122	284	25.31%	102	57	98	105	115	101	169
Election Day		163	14.53%	67	33	43	68	61	74	96
Early Vote		93	8.29%	23	18	42	30	46	18	58
Mail		28	2.50%	12	6	13	7	8	9	15
2466 - MES	1,326	376	28.36%	135	77	164	71	207	110	178
Election Day		135	10.18%	43	34	44	33	78	35	65
Early Vote		161	12.14%	62	32	86	30	85	53	78
Mail		80	6.03%	30	11	34	8	44	22	35
2468 - MES	0	0	0.00%	0	0	0	0	0	0	0
Election Day		0	0.00%	0	0	0	0	0	0	0
Early Vote		0	0.00%	0	0	0	0	0	0	0
Mail		0	0.00%	0	0	0	0	0	0	0
2477 - MES	687	263	38.28%	109	50	99	57	142	81	135
Election Day		120	17.47%	55	22	36	30	68	29	65
Early Vote		99	14.41%	38	19	44	18	50	35	56
Mail		44	6.40%	16	9	19	9	24	17	14
2731 - MES	1,654	465	28.11%	182	125	152	132	219	126	223
Election Day		197	11.91%	66	58	65	61	78	56	97
Early Vote		194	11.73%	86	43	60	50	110	44	104
Mail		74	4.47%	30	24	27	21	31	26	22
2732 - MES	1,141	272	23.84%	92	91	126	73	124	92	107
Election Day		129	11.31%	51	41	50	35	53	41	48
Early Vote		101	8.85%	26	32	51	30	51	37	40
Mail		42	3.68%	15	18	25	8	20	14	19
2775 - MES	1,313	528	40.21%	255	185	159	100	209	149	216
Election Day		202	15.38%	100	65	65	42	88	66	76
Early Vote		252	19.19%	125	95	69	46	102	63	119
Mail		74	5.64%	30	25	25	12	19	20	21
2776 - MES	1,467	437	29.79%	212	102	157	93	214	134	215
Election Day		206	14.04%	104	42	75	39	114	59	104
Early Vote		160	10.91%	78	45	51	45	77	57	72
Mail		71	4.84%	30	15	31	9	23	18	39
	8,710	2,625	30.14%	1,087	687	955	631	1,230	793	1,243

Candidates

- | | |
|----------------------------|------------------|
| 1 Ballweg, David P. | 6 West, David D. |
| 2 Benham, Mike | 7 Wursten, Brian |
| 3 Delaney, Cynthia "Cindi" | |
| 4 Larsen, CJ | |
| 5 Rapson, George | |



Election Department

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June 16, 2016

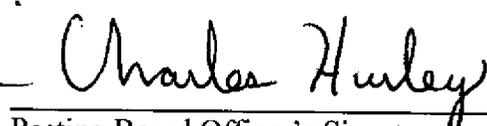
EARLY VOTING OFFICIAL BALLOT STATEMENT (OBS)

June 14, 2016 City of Mesquite Primary Election

The attached pages listing the number of voters who cast ballots in each of the 8 precincts during the May 28 through June 10 Early Voting period for the June 14, 2016 City of Mesquite Primary Election, have been audited for accuracy and constitute the official early voting ballot statement for the precincts listed.

**WE CERTIFY THE INFORMATION ON THE
ATTACHED PAGES IS TRUE AND CORRECT**


Posting Board Officer's Signature


Posting Board Officer's Signature

Attached: EarlyVote WinEDS/VEMACS Comparison Report

Date: 06/17/2016
Time: 07:13:13
From: 28-MAY-16
To: 10-JUN-16

CLARK COUNTY ELECTION DEPARTMENT
Early Vote WinEDS/VEMACS Summary
2016 PRIMARY ELECTION

clewinedsdiff (090100)
Page: 1
Jurisdiction: MESQUITE

<u>PRECINCT</u>	<u>VEMACS</u>	<u>WINEDS</u>	<u>ABSOLUTE DIFFERENCE</u>
2465	93	93	0
2466	161	161	0
2468		0	0
2477	99	99	0
2731	194	194	0
2732	101	101	0
2775	252	252	0
2776	160	160	0
TOTAL	1,060	1,060	0
GRAND TOTAL	1,060	1,060	0



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Joseph Paul Gloria, Registrar of Voters

Charles Hurley, Assistant Registrar of Voters

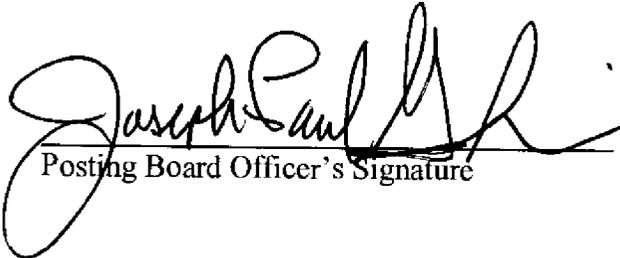
June 16, 2016

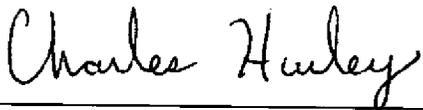
OFFICIAL ABSENT BALLOT STATEMENT (OBS)

June 14, 2016 City of Mesquite Primary Election

The attached pages listing the number of voters who cast absent ballots in each of the 8 precincts for the June 14, 2016 City of Mesquite Primary Election, have been audited for accuracy and constitute the official absent ballot statement for the precincts listed.

