

Summary - An ordinance levying a fee in Washoe County, Nevada District No. 24 (Groundwater Remediation), ratifying action taken by County officers, and providing other matters related thereto.

**BILL NO. 1893**

**ORDINANCE NO. 1704**

**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.**

**WHEREAS**, Washoe County in the State of Nevada (the “County” and “State,” respectively), is a county organized and operating under the laws of the State of Nevada (the “State”); and

**WHEREAS**, subsection 1 of Nevada Revised Statutes (“NRS”) § 540A.250 provides that the Board of County Commissioners (the “Board”) shall create a district for the remediation of the quality of water if the county or district health officer (the “Health Officer”) or Administrator of the Division of Environmental Protection of the State Department of Conservation and Natural Resources (the “Division”) certifies in writing to a Board that a condition exists in an area of the region which is affecting or will affect the quality of water that is available for municipal, industrial and domestic use within the region; and

**WHEREAS**, the Board has received certifications in writing (the “Certification”) as described to in subsection 1 of NRS § 540A.250; and

**WHEREAS**, subsection 2 of NRS § 540A.250 provides that on receipt of the Certification, the Board must proceed in cooperation with the Health Officer and the Division to verify the existence and extent of the condition and establish the appropriate boundaries of a district for the remediation of the quality of water (the “District”); and

**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

**WHEREAS**, pursuant to NRS § 540A.250 and the Certification so received, the Board has proceeded in cooperation with the Health Officer and the Division of Environmental Protection to verify the existence of the condition and establish appropriate boundaries of the District; and

**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

**WHEREAS**, the Plan for Remediation (including the update) has been submitted to the Division and approved by the Division pursuant to Subsection 1 of NRS 540A.260; and

**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

**WHEREAS**, the Board pursuant to Ordinance No. 1000 adopted and approved on November 14, 1997, as amended by ordinances adopted and approved on June 16, 1998, June 22, 1999, June 12, 2000, June 12, 2001, June 11, 2002, June 9, 2003, June 22, 2004, June 14, 2005, June 13, 2006, June 12, 2007, June 10, 2008, June 9, 2009, June 22, 2010, June 14, 2011, June 12, 2012, June 11, 2013, June 17, 2014, June 9, 2015, July 12, 2016, June 13, 2017, June 19, 2018, June 11, 2019, June 16, 2020, June 8, 2021, and June 21, 2022 (as amended, the “Creation

Ordinance”), created a district (the “District” or “District No. 24”) for the remediation of the quality of water pursuant to NRS § 540A.250 through § 540A.285 (the “Act”) whose boundaries in accordance with NRS § 540A.250 include the wholesale and retail water service area of Sierra Pacific Power Company (herein “Sierra Pacific”) and its successors in the water business, the Truckee Meadows Water Authority (“TMWA”), which was in the case of Sierra Pacific and is in the case of TMWA, and further includes a portion of the wholesale and retail water service area of Washoe County’s Community Service Department (“CSD”), and its successors in the water business, TMWA, which was in the case of CSD and is in the case of TMWA, providers of water service that have used and use for at least a portion of their water supply, wells located in the area where the condition of PCE exists in the groundwater and where remediation is required as hereby determined by the Board, based upon the Plan for Remediation; and

**WHEREAS**, the Board has heretofore determined and does hereby declare that a portion of the cost of developing and carrying out the plan for remediation has been deferred with the proceeds of bonds (the “Bonds”) which have been heretofore retired; and

**WHEREAS**, the Board has heretofore determined that the operation and maintenance in connection with carrying out the Plan for Remediation is to be paid by a fee imposed on the properties in the District; and

**WHEREAS**, in the Creation Ordinance, the Board determined that the condition which requires remediation affects the quality of drinking water within the region and therefor, pursuant to subsection 1(a) of NRS § 540A.265, the fee apportioned must be based on a percentage of the total amount billed in the preceding calendar year to each parcel of property within the District for water by the provider of retail water service to the parcel of property; and

**WHEREAS**, the Board has determined and hereby determines that the Bonds have been retired, and therefore no amount will be included in the fee to pay principal and interest on the Bonds; and

**WHEREAS**, the Board has also determined that the costs of developing and carrying out the plan for remediation is to be paid from the fees collected through 2022; and

**WHEREAS**, the Board has determined and hereby determines that the estimated amount required to pay TMWA for one year's operation and maintenance (“O&M”) costs as

provided in the County's agreement with Sierra Pacific, to which TMWA has succeeded, is \$300,000; and

**WHEREAS**, the Board has determined and hereby determines that the annual amount necessary to pay the one year's cost of additional expenses and monitoring, administration, collection and other continuing costs in furtherance of and in connection with developing and carrying out the Plan for Remediation (collectively, "Ongoing Costs") is \$3,865,842.66; and

