

**Boundary Amendment Ordinance**

Summary - An ordinance amending the boundaries of Washoe County, Nevada District No. 24 (Groundwater Remediation).

**BILL NO. 1714**

**ORDINANCE NO. 1533**

**AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO.**

1. **WHEREAS**, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada has, pursuant to Ordinance No. 1000 (the "Creation Ordinance"), adopted and approved on November 14, 1997, created a district (the "District" or "District No. 24") for the remediation of the quality of water (specifically in order to address contamination of ground water by perchloroethylene ("PCE")) pursuant to NRS 540A.250 through 540A.285 and Sections 1 to 6 of Ch. 379, Statutes of Nevada, 1997 (the "1997 Act"); and

2. **WHEREAS**, subsection 3 of NRS § 540A.250 provides that:  
"The District created pursuant to this section must include, without limitation:

(a) The area where the condition which requires remediation is determined by the Board to be present, or for which remediation is determined by the Board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out; and

(b) If the Board determines that the condition which requires remediation affects the quantity or quality of drinking water within the region, the wholesale and retail service area of any provider of water that has used or uses for any portion of its supply wells located in the area described in paragraph (a)"; and

3. **WHEREAS**, pursuant to NRS § 540A.250, the Board has had prepared for it a plan for remediation designated the "Central Truckee Meadows Remediation District

Final Work Plan February 22, 1996” as updated by the “Central Truckee Meadows Remediation District Remediation Management Plan” dated October 28, 2002 (as updated, the “Plan for Remediation”); and

4. **WHEREAS**, the Plan for Remediation (including the update) has been submitted to the Division of Environmental Protection of the State of Nevada (the “Division”) and approved by the Division pursuant to Subsection 1 of NRS §.540A.260; and

5. **WHEREAS**, the Plan for Remediation indicates that, and based upon such plan the Board has determined that, the condition which requires remediation affects the quality of drinking water within the region; and

6. **WHEREAS**, the boundaries of the District described in the Creation Ordinance (the “Original Boundaries”) included the wholesale and retail water service area of Sierra Pacific Power Company (“Sierra”); and

7. **WHEREAS**, Sierra's water business was acquired by the Truckee Meadows Water Authority (“TMWA”) during 2001; and

8. **WHEREAS**, Sierra was, and TMWA is, a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition (i.e., presence of PCE in the groundwater at unacceptable levels) that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

9. **WHEREAS**, Washoe County’s Community Services Department (CSD) is a provider of water service that uses for a portion of its water supply a well or wells located in the area where the condition of PCE in the groundwater requires remediation is hereby determined by the Board to be present; and

10. **WHEREAS**, the Board has determined and hereby determines that the wholesale and retail water service area of Sierra/TMWA and a portion of the wholesale and retail service area of CSD are included in the boundaries of the District for the fee collected in a particular calendar year should include properties which were actually served with water provided by Sierra or TMWA and CSD on a retail or wholesale basis during the prior calendar year; and

11. **WHEREAS**, the Original Boundaries have been heretofore amended; and

12. **WHEREAS**, the Board has determined and hereby determines to propose to further amend the boundaries of the District with respect to the fee collected in 2014 to exclude from the District certain properties included in the Original Boundaries of the District as amended through July 1, 2014 (the "2014 Boundaries"), which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during that year; and

13. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2014, to add to and include such Original Boundaries new properties added to the wholesale and retail water service area of TMWA since December 31, 1997 and new properties added to that portion of the wholesale and retail water service area of CSD; and

14. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2014 to exclude from the District certain properties, which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA during calendar year 2013; and

15. **WHEREAS**, each of the following have been filed with the County Clerk (the "Clerk") on April 8, 2014, prior to the publication of a notice of hearing as hereinafter described:

(a) a list of the properties proposed to be excluded from the 2013 Boundaries with respect to the fees collected in 2014 as described in the 12<sup>th</sup> preamble hereto entitled "Second List of Properties to be excluded from 2013 Boundaries of District No. 24" (the "Second 2013 Exclusion List"),

(b) a description of the areas proposed to be added to the District as described in the 13<sup>th</sup> preamble hereto, entitled "2014 Description of Areas to be Added to District No. 24" (the "2014 Addition List"), and

(c) a list of the properties proposed to be excluded with respect to the fee imposed in 2014 as described in the 14<sup>th</sup> preamble hereto, entitled "First List of Properties to Be Excluded from the 2014 Boundaries of District No. 24" (the "First 2014 Exclusion List"); and