**WE CERTIFY THE INFORMATION ON THE
ATTACHED PAGES IS TRUE AND CORRECT**


Posting Board Officer's Signature


Posting Board Officer's Signature

Attached: Absentee WinEDS/VEMACS Comparison Report

CLARK COUNTY ELECTION DEPARTMENT
Absentee WinEDS/VEMACS Summary
2016 PRIMARY ELECTION

<u>PRECINCT</u>	<u>VEMACS</u>	<u>WINEDS</u>	<u>ABSOLUTE DIFFERENCE</u>
2465	28	28	0
2466	80	80	0
2468		0	0
2477	44	44	0
2731	74	74	0
2732	42	42	0
2775	74	74	0
2776	71	71	0
9991		0	0
9993		0	0
9994		0	0
TOTAL	413	413	0



Election Department

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Voter Registration (702) 455-8683 • Fax (702) 455-2793

Joseph Paul Gloria, Registrar of Voters
Charles Hurley, Assistant Registrar of Voters

May 24, 2016

Honorable Barbara K. Cegavske
Secretary of State
State of Nevada
State Capitol Complex
Carson City, NV 89710

Attn: Wayne Thorley, Deputy Secretary for Elections

Dear Wayne:

On May 24, 2016 the Accuracy Certification Board, duly appointed by me to serve for the June 14, 2016 Primary Election, certified the accuracy of the automatic tabulating equipment and programs that will be used to count the official ballots of said election. These tests were conducted in strict compliance with all applicable Nevada statutes and regulations. A description of the procedures used is attached for your records.

Therefore, in compliance with NRS 293B.135, I am hereby forwarding to you the computer program utilized in the conduct of these tests, which will subsequently be utilized to tabulate all official ballots cast in the June 14, 2016 Primary Election.

If you need any additional information, please let me know.

Sincerely,

Joseph P. Gloria
Registrar of Voters

Enclosures: Computer Program
Board Certification Documents



Election Department

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Joseph Paul Gloria, Registrar of Voters

Charles Hurley, Assistant Registrar of Voters

Certification of Voting System

NAC 293B.110

I certify that the software, firmware, and operating systems installed on each component of the voting system listed below matches the version registered with the National Software Reference Library, pursuant to NAC 293B.110.

Quantity

9 WinEDS: **4.0.175**

Hash Calculation (electronic signature):

MD5: **1a265face28c0e0fbbcd899c4432dc8**

SHA1: **5100bf37b54e43c96050e5eb9bcb695a8257825c**

CRC32: **77b7fff0**

4,500 AVC Edge DRE: **5.2.16**

MD5: **6E2AD52360C1C31CECFD5007AD9E628D**

SHA1: **51E47FA56FF8504CA0D49F24239CE5434E921D1E**

CRC32: **DD00A1E3**

N/A Optech Insight: **APX K2.10, HPXK1.42**

6 ImageCast Central

MD5: **DBD7F7856E9B700C542B4806FA232EBD**

SHA1: **6A90A864FD67EAB4DB26176CF7683C1488222E35**

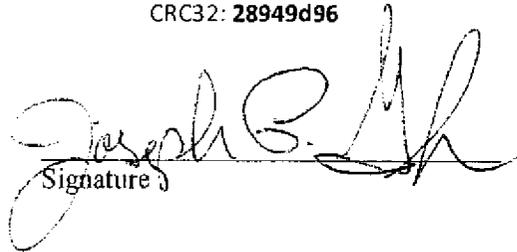
CRC32: **37279C37**

3 AdjudicationClient

MD5: **2701513574af7405f93fa929afa85742**

SHA1: **da402d4e43b3d50e0e26446b86604c26325e2ee8**

CRC32: **28949d96**


Signature

5/25/16
Date

Clark
County



June 22, 2016

City Council Special Meeting Agenda Item 3.

Subject:

Public Comments

Petitioner:

Andy Barton, City Manager

Staff Recommendation:

None

Fiscal Impact:

None

Budgeted Item:

No

Background:

None

Attachments:

None



June 22, 2016

City Council Special Meeting Agenda Item 4.

Subject:

Adjournment

Petitioner:

Andy Barton, City Manager

Staff Recommendation:

None

Fiscal Impact:

None

Budgeted Item:

No

Background:

None

Attachments:

None