Mesquite City Council

Regular Meeting

Mesquite City Hall
10 E. Mesquite Blvd.
Tuesday, June 28, 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

- INVOCATION
- 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

Consent Agenda

Items on the Consent Agenda may not require discussion. These items may be a single motion unless removed at the request of the Mayor, City Council, or City Manager.

2. Consideration of Approval for the June 28, 2016 Regular City Council Meeting Agenda; the May 11, 2016 Budget Work Session #1 Meeting Minutes; the May 12, 2016 Budget Work Session #2 Meeting Minutes; the May 17, 2016 Special Tentative Budget Meeting Minutes and the May 24,

2016 Regular City Council Meeting Minutes.

- Public Comment
- Discussion and Possible Action

3. Consideration of approval of:
   a) Notification of Budget Transfers
   b) Notification of Budget Amendments
   c) Notification of Bills Paid
   d) Purchase Orders
   e) May 2016 Financial Statements
   - Public Comment
   - Discussion and Possible Action

4. Consideration of approval of an agreement with Granicus Inc. for Agenda Management Software and Services.

   - Public Comment
   - Discussion and Possible Action

5. Consideration of approval of an agreement with Sada Systems Inc. for Google Apps software services.

   - Public Comment
   - Discussion and Possible Action

Resolutions & Proclamations

6. Consideration of Approval for Proclamation "General Aviation Appreciation Month"

   - Discussion and Possible Action

7. Consideration of a Proclamation declaring the month of July 2016 as “Flash Flood Awareness Month” in the City of Mesquite. - Discussion and Possible Action

8. Consideration of Approval of Resolution No. 900 of the City of Mesquite designating public buildings for use to collect or gather signatures on petitions.

- Public Comment
- Discussion and Possible Action

Department Reports

9. Mayor's Comments

10. City Council and Staff Comments and Reports

Zoning Items

11. Consideration of Extension of Time Case No. EOT-16-001 (Sun City Communication Tower) requesting additional time to construct the communication tower approved under Conditional Use Permit No. CUP-13-003. The proposed tower will be located at 1499 Falcon Ridge Parkway in the Planned Unit Development Park, Recreation and Open Space (PROS) zone.

- Public Hearing
- Discussion and Possible Action

12. Consideration of Conditional Use Permit Case No. CUP-16-002 (Eureka / Rising Star) to change the face of an outdoor billboard sign to a full color LED display, at 600 Eldorado Road, in the General Commercial (CR-2) zone.

- Public Hearing
- Discussion and Possible Action

13. Consideration of Conditional Use Permit Case No. CUP-16-003 (Eureka / Rising Star) to change the face of an outdoor billboard sign to a full color LED display, at 333 Sandhill Boulevard, in the Hotel Tourist (HT) zone.

- Public Hearing
- Discussion and Possible Action

14. Consideration of Variance Case No. V-16-001 (Eagles Landing Signs) to consider sign height and area variances for pole signs on the various properties of the Eagles Landing commercial subdivision, located generally at 1950 W Pioneer Boulevard in the Light Industrial (IR-1) Zone.

- Public Hearing
- Discussion and Possible Action

Administrative Items

15. Consideration of Approval of a proposed dog park/runs (off leash areas) at Redd Hills Park located on Fountain View Lane and Redd Hills Parkway.

The City of Mesquite Department of Athletics & Leisure Services has a vision for these parks and the community where dogs can run free and socialize safely at our parks for our K-9 friends and owners.

Proposed 4 areas of fenced facilities, approximately 26,500 square foot area (2 small dog areas) (1 Large Dog area) and (1 open off leash area). 2 large dog underground waste receptacles and 2 water stations to clean animals.

- Public Hearing
- Discussion and Possible Action

16. Consideration of approval of a Automatic Aid Agreement (AAA) between the Beaver Dam / Littlefield Fire District (BDLFD) and Mesquite Fire Rescue (MFR)

- Public Comment
- Discussion and Possible Action

17. Consideration of the introduction of Bill No. 495 Amending Mesquite Municipal Code Title 2 Chapter 1, Section 2-1-5 Entitled "Payment of License Fees," Subsection Entitled "Liquor License Fees;" And Chapter 4, Section 2-4-23 Entitled "Origination Fees and License Renewal Rates;" and other matters properly related thereto.

- Discussion and Possible Action

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18. Public Comments

Adjournment

19. 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, expect 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, expect 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.