16. **WHEREAS**, pursuant to NRS § 540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

17. **WHEREAS**, after published notice in accordance with NRS § 540A.262, the Board on May 13, 2014 held a hearing on the amendment proposed to be made by this ordinance and hereby determines to overrule each and every objection to such amendment made at the hearing; and

18. **WHEREAS**, the Board has determined and the Board hereby determines to now amend the boundaries of the District.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA, DO ORDAIN:**

Section 1. Section 2 of Ordinance No. 1000 is hereby amended to read as follows:

“Section 2. A. The boundaries of the District with respect to the fee for remediation imposed in 1998 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997, but excluding therefrom (a) the properties listed on the “List of Properties Excluded from District 24 Boundaries” as filed with the County Clerk on June 16, 1998; (b) the properties listed on the Second 1998 Exclusion List, as filed with the County Clerk on April 21, 1999 and (c) and (c) the properties listed on the Second Exclusion List as filed with the Clerk on April 24, 2001.

B. The boundaries of the District with respect to the fee for remediation imposed in 1999 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District boundaries all properties in the area described in the 1999 Addition List as filed with the County Clerk on April 21, 1999, but excluding from the District Boundaries the properties listed on the First 1999 Exclusion List as filed with the County Clerk on April 21, 1999 and as supplemented with the Supplemental 1999 List of Additional Excluded Parcels filed with

the County Clerk on June 22, 1999 and as supplemented by the Second 1999 Exclusion List filed with the Clerk on May 2, 2000 and by the Second Exclusion List as filed with the Clerk on April 24, 2001.

C. The boundaries of the District with respect to the fee for remediation imposed in 2000 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2000 Addition List as filed with the County Clerk on May 2, 2000, but excluding from the District Boundaries the properties listed on the First 2000 Exclusion List as filed with the County Clerk on May 2, 2000, and the Second Exclusion List filed with the County Clerk on April 24, 2001.

D. The boundaries of the District with respect to the fee for remediation imposed in 2001 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2001 Addition List as filed with the County Clerk on April 24, 2001, but excluding from the District Boundaries the properties listed on the First 2001 Exclusion List as filed with the County Clerk on April 24, 2001.

E. The boundaries of the District with respect to the fee for remediation imposed in 2002 are the wholesale and retail water service area of Sierra Pacific Power Company (of the Truckee Meadows Water Authority, after the acquisition of Sierra Pacific Power Company's water business by the Truckee Meadows Water Authority), as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2002 Addition List as filed with the County Clerk on April 23, 2002, but excluding from the District

Boundaries the properties listed on the First 2002 Exclusion List as filed with the County Clerk on April 23, 2002 and excluding from the District boundaries the properties listed on the Second 2002 Exclusion List as filed with the County Clerk on April 21, 2003.

F. The boundaries of the District with respect to the fee for remediation imposed in 2003 are the wholesale and retail water service area of the Truckee Meadows Water Authority, as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2003 Addition List as filed with the County Clerk on April 21, 2003, but excluding from the District Boundaries the properties listed on the First 2002 Exclusion List as filed with the County Clerk on April 21, 2003 and excluding from the District boundaries the properties listed on the Second 2003 Exclusion List as filed with the County Clerk on April 22, 2004.

G. The boundaries of the District with respect to the fee for remediation imposed in 2004 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2004 Addition List as filed with the County Clerk on April 22, 2004, but excluding from the District Boundaries the properties listed on the First 2004 Exclusion List as filed with the County Clerk on April 22, 2004 and excluding from the District boundaries the properties listed on the Second 2004 Exclusion List as filed with the County Clerk on April 19, 2005.

H. The boundaries of the District with respect to the fee for remediation imposed in 2005 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2005 Addition List as filed with the County Clerk

on April 19, 2005, but excluding from the District Boundaries the properties listed on the First 2005 Exclusion List as filed with the County Clerk on April 19, 2005 and excluding from the District boundaries the properties listed on the Second 2005 Exclusion List as filed with the County Clerk on April 25, 2006.

I. The boundaries of the District with respect to the fee for remediation imposed in 2006 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2006 Addition List as filed with the County Clerk on April 25, 2006, but excluding from the District Boundaries the properties listed on the First 2006 Exclusion List as filed with the County Clerk on April 25, 2006 and excluding from the District boundaries the properties listed on the Second 2006 Exclusion List as filed with the County Clerk on April 24, 2007.