**WHEREAS**, it is therefore necessary to raise \$1,250,000 in fiscal year 2023-2024 (the Fiscal Years' Amount) to pay one year's O&M and Ongoing Costs; and

**WHEREAS**, the Board has determined at this time that considering the nature of the capital projects previously funded with the Bonds and the nature of the Ongoing Costs being collected at this time, it is appropriate to weight or adjust the amount billed pursuant to paragraph (b) of subsection 1 of NRS § 540A.265, and consequently that the methods of weighting or adjusting outlined in paragraphs (b) and (c) of such subsection are being applied to the fee being apportioned by this ordinance, and the Board hereby finds and declares that such apportionment is just and equitable; and

**WHEREAS**, there has been submitted to staff of the County a list of all parcels of land in the District (excluding all property owned by the federal government), together with the amount billed for water to those parcels in calendar year ending December 31, 2022, in which, in the cases of properties within the District where retail water service was not provided for a full calendar year, or where a full calendar year's billing was not available, the estimated amount billed for water for a full calendar year was provided or developed, taking into account a partial year's billing extended to 12 months, or an average of fees on parcels of property within comparable zonings or uses; and

**WHEREAS**, there has been prepared and filed with the County Clerk on April 11, 2023 a list, entitled "District No. 24 (Groundwater Remediation) 2022 Fee Apportionment List" (the "Fee Apportionment List"), of each parcel of property within the District (excluding parcels owned by the United States) and an apportionment of the Fiscal Years' Amount to be raised by the fees described above to each parcel of land in the District, which apportionment is based on the amount billed to that parcel for water, weighted and adjusted as described in paragraphs (b), (c) and (d) of subsection 1 of NRS § 540A.265; and

**WHEREAS**, the Board has determined and hereby determines that the apportionment provided in the list described above is fair, just and equitable and is hereby adopted.

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

Section 1. All actions, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the provisions of this Washoe County, Nevada District No. 24 (Groundwater Remediation) Fee Imposition Ordinance (the "Ordinance")) concerning the District and the Plan of Remediation, and the imposition and apportionment of a fee therefore are ratified, approved and confirmed.

Section 2. For the purpose of paying the cost of developing and carrying out the Plan for Remediation, there is hereby imposed against each of the lots, tracts and parcels of land in the District (except property owned by the Federal Government), the amount shown for that tract or parcel of land in the Fee Apportionment List as filed in the office of the County Clerk on April 11, 2023. The Board hereby finds and determines and to impose and apportion the fee in the amounts shown in the Fee Apportionment List, all in accordance with the Act.

Section 3. In accordance with subsection 2 of NRS § 540A.265, the fee imposed by this ordinance shall be collected by the County Treasurer with the general taxes of the County, and payment therefore must be enforced in the same manner and with the same remedies as provided for the collection of general taxes. The amount of the fee shall be due with the first installment of property taxes and shall be payable in full on that date. There shall not be any option to pay the fee in installments. The Clerk is hereby directed to certify a copy of the Fee Apportionment List to the County Treasurer for collection purposes.

Section 4. 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 to impose and apportion the fee provided herein.

Section 5. 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 6. In accordance with NRS § 244.100 and 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 20<sup>th</sup> day of June, 2023, 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 20<sup>th</sup> day of June 2023, 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 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.**

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, District No. 24 (the "District") for the purpose of remediating the quality of water and various other matters in connection therewith, and recite the costs anticipated to be incurred therefore and the appropriation of those costs on the various parcels of land in the District, and make certain findings.

The ordaining clause is then set forth.

Section 1 ratifies the action previously taken and Section 2 imposes and apportions a fee for remediation on each parcel of land in the District except parcels owned by the Federal Government.

Section 3 provides for collection of the fee with general taxes.

Sections 4 and 5 authorize the County officials to take any action necessary to effectuate the ordinance; and provide a repealer clause for conflicting provisions.

Sections 6, 7 and 8 provide for notice by publication of the June 20, 2023 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 20, 2023; 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 Ninth 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 May 9, 2023.

/s/ Jan Galassini  
County Clerk

(SEAL)

(End of Form for Publication)



Section 7. 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 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.**

**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 Ninth Street,, Reno, Nevada; and that said ordinance was proposed by Commissioner \_\_\_\_\_ on May 9, 2023, 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 20, 2023, 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 \_\_\_\_\_, 2023, 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 June 20, 2023.

/s/ \_\_\_\_\_  
Chair  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ Jan Galassini  
County Clerk

(End of Form of Publication)

Section 8. 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 9<sup>th</sup> day of May, 2023.

Proposed by Commissioner Garcia.

Passed the 20<sup>th</sup> day of June, 2023.

Those Voting Aye: Hill, Herman, Clark, Garcia, Andriola

Those Voting Nay: None

Those Absent: None



Attest:

Jan Galanini  
County Clerk

A handwritten signature in blue ink, appearing to read "C. Garcia", is written over a horizontal line.

