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

BILL NO. <u>176</u>4 ORDINANCE NO. 1582

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) was a provider of water service that used 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**, CSD's water utility was acquired by TMWA during 2014; and
- WHEREAS, the Board has determined and hereby determines that the wholesale and retail water service area of Sierra/TMWA 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 on a retail or wholesale basis during the prior calendar year; and

- 12. WHEREAS, the Original Boundaries have been heretofore amended; and
- 13. **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 2016 to exclude from the District certain properties included in the Original Boundaries of the District as amended through July 1, 2015 (the "2015 Boundaries"), which properties did not receive water service on a wholesale or retail basis by TMWA during calendar year 2015; 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 2016, to add to and include new properties added to the wholesale and retail water service areas of TMWA during calendar year 2015; and
- 15. 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 2016 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 2015; and
- 16. **WHEREAS,** each of the following have been filed with the County Clerk (the "Clerk") on April 12, 2016, prior to the publication of a notice of hearing as hereinafter described:
 - (a) a list of the properties proposed to be excluded from the 2015 Boundaries with respect to the fees collected in 2016 as described in the 13th preamble hereto entitled "Second List of Properties to be excluded from 2015 Boundaries of District No. 24" (the "Second 2015 Exclusion List"),
 - (b) a description of the areas proposed to be added to the District as described in the 14th preamble hereto, entitled "2016 Description of Areas to be Added to District No. 24" (the "2016 Addition List"), and
 - (c) a list of the properties proposed to be excluded with respect to the fee imposed in 2016 as described in the 15th preamble hereto, entitled "First List of Properties to Be Excluded from the 2016 Boundaries of District No. 24" (the "First 2016 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 10, 2016 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."

- R. The boundaries of the District with respect to the fee for remediation imposed in 2015 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 2015, and further including in the District Boundaries all properties in the area described in the 2015 Addition List as filed with the County Clerk on April 24, 2015, but excluding from the District Boundaries the properties listed on the First 2015 Exclusion List as filed with the County Clerk on April 14, 2015."
- S. The boundaries of the District with respect to the fee for remediation imposed in 2016 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, as more specifically detailed in the description of the areas proposed to be added to the District in 2016, and further including in the District Boundaries all properties in the area described in the 2016 Addition List as filed with the County Clerk on April 12, 2016, but excluding from the District Boundaries the properties listed on the First 2016 Exclusion List as filed with the County Clerk on April 12, 2016."

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 12th day of July, 2016, 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 10:00 a.m., on Tuesday, the 12th day of July, 2016, 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 2015 and 2016.

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 July 12, 2016 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 July 12, 2016; 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 Administrative Complex, 1001 East 9th Street, 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 June 21, 2016.

<u>/s/</u>	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
Administrative Complex, 1001 East 9th Street,, Reno, Nevada; and that said Ordinance was
proposed by Commissioner on June 21, 2016, 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 July 12, 2016, 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 July ____, 2016, 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 July 12, 2016.

/s/ Kitty Jung
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 21st day of June, 2016.

Proposed by Commissioner Derkbigler

Passed the 12th day of July, 2016.

Those Voting Aye: Bob Lucy, Marsha Berkbigler, Vaughn Hartung and Jeanne Herman.

Those Voting Nay: Nove.

Those Absent: Kithy Jung.

Men Chief Deputy

Chair
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:

ounty Clerk

This Ordinance shall be in force and effect from and after the <u>Jand</u> day of July, 2016, 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 June 21, 2016 and adopted on July 12, 2016 which relates to District No. 24 (Groundwater Remediation). Minutes of the hearing on such District held on June 21, 2016 and of the hearing on the Ordinance held on July 12, 2016 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 July 12,201

ounty Clerk

The undersigned does hereby certify:

- 1. All members of the Board were given due and proper notice of the meetings held on June 21, 2016 and July 12, 2016.
- 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, the Nevada Public Notice 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 July 12, 2016.