J. The boundaries of the District with respect to the fee for remediation imposed in 2007 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2007 Addition List as filed with the County Clerk on April 24, 2007, but excluding from the District Boundaries the properties listed on the First 2007 Exclusion List as filed with the County Clerk on April 24, 2007, and excluding from the District boundaries the properties listed on the Second 2007 Exclusion List as filed with the County Clerk on April 22, 2008.

K. The boundaries of the District with respect to the fee for remediation imposed in 2008 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area

described in the 2008 Addition List as filed with the County Clerk on April 22, 2008, but excluding from the District Boundaries the properties listed on the First 2008 Exclusion List as filed with the County Clerk on April 22, 2008, and excluding from the District boundaries the properties listed on the Second 2008 Exclusion List as filed with the County Clerk on April 22, 2009.

L. The boundaries of the District with respect to the fee for remediation imposed in 2009 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2009 Addition List as filed with the County Clerk on April 22, 2009, but excluding from the District Boundaries the properties listed on the First 2009 Exclusion List as filed with the County Clerk on April 22, 2009 and excluding from the District boundaries the properties listed on the Second 2009 Exclusion List as filed with the County Clerk on April 27, 2010.

M. The boundaries of the District with respect to the fee for remediation imposed in 2010 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2010 Addition List as filed with the County Clerk on April 19, 2010, but excluding from the District Boundaries the properties listed on the First 2010 Exclusion List as filed with the County Clerk on April 27, 2010.

N. The boundaries of the District with respect to the fee for remediation imposed in 2011 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997, and a portion of the wholesale and retail service area of Washoe County's Department of Water Resources, as more specifically detailed in the



description of the areas proposed to be added to the District in 2011, and further including in the District Boundaries all properties in the area described in the 2011 Addition List as filed with the County Clerk on April 19, 2011, but excluding from the District Boundaries the properties listed on the First 2011 Exclusion List as filed with the County Clerk on April 19, 2011.”

O. The boundaries of the District with respect to the fee for remediation imposed in 2012 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997, and a portion of the wholesale and retail service area of Washoe County’s Department of Water Resources, as more specifically detailed in the description of the areas proposed to be added to the District in 2012, and further including in the District Boundaries all properties in the area described in the 2012 Addition List as filed with the County Clerk on April 30, 2012, but excluding from the District Boundaries the properties listed on the First 2012 Exclusion List as filed with the County Clerk on April 10, 2012.”

P. The boundaries of the District with respect to the fee for remediation imposed in 2013 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997, and a portion of the wholesale and retail service area of the water utility of Washoe County’s Community Service Department, as more specifically detailed in the description of the areas proposed to be added to the District in 2013, and further including in the District Boundaries all properties in the area described in the 2013 Addition List as filed with the County Clerk on April 26, 2013, but excluding from the District Boundaries the properties listed on the First 2013 Exclusion List as filed with the County Clerk on April 9, 2013.”

Q. The boundaries of the District with respect to the fee for remediation imposed in 2014 are the wholesale and retail water service area of the Truckee Meadows Water Authority as

more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997, and a portion of the wholesale and retail service area of the water utility of Washoe County's Community Service Department, as more specifically detailed in the description of the areas proposed to be added to the District in 2014, and further including in the District Boundaries all properties in the area described in the 2014 Addition List as filed with the County Clerk on April 25, 2014, but excluding from the District Boundaries the properties listed on the First 2014 Exclusion List as filed with the County Clerk on April 8, 2014."

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the Board and the officers of the County (not inconsistent with the provisions of this Ordinance), concerning the District, is ratified, approved and confirmed.

Section 3. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for developing and carrying out the plan for remediation, and the preparation of recommendations to the Board of the cost thereof and appointment of such costs among the properties in the District. This section does not authorize the execution of any contracts to carry out the plan for remediation without Board approval.

Section 4. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

Section 5. In accordance with NRS § 244.100 and NRS § 540A.262, this Ordinance when first proposed is to be read by title to the Board, immediately after which several copies of the proposed Ordinance are to be filed with the office of the County Clerk for public examination; thereafter, the County Clerk is authorized and directed to give notice of the filing together with the title of the Ordinance and an adequate summary of the Ordinance, and the date upon which a public hearing will be held on such ordinance by publication at least once

in the Reno Gazette-Journal, i.e., a newspaper published and having general circulation in the County, at least fifteen (15) days before the date set for such hearing, i.e., at least fifteen (15) days before the 17<sup>th</sup> day of June, 2014, such publication to be in substantially in the following form:

(Form of Publication of Notice of Filing of Bill for an Ordinance)

Bill No. \_\_\_\_\_

Notice of Public Hearing Before

The Washoe County Board of County Commissioners

**NOTICE IS HEREBY GIVEN** that the Board of County Commissioners of Washoe County, Nevada, will hold a public hearing at the Commissioners' Chambers Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, at 6:00 p.m., on Tuesday, the 17th day of June, 2014, for the purpose of hearing objections to the adoption of a proposed ordinance. At such hearing, interested persons may present their views. The Ordinance is entitled:

**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**(of Washoe County, Nevada)**

**AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO.**

An adequate summary of the Ordinance is as follows:

The preambles of the Ordinance recite that the Board of County Commissioners has created Washoe County, Nevada, Special Assessment District No. 24 for the purpose of remediating the quality of water at various other matters in connection therewith, and make certain findings.

The ordaining clause is then set forth.

Section 1 amends the boundaries of the District with respect to the fee collected in 2013 and 2014.

Sections 2, 3 and 4 ratify, approve and confirm all consistent prior action taken in connection with the District; authorize the County officials to take any action necessary to effectuate the Ordinance; and provide a repealer clause for conflicting provisions.

Sections 5, 6 and 7 provide for notice by publication of the June 17, 2014 hearing on the Ordinance, and for this summary of the provisions of the Ordinance; provide that the Ordinance shall be in effect from and after its publication for two weeks following its final

adoption on June 17, 2014; provide the form for such publication which includes the names of the Commissioners voting for and against the adoption of the Ordinance; and provide a severability clause.

Copies of the proposed ordinance are on file in the office of the Washoe County Clerk at the Washoe County Courthouse, Virginia and Court Streets, Reno, Nevada, for public examination. The Board shall adopt or reject the Ordinance (or the Ordinance as amended) within 35 days after the date of the final public hearing.

**IN WITNESS WHEREOF**, the Board of County Commissioners of Washoe County, Nevada, has ordered this notice to be published.

**DATED** this May 13, 2014.

/s/ Nancy Parent  
County Clerk

(SEAL)

(End of Form for Publication)

Section 6. This Ordinance shall be in effect from and after its publication as hereinafter provided, and after this Ordinance is signed by the Chairman of the Board and attested and sealed by the County Clerk, this Ordinance shall be published by title only, together with the names of the Commissioners voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in the Reno Gazette-Journal, a newspaper published and having general circulation in the County, at least once a week for a period of two (2) weeks by two (2) insertions, pursuant to NRS § 244.100 and all laws thereunto enabling, such publication to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO.**

**PUBLIC NOTICE IS HEREBY GIVEN** that typewritten copies of the above-numbered and entitled Ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said Ordinance was proposed by Commissioner \_\_\_\_\_ on May 13, 2014, and following a public hearing, was passed and adopted without amendment at a regular meeting held not more than 35 days after the close of the hearing, i.e., at the regular meeting on June 17, 2014, by the following vote of the Board of County Commissioners:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after June \_\_\_\_, 2014, i.e., the date of the second publication of such Ordinance by its title only.

**IN WITNESS WHEREOF**, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

**DATED** this June 17, 2014.

/s/ David Humke  
Chair  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ Nancy Parent  
County Clerk



Section 7. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Proposed on the 13<sup>th</sup> day of May, 2014.

Proposed by Commissioner Hartung.

Passed the 17<sup>th</sup> day of June, 2014.

Those Voting Aye: Humke, Weber, Jung, Berkbigler and Hartung

Those Voting Nay: None

Those Absent: None

[Signature]  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

[Signature]  
County Clerk

This Ordinance shall be in force and effect from and after the 27<sup>th</sup> day of June, 2014, i.e., the date of the second publication of such Ordinance by its title only.

STATE OF NEVADA )  
 ) ss.  
COUNTY OF WASHOE )

I, Nancy Parent, am the duly chosen and qualified Clerk of Washoe County, and in the performance of my duties as Clerk do hereby certify:

1. The foregoing pages are a full and correct copy of an ordinance introduced and read by title at the Board of County Commissioners of the County (the "Board") held on May 13, 2014 and adopted on June 17, 2014 which relates to District No. 24 (Groundwater Remediation). Minutes of the hearing on such District held on May 13, 2014 and of the hearing on the Ordinance held on June 17, 2014 are attached as Exhibits A and B, respectively. Except as recited in this paragraph, no actions were taken concerning such District at such meetings. The copy of such ordinance is true, correct, compared copy of the original proposed and adopted at such meetings.