County Manager (or representative thereof)

Washoe County, Nevada

EXHIBIT "A"

(Attach Copy of Minutes of June 21 Meeting on District No. 24 Boundary Amendment)

16-0511 <u>AGENDA ITEM 6</u> Approval of minutes for the Board of County Commissioner's concurrent meeting of May 2, 2016, special meeting of May 3, 2016 and regular meetings of May 10, 2016 and May 17, 2016.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 6 be approved.

AGENDA ITEM 12 Introduction and first reading of an ordinance (1) amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); (2) providing for a notice of a public hearing and other matters relating thereto, and (3) setting the public hearing for the second reading and possible adoption on July 12, 2016; AND Hold the 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; (2) providing for a notice of a public hearing and other matters relating thereto, and (3) setting the public hearing for the second reading and possible adoption on July 12, 2016. Community Services. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Nancy Parent, County Clerk, read the titles for Bill Nos. 1764 and 1765.

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

Bill Nos. 1764 and 1765 were introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

AGENDA ITEM 13 Introduction and first reading of an ordinance amending Chapter 100 of the Washoe County Code by (1) adding thereto a provision decreasing fees for various building permits, including general building permits, other inspection and permit fees, and plan review fees, (2) adding a new category of fees for projects with a value [in excess of \$10,000,000.00,] (3) increasing the fee for the renewal of all permits other than building permits to 100% of the original permit cost, and (4) providing other matters necessarily connected therewith and pertaining thereto; and set the public hearing for second reading and possible adoption to be held on July 12, 2016. Community Services. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

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EXHIBIT "B"

(Attach Minutes of July 12 Hearing on Ordinance)

therewith and pertaining thereto. Community Services. (All Commission Districts.)

The Chair 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.

Jan Galassini, Chief Deputy County Clerk, read the title for Ordinance No. 1580, Bill No. 1766.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried with Chair Jung absent, Acting Chair Lucey ordered that Ordinance No.1580, Bill No. 1766, be adopted, approved and published in accordance with NRS 244.100.

AGENDA ITEM 20 Public hearing for the second reading and possible adoption of an ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation) and other matters relating thereto; AND Public hearing for the second reading and possible adoption 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 other matters relating thereto. Community Services. (All Commission Districts.)

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

Jan Galassini, Chief Deputy County Clerk, read the title for Ordinance No. 1582, Bill No 1764; Ordinance No. 1583, Bill No. 1765.

On motion by Acting Chair Lucey, seconded by Commissioner Berkbigler, which motion duly carried with Chair Jung absent, Acting Chair Lucey ordered that Ordinance No. 1582, Bill No 1764; Ordinance No. 1583, Bill No. 1765, be adopted, approved and published in accordance with NRS 244.100.

AGENDA ITEM 16 Update, discussion and possible direction to staff regarding 2016 Nevada Legislative Interim Committees and Studies, legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues in preparation for the 79th (2017) Legislative Session as may be deemed by the Chair or the Board to be of critical significance to Washoe County. Manager. (All Commission Districts.)

PAGE 18 JULY 12, 2016

EXHIBIT "C"

(Attach Copy of Notice of June 21 Meeting)

COUNTY COMMISSIONERS

Chair, Kitty Jung, District 3 Vice-Chair, Bob Lucey, District 2 Marsha Berkbigler, District 1 Vaughn Hartung, District 4 Jeanne Herman, District 5

COUNTY MANAGER

John Slaughter

ASSISTANT DISTRICT ATTORNEY

Paul Lipparelli

COUNTY CLERK

Nancy Parent

NOTICE OF MEETING AND AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

June 21, 2016 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 breaks approximately every 90 minutes.

<u>Accessibility.</u> The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the Office of the County Manager, (775) 328-2000, 24-hours prior to the meeting.

<u>Public Transportation.</u> Public transportation is available to this meeting site: RTC Routes 2, 2S, 5 and 15 serve this location. For eligible RTC ACCESS reservations call (775) 348-5438.

<u>Time Limits.</u> 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 individually numbered 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. To preserve time and increase efficiency representatives of recognized groups may be given more than 3 minutes as determined by the presiding officer.