2. The members of the Board voted on such ordinance as set forth in the ordinance.

3. An affidavit evidencing notice of filing of such ordinance is attached as Exhibit E and an affidavit of publication of the notice of adoption of the ordinance is attached hereto as Exhibit F.

IN WITNESS WHEREOF, I have hereunto set my hand this June 17, 2014

*Nancy L. Parent*  
County Clerk



The undersigned does hereby certify:

1. All members of the Board were given due and proper notice of the meetings held on May 13, 2014 and June 17, 2014.

2. Public notice of such meetings were given and such meetings were held and conducted in full compliance with the provisions of NRS § 241.020 and NRS § 540A.262.

A copy of the notices of meeting and excerpts from the agendas for the meetings relating to the

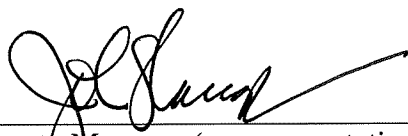
ordinance, as posted no later than 9:00 a.m. at least 3 working days in advance of the meetings at the Board's office, the County's website, and three other locations, i.e., at:

- (i) Washoe County Administration Complex  
1001 East Ninth Street  
Reno, Nevada
- (ii) Washoe County Courthouse  
75 Court Street  
Reno, Nevada
- (iii) Washoe County Library  
301 South Center Street  
Reno, Nevada
- (iv) Justice Court  
1675 E. Prater Way #107  
Sparks, Nevada

are attached as Exhibits "C" and "D."

3. No later than 9:00 a.m. at least 3 working days before such meetings, such notices were mailed to each person, if any, who has requested notice of meetings of the Board in compliance with NRS § 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of Washoe County, Nevada, this June 17, 2014.

  
\_\_\_\_\_  
County Manager (or representative thereof)  
Washoe County, Nevada

(SEAL)

**EXHIBIT "A"**

**(Attach Copy of Minutes of May 13 Hearing on  
District No. 24 Boundary Amendment)**

14-437

**AGENDA ITEM 34 – COMMUNITY SERVICES**

**Agenda Subject:** "Introduction and first reading of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Second reading and adoption to be set for June 17, 2014.)"

Nancy Parent, County Clerk, read the title for Bill No. 1714.

There was no public comment on this item.

Bill No. 1714, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO," was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed. It was noted that the public hearing for second reading and possible adoption of the Ordinance be set for June 17, 2014 at 6:00 p.m.

14-438

**AGENDA ITEM 34 – COMMUNITY SERVICES**

**Agenda Subject:** "Introduction and first reading of an Ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and prescribing other matters relating thereto. (Second reading and adoption to be set for June 17, 2014.). (All Commission Districts.)"

Nancy Parent, County Clerk, read the title for Bill No. 1715.

There was no public comment on this item.

Bill No. 1715, entitled, "AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LAND IN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBING OTHER MATTERS RELATING THERETO," was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed. It was noted that the public hearing for second reading and possible adoption of the Ordinance be set for June 17, 2014 at 6:00 p.m.

14-439

**AGENDA ITEM 35**

**Agenda Subject:** "Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to."

**EXHIBIT "B"**

**(Attach Minutes of June 17 Hearing on Ordinance)**

ARTICLE 302 (ALLOWED USES) AND ARTICLE 304 (USE CLASSIFICATION SYSTEM) TO REGULATE THE LOCATION FOR LIQUOR MANUFACTURING AS A COMMERCIAL USE TYPE IN APPROPRIATE REGULATORY ZONES; TO CREATE A DEFINITION FOR LIQUOR MANUFACTURING AS A COMMERCIAL USE TYPE; AND, TO ADD CLARITY TO THE DEFINITIONS OF THE EATING AND DRINKING ESTABLISHMENTS AND LIQUOR SALES COMMERCIAL USE TYPES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

14-541 AGENDA ITEM 44 – COMMUNITY SERVICES

Agenda Subject: "Second reading and adoption of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Bill No. 1714)"

7:30 p.m. Chairman Humke returned and assumed the gavel.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Nancy Parent, County Clerk, read the title for Ordinance No. 1533, Bill No. 1714.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Ordinance No. 1533, Bill No. 1714, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO," be approved, adopted and published in accordance with NRS 244.100.

14-542 AGENDA ITEM 44 – COMMUNITY SERVICES

Agenda Subject: "Second reading and adoption of an Ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 to pay the costs of developing and carrying out a plan for remediation; and prescribing other matters relating thereto. (Bill No. 1715). (All Commission Districts.)"

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Nancy Parent, County Clerk, read the title for Ordinance No. 1534, Bill No. 1715.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Ordinance No. 1534, Bill No. 1715, entitled, "**AN ORDINANCE IMPOSING A FEE ON THE PARCELS OF LAND IN WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION) TO PAY THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; AND PRESCRIBING OTHER MATTERS RELATING THERETO,**" be approved, adopted and published in accordance with NRS 244.100.

**14-543      AGENDA ITEM 45 – COMMUNITY SERVICES**

**Agenda Subject: "Public hearing and possible adoption of Regulatory Zone Amendment Case Number RZA14-002 (Truckee Meadows Water Authority) – To amend the Regulatory Zone designation on two parcels (APNs: 038-060-30 and 038-394-06) from General Commercial (GC) to Public and Semi-Public Facilities (PSP), to affirm the findings of fact of the Washoe County Planning Commission, to adopt the Verdi Regulatory Zone map as included at Exhibit A to the staff report, and to direct the Director of the Planning and Development Division to sign and certify the amended Verdi Regulatory Zone map. (Commission District 5.)"**

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Regulatory Zone Amendment Case Number RZA14-002 (Truckee Meadows Water Authority).

Angela Fuss said a neighborhood meeting was held with the Verdi community where no negative comments were received. She said the project was adjacent to the canal and was owned by the Truckee Meadows Water Authority (TMWA).

There being no one further to speak, the Chairman closed the public hearing.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 45 be approved, directed, executed and certified.

**14-544      AGENDA ITEM 46 – COMMUNITY SERVICES**

**Agenda Subject: "Public hearing and possible approval of Outdoor Festival Business License Application for the Reno-Tahoe Open 2014 Golf Tournament, scheduled from July 28 through August 3, 2014. The event is proposed to be held at the Montreux Golf and Country Club, with tournament parking at the clubhouse and on Lausanne Drive. Off-site public parking will be at Galena High School, with over-flow parking at the South Reno United Methodist Church, and off-site**



**EXHIBIT "C"**

**(Attach Copy of Notice of May 13 Meeting)**

**COUNTY COMMISSIONERS**

David Humke, Chairman  
Bonnie Weber, Vice-Chairman  
Kitty Jung  
Marsha Berkgigler  
Vaughn Hartung

**COUNTY MANAGER**

John Slaughter

**ASSISTANT  
DISTRICT ATTORNEY**

Paul Lipparelli

**NOTICE OF MEETING AND AGENDA**

**WASHOE COUNTY BOARD OF COMMISSIONERS**

**COMMISSION CHAMBERS - 1001 E. 9<sup>th</sup> Street, Reno, Nevada**

**May 13, 2014  
10:00 a.m.**

**NOTE:** Items on the agenda may be taken out of order; combined with other items; removed from the agenda; moved to the agenda of another meeting; moved to or from the Consent section; or may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless removed from the Consent section. The Board of County Commissioners may take short breaks approximately every 90 minutes.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

**Time Limits.** Public comments are welcomed during the Public Comment periods for all matters, whether listed on the agenda or not, and are limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. Persons may not allocate unused time to other speakers.

**Forum Restrictions and Orderly Conduct of Business.** The Board of County Commissioners conducts the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

**Responses to Public Comments.** The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item: "Commissioners/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda".

6:00 p.m.

32. Second reading and adoption of an Ordinance approving a "Second Amended and Restated Agreement" (Eagle Canyon IV) amending and restating a Development Agreement originally approved in 2008 (DA08-004) regarding the Eagle Canyon IV Subdivision (approved in 2003 as Tentative Map TM03-006). This amendment (Case No. AC14-001) extends the deadline for filing the next in a series of final subdivision maps to May 20, 2018, with a possible extension by the Director of the Planning and Development Division to May 20, 2020. The subdivision is located south of West Calle de la Plata and west of Pyramid Highway and within Sections 22 & 23, T21N, R20E, MDM (APN: 532-120-01 & 532-120-09)--Community Services. (Commission District 4.)
  