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 conduct 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".

- 11.C.2. Approve an Interlocal Agreement between Washoe County, the City of Reno, and the City of Sparks for reimbursement to the City of Reno [\$9,200.00] for Washoe County's share of professional consulting services for a Pretreatment Local Limits Evaluation of the Truckee Meadows Water Reclamation Facility and the South Truckee Meadows Water Reclamation Facility. (Commission District 2.)
- 11.C.3. Approve a Sublease Agreement between Washoe County, Roter Investments L.P., and the Friends of Washoe County Library from July 1, 2016 through June 30, 2021 to sublease a portion of the Sierra View Library space, located at 4001 South Virginia Street [at no cost]. (Commission District 2.)
- 11.C.4. Possible action to adopt the Business Impact Statement for the Regional License and Permit Platform with a finding, based on staff's recommendation, that the proposed NRS 354.790 Regional Technology Fee does not impose a direct and significant economic burden on a business; nor does the proposed fee directly restrict the formation, operation or expansion of a business; and, set the public hearing for possible adoption of the proposed Regional Technology Fee for June 28, 2016. The fee would apply to customers using the new online Regional License and Permit Platform being created for the purpose of expediting and enhancing access to the county's licensing and permitting processes, including business licenses and building permits. The proposed fee in any case would be a minimum of \$1 and otherwise would apply (1) to all business licenses at the time of license application and for each license renewal as follows: \$2.75 for annual licenses, \$2 for quarterly licenses; and (2) to all other permits including permit renewals (includes building, engineering, planning, and utility permits) as follows: 4% of the total permit cost to include permit renewal. (All Commission Districts.)

End of Consent Items

- 12. Introduction and first reading of an ordinance (1) amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); (2) providing for a notice of a public hearing and other matters relating thereto, and (3) setting the public hearing for the second reading and possible adoption on July 12, 2016; AND Hold the 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; (2) providing for a notice of a public hearing and other matters relating thereto, and (3) setting the public hearing for the second reading and possible adoption on July 12, 2016. Community Services. (All Commission Districts.)
- 13. Introduction and first reading of an ordinance amending Chapter 100 of the Washoe County Code by (1) adding thereto a provision decreasing fees for various building permits, including general building permits, other inspection and permit fees, and plan review fees, (2) adding a new category of fees for projects with a value [in excess of \$10,000,000.00,] (3) increasing the fee for the renewal of all permits other than building permits to 100% of the original permit cost, and (4) providing other matters necessarily connected therewith and pertaining thereto; and set the public hearing for second reading and possible adoption to be held on July 12, 2016. Community Services. (All Commission Districts.)
- 14. Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.

EXHIBIT "D"

(Attach Copy of Notice of July 12 Meeting)

COUNTY COMMISSIONERS

Chair, Kitty Jung, District 3 Vice-Chair, Bob Lucey, District 2 Marsha Berkbigler, District 1 Vaughn Hartung, District 4 Jeanne Herman, District 5

COUNTY MANAGER

John Slaughter

ASSISTANT DISTRICT ATTORNEY

Paul Lipparelli

COUNTY CLERK

Nancy Parent

NOTICE OF MEETING AND AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

July 12, 2016 10:00 a.m.

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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".

- 19. Public Hearing for the second reading and possible adoption of an ordinance amending Chapter 50 of the Washoe County Code (Public Peace, Safety and Morals), amending Section 50.092 Unlawful Discharge of Firearms; Exemption; amending Section 50.096 Greater Truckee Meadows and environs Congested area and incorporating the Old Washoe City Congested area into the Greater Truckee Meadows and environs Congested area; 50.104 Spanish Springs area Congested area, 50.108 New Washoe City Congested area; Eliminating 50.110 Old Washoe City Congested area; to update the congested areas and associated maps; and providing for other matters properly relating thereto. Community Services. (All Commission Districts.)
- 20. Public hearing for the second reading and possible adoption of an ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation) and other matters relating thereto; AND Public hearing for the second reading and possible adoption 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 other matters relating thereto. Community Services. (All Commission Districts.)
- 21. Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.
- *22. Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.
- 23. Commissioners'/Manager's announcements, reports/updates requests for information or topics for future agendas. (No discussion among Commissioners will take place on this item.)

Adjournment.

EXHIBIT "E"

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

RENO NEWSPAPERS INC

Publishers of

Reno Gazette-Journal

955 Kuenzli St - P.O. Box 22,000 - Reno, NV 89520 - 775.788.6200 Legal Advertising Office 775.788.6394

WASHOE CO 1001 E 9TH ST RENO, NV 89512 Attn:

Customer Acct# REN-349008 PO# Ad# 0001379438 Legal Ad Cost: \$147.00

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 date: 06/24/2016 - 06/24/2016, for exact publication dates please see last line of Proof of Publication below.

> > Subscribed and sworn to before

Signed:

AMERICA ACEVEDO NOTARY PUBLIC - STATE OF NEVADA My Commission Expires: 06-26-2018 Certificate No: 14-14488-2

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 Commis

Publish Dates:

06/24/16

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN Into the Board of County Commissioners of Washoe County, Nevada, vill hold a public hearing at the County Commission Chombers, Washoe County Administration Complex, 1001 East Ninth Street, Building A, in Reno, Washoe County, Nevada on Tuesday, July 12, 2016, for the purpose of hearing the adoption of a proposed ordinance. Anyone wishing to protest or affirm may do so yoppeoring at the obovenomed 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. 1764)

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

No 1379438

June 24, 2016

NCCOMP JUH29*16 9:97

RENO NEWSPAPERS INC

Publishers of

RENO GAZETTE-JOURNAL

955 Kuenzli St. P.O.Box 22000 RENO, NV 89520 PHONE: (775) 788-6200 Legal Advertising Office (775) 788-6394

> Customer Account # PO# /ID# Ad Cost

349008

GROUNDWATER REMEDIATION

\$252.00

PROOF OF PUBLICATION

WASHOE COUNTY 1001 E. NINTH STREET BUILDING A RENO NV 89512

STATE OF NEVADA COUNTY OF WASHOE

Signed by:

Being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice:

PUBLIC HEARING GROUNDWATER REMEDIATION

has published in each regular and entire issue of said newspaper on the following dates to wit:

June 24, 2016

Signed:

Date:

Notary Public

AMERICA ACEVEDO
NOTARY PUBLIC - STATE OF NEVADA
My Commission Expires: 06-26-2018
Certificate No: 14-14488-2

Legal Notices



Legal Notices



プ Legal Notices

NOTICE OF PUBLIC HEARING WASHOE COUNTY, NEVADA DISTRICT NUMBER 24 (GROUNDWATER REMEDIATION)

NOTICE is hereby given that the Board of County Commissioners of Washoe County, Nevada will hold a public hearing on July 12, 2016 at the hour of 10:00 a.m. at the Commission Chambers, Washoe County Administrative Complex, 1001 East Ninth Street, Reno; Nevada on a proposed amendment to the boundaries of Washoe County Nevada District No. 24 (Groundwater Remediation), which is a district for remediation of groundwater (the "District").

At the hearing all persons who desire to appear may appear and be heard concerning a proposed amendment to the boundaries of the District, and after the hearing the Board shall make such adjustments to the proposed boundary amendment as appear to be necessary, but the boundaries may not be expanded to include any property not included either in the proposed amendment as filed in the office of the County Clerk on April 12, 2016, or the 2015 Boundaries of the District specified in Ordinance No. 1559, adopted and approved on June 9, 2015 (the "Ordinance").