33. Second reading and adoption of an Ordinance approving an "Amended and Restated Development Agreement (Sierra Reflections)" amending and restating a Development Agreement originally approved in 2008 (DA08-003) regarding Sierra Reflections Subdivision (approved in 2006 as Tentative Map TM06-001). This agreement (Case Number DA14-001) extends the deadline for filing the next in a series of final maps to June 14, 2018, with a possible extension by the Director of Planning and Development to June 14, 2020. The project is bordered on the north by Pagni Lane, on the east by US Highway 395 South and as far south as Little Washoe Lake in the Pleasant Valley area. The project encompasses a total of 29 parcels that total approximately 759.6 acres. The parcels are located within the South Valleys Area Plan, and are situated in portions of Sections 13, 14 and 23, T17N, R19E, and Section 18, T17N, R20E MDM, Washoe County, Nevada. The property is located within the South Truckee Meadows/Washoe Valley Citizen Advisory Board boundaries and within Washoe County Commission District No. 2. (APNs 046-060-45 and 47; 046-080-40; 046-090-01, 04 through 18, and 23 through 26; and 046-100-02 through 04, 07, 09 and 10) --Community Services. (Commission District 2.)
  
34. Public hearing to consider all comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District (Central Truckee Meadows Remediation District).  
AND  
Introduction and first reading of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Second reading and adoption to be set for June 17, 2014.)  
AND  
Introduction and first reading of an Ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and prescribing other matters relating thereto. (Second reading and adoption to be set for June 17, 2014.)--Community Services. (All Commission Districts.)

End Of Scheduled Public Hearings

**EXHIBIT "D"**

**(Attach Copy of Notice of June 17 Meeting)**

**COUNTY COMMISSIONERS**

David Humke, Chairman  
Bonnie Weber, Vice-Chairman  
Kitty Jung  
Marsha Berkbigler  
Vaughn Hartung

**COUNTY MANAGER**

John Slaughter

**ASSISTANT  
DISTRICT ATTORNEY**

Paul Lipparelli

**NOTICE OF MEETING AND AGENDA**

**WASHOE COUNTY BOARD OF COMMISSIONERS**

**COMMISSION CHAMBERS - 1001 E. 9<sup>th</sup> Street, Reno, Nevada**

**June 17, 2014**

**NOTE TIME CHANGE**

**9:00 a.m.**

**NOTE:** Items on the agenda may be taken out of order; combined with other items; removed from the agenda; moved to the agenda of another meeting; moved to or from the Consent section; or may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless removed from the Consent section. The Board of County Commissioners may take short breaks approximately every 90 minutes.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

**Time Limits.** Public comments are welcomed during the Public Comment periods for all matters, whether listed on the agenda or not, and are limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. Persons may not allocate unused time to other speakers.

**Forum Restrictions and Orderly Conduct of Business.** The Board of County Commissioners conducts the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

**Responses to Public Comments.** The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item:  
“\*Commissioners'/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda”.

**00 p.m.**

Public Hearings. (Note: Items listed under this heading only will be heard at or after the noted time. In no case will they be heard before the stated time. Due to public testimony and discussion, time expended on the items in this category can vary.)

42. Second reading and adoption of an Ordinance amending Washoe County Code, Chapter 110, Development Code, at Article 306 (Accessory Uses and Structures), Section 110.306.10(g), to modify certain standards for placement and mitigation of visual impacts of cargo containers as permanent detached accessory structures on residential properties; and providing for other matters properly relating thereto. (Bill No. 1713)--Community Services. (All Commission Districts.)
43. Second reading and adoption of an Ordinance amending Washoe County Code Chapter 110, Development Code, at Article 302 (Allowed Uses) and Article 304 (Use Classification System) to regulate the location for liquor manufacturing as a commercial use type in appropriate regulatory zones; to create a definition for liquor manufacturing as a commercial use type; and, to add clarity to the definitions of the eating and drinking establishments and liquor sales commercial use types; and providing for other matters properly relating thereto. (Bill Number 1712)--Community Services. All Commission Districts.)
44. Second reading and adoption of an Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Bill No. 1714)

AND

Second reading and adoption of an Ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 to pay the costs of developing and carrying out a plan for remediation; and prescribing other matters relating thereto. (Bill No. 1715)--Community Services. (All Commission Districts.)

45. Public hearing and possible adoption of Regulatory Zone Amendment Case Number RZA14-002 (Truckee Meadows Water Authority) – To amend the Regulatory Zone designation on two parcels (APNs: 038-060-30 and 038-394-06) from General Commercial (GC) to Public and Semi-Public Facilities (PSP), to affirm the findings of fact of the Washoe County Planning Commission, to adopt the Verdi Regulatory Zone map as included at Exhibit A to the staff report, and to direct the Director of the Planning and Development Division to sign and certify the amended Verdi Regulatory Zone map--Community Services. (Commission District 5.)

**EXHIBIT "E"**

**(Attach Affidavit of Publication of Notice of Filing of Amendatory Ordinance)**

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**Reno Gazette-Journal**

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WASHOE COUNTY  
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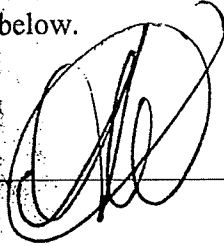
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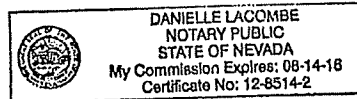
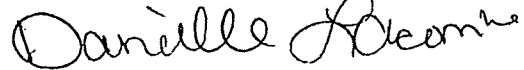
STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: 6/6/2014 - 6/6/2014, for exact publication dates please see last line of Proof of Publication below.

Signed: \_\_\_\_\_



Subscribed and sworn to before me



**Proof of Publication**

NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Washoe County, Nevada, will hold a public hearing at the County Commission Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Building A, in Reno, Washoe County, Nevada at 6:00 p.m., on Tuesday, June 17, 2014, for the purpose of hearing the adoption of a proposed ordinance. Anyone wishing to protest or affirm may do so by appearing at the above-named time and place. The Ordinance is entitled: An Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Bill No. 1714). DATED: June 03, 2014. NANCY PARENT, Washoe County Clerk and Clerk of the Board of County Commissioners No. 34322 June 6, 2014





LEGALS

LEGALS

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Washoe County, Nevada, will hold a public hearing at the County Commission Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Building A, in Reno, Washoe County, Nevada at 6:00 p.m., on Tuesday, June 17, 2014, for the purpose of hearing the adoption of a proposed ordinance. Anyone wishing to protest or affirm may do so by appearing at the above-named time and place. The Ordinance is entitled:

An Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Bill No. 1714).

DATED: June 03, 2014.

NANCY PARENT, Washoe County Clerk and  
Clerk of the Board of County Commissioners

No. 34322 June 6, 2014

LEGALS

LEGALS

**EXHIBIT "F"**

**(Attach Affidavit of Publication of Title of Amendatory Ordinance Twice)**

WASHOE COUNTY  
COMPTROLLER

2014 JUN 24 AM 11:35

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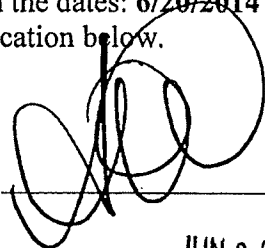
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STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: 6/20/2014 - 6/20/2014, for exact publication dates please see last line of Proof of Publication below.

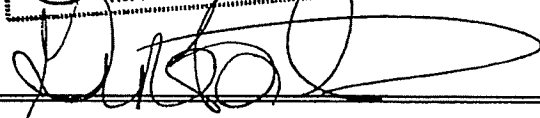
Signed: \_\_\_\_\_



JUN 20 2014

Subscribed and sworn to before me

GINA BRILES  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 11-6105-2 - Expires October 10, 2015



**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1533 BILL NO. 1714  
NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on May 13, 2014 by Commissioner Hartung and was passed and adopted without amendment at a regular meeting held on June 17, 2014 by the following vote of the Board of County Commissioners: An Ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Bill No. 1714) Those Voting Aye: Marsha Berkbigler, Vaughn Hartung and Bonnie Weber, and Kitty Jung and David Humke Those Absent: None This Ordinance shall be in full force and effect from and after June 27, 2014. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED June 18, 2014 Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners No. 35357 June 20, 2014

1533 ✓

**NOTICE OF ADOPTION  
WASHOE COUNTY ORDINANCE NO. 1533  
BILL NO. 1714**

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on May 13, 2014 by Commissioner Harlung and was passed and adopted without amendment at a regular meeting held on June 17, 2014 by the following vote of the Board of County Commissioners:

An Ordinance amending Ordinance No. 1087 in order to change the boundaries of District No. 24 and to water remediation and providing other matters relating thereto, said No. 1714.

Those Voting Yes: Mason, Seckler, Vaughan, Harlung and Bonnie Hebert and City Clerk and David Humke

Those Present: None

This Ordinance shall be in full force and effect from and after June 27, 2014.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by the only:

DATED June 18, 2014

Nancy Parent, Washoe County Clerk and  
Clerk of the Board of County Commissioners

No. 35357 June 20, 2014

111

1533