It is proposed that the boundaries of the District would be amended as follows:

1. The boundaries of the District with respect to the fee collected in 2015 shall be as they already exist as further amended by exclusion of the properties listed in the list entitled "Second List of Properties to be Excluded from the 2015 Boundaries of District No. 24" (the "Second 2015 Exclusion List"), now on file with the County Clerk, and
2. The boundaries of the District with respect to the fee to be collected in 2016 shall be the 2015 Boundaries of the District

The boundaries of the District with respect to the ree to be collected in 2016 Small be the 2015 Boundaries of the District as established by the Ordinance adopted by the Board of County Commissioners on June 9, 2015, amended as follows:
 (a) amended by the addition to the 2015 Boundaries of the District of the areas described in the "2016 Description of Areas to

be added to District No. 24" (the "2016 Addition List"), now on file in the office of the County Clerk, and, (b) amended by excluding those properties (whether included in the 2015 Boundary, or in the additions, described in clause (a) listed in the "First List of Properties to be Excluded from the 2016 Boundaries of District No. 24" (the "First 2016 Exclusion List"), now on file in the office of the County Clerk.

The proposed 2016 Fee Year Boundaries of the District, the Second 2015 Exclusion List, the 2016 Addition List, and the First 2016 Exclusion List, are on file in the office of the County Clerk for public examination.

The boundaries of the District are those specified by Subsection 3 of NRS §540A.250, which consist of 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 the wholesale and retail water service area of any provider of water that has used or uses for any portion of its supply wells located in the area where the condition which requires remediation is determined to be present. The District Boundary generally consists of the TMWA Wholesale and Retail Water Service Area and (through calendar year 2014) a portion of the CSD Water Utility Service Area. This general description is, however, for the convenience of the readers of this notice only. A specific description of the boundaries of the District and the proposed amendments thereto are on file in the office of the County Clerk and reference is made to those descriptions to determine whether or not a property is or is not included or proposed to be included within the boundaries of the District.

Reference is made to the Plan for Remediation, the boundaries of the District and the proposed amendments to those boundaries on file in the office of the County Clerk for further information concerning the District and its boundaries. All owners of property within the boundaries of the District and all other persons interested are encouraged to appear at the hearing and present their views. Written testimony and comments may be filed at or before the hearing with the County Clerk.

IN WITNESS WHEREOF, the Board of County Commissioners has caused this notice to be published not less than 15 days prior to the hearing referred to above.

RJ-000052708

HCCOMP JUN29716 9:27

EXHIBIT "F"

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

RENO NEWSPAPERS INC

Publishers of

Reno Gazette-Journal

955 Kuenzli St - P.O. Box 22,000 - Reno, NV 89520 - 775.788.6200 Legal Advertising Office 775.788.6394

WASHOE CO 1001 E 9TH ST RENO, NV 89512 Attn: Customer Acct# REN-349008 PO# Ad# 0001432876 Legal Ad Cost: \$299.00

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 date: 07/15/2016 - 07/22/2016, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before

Signed:

AMERICA ACEVEDO
NOTARY PUBLIC - STATE OF NEVADA
My Commission Expires: 06-26-2018
Certificate No: 14-14488-2

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1582 BILL NO. 1764 NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance a

Publish Dates:

07/15/16, 07/22/16

NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1582 BILL NO. 1764
NOTICE IS HEREBY GIVEN that typewritten capies of the abovenumbered 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 Woshoe County Complex, 1001 E. Ninth
Street, Building A, Reno, Washoe County, Nevada, and that the ordinance was proposed on June 21, 2016 by Commissioner Berkbigler
and was passed and adopted without amendment at a regular meeting held on July 12, 2016 by the following vale of the Board of County
Commissioners: AN ORDINANCE AMENDING ORDINANCE NO.
21 (GROUNDWATER REMEDIATION); AND PROVIDING
OTHER MATTERS RELATING THERETO.

Those Voting Aye: Bob Lucey, Marsho Berkbigler, Vaughn Hortung, and Jeanne Herman. Those Absent: Kitty Jung.

This Ordinance shall be in full force and effect from and after July 22, 2016. IN WITNESS WHEREOF, the Board of County Commissioners of Woshoe County, Nevada, has caused this Ordinance to be published by title only. DATED July 12, 2016.

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

No 1432876

July 15, 22, 2016

WCCOMP JUL28'16 9:23