Chair  
Board of County Commissioners  
Washoe County, Nevada

This ordinance shall be in force and effect from and after the 30 day of June 2023, i.e., the date of the second publication of such ordinance by its title only.

STATE OF NEVADA        )  
                                  ) ss.  
COUNTY OF WASHOE    )

I, Jan Galassini, 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 9, 2023 and adopted on June 20, 2023 which relates to District No. 24 (Groundwater Remediation). Minutes of the meeting on such District held on May 9, 2023 and of the hearing on the Ordinance held on June 20, 2023 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 20, 2023

  
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 9, 2023 and June 20, 2023.

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

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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 June 20, 2023.

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

(SEAL)

**EXHIBIT "A"**

**(Attach Copy of Minutes of May 9 Meeting on  
District No. 24 Boundary Amendment)**

**BOARD OF COUNTY COMMISSIONERS  
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

MAY 9, 2023

PRESENT:

Alexis Hill, Chair

Jeanne Herman, Vice Chair

Michael Clark, Commissioner

Mariluz Garcia, Commissioner

Clara Andriola, Commissioner

Janis Galassini, County Clerk

Eric Brown, County Manager

Nathan Edwards, Assistant District Attorney

Mary Kandaras, Chief Deputy District Attorney\*

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

**23-0275      AGENDA ITEM 3 Announcements/Reports.**

Chair Hill asked Assistant District Attorney (ADA) Nate Edwards to explain the role of the Chair in conducting the Board of County Commissioners' (BCC) meeting. ADA Edwards said he prepared comments after reviewing the Open Meeting Law (OML) and the OML Manual published by the Nevada Attorney General's (AG) Office. He expounded that Nevada's OML was codified in Chapter 241 of the Nevada Revised Statutes (NRS). It also gave the AG's Office authority to enforce the OML. He said section 7.05 of the OML Manual was entitled, "Reasonable time, place, and manner restrictions apply to public meetings." He stated the First Amendment was applicable to public comment and that OML did not mandate that members of the public be allowed to speak during meetings except during the public comment period required by NRS Chapter 241. He said that speech was generally protected by the First Amendment when members of the public spoke during designated public comment periods. He indicated that reasonable rules and regulations during public meetings ensured the orderly conduct of a public meeting as well as orderly behavior on the part of persons attending the meeting. He said public bodies could adopt reasonable restrictions including time limits on individual comments as long as they were expressed clearly on the agenda. The public body could prohibit public comment if the content of the comments was not relevant, within the authority of the public body, or if the content was woefully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, amounting to personal attacks, or interfering with the rights of other speakers. He indicated the Chair enforced the restrictions, they were stated on the agenda, and they were the parameters around public



sustainability department which was part of the green agenda. Chair Hill asked Ms. Brock to address the topic of Agenda Item 13. Ms. Brock thought the reason for the substation was to bring additional electricity into the County so electric vehicles (EVs) could be mandated. She expressed opposition to this item.

On motion by Commissioner Andriola seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

**23-0288**      **AGENDA ITEM 14** Public Hearing and possible action to hold the 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 June 13, 2023; AND, hold the first reading of an ordinance: (1) 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 June 13, 2023. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area boundary and Contaminant Area boundary based on continuous analysis and modeling efforts. There is no impact to the General Fund. Community Services. (All Commission Districts.)

Chair Hill opened the public hearing.

Chair Hill inquired if a staff presentation was needed for this item. It was determined a presentation was not necessary.

On the call for public comment, Ms. Penny Brock stated she looked at the map for this item and believed it was out in the County. She mentioned she lived up Mt. Rose Highway for a number of years and had the purest well water in the entire County. She asserted the County put toxic chemicals in the well water in order to get federal funds. She thought the map regarded rural areas. She wondered whether there was really a concern about tetrachloroethene (PCE) in the well water or if this was another way for the County to get federal dollars.

Mr. Nicholas St. Jon was not present when called to speak.

Bill No. 1892 was introduced by Commissioner Garcia, and legal notice for final action of adoption was directed.

Bill No. 1893 was introduced by Commissioner Garcia, and legal notice for final action of adoption was directed.

**23-0289**      **AGENDA ITEM 8** Introduction and first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code) within Article 302 Allowed Uses, Article 304 Use Classification System, Article 406 Building Placement Standards, and Article 902 Definitions to:

- Provide clarity on single-family accessory uses;
- Allow Child Care, Family Daycare use type within the General Rural and Neighborhood Commercial regulatory zones;
- Allow Large-Family Daycare use type with an Administrative Permit instead of a Special Use Permit in the Neighborhood Commercial Regulatory Zone;
- Allow Personal Services use type within the Industrial and Public and Semi-Public Facilities regulatory zones;
- Include information technology services within the definition of the Administrative Offices use type;
- Include contractors' office with or without an equipment yard as an example of the Construction Sales and Services use type;
- Create a definition for "security fence" and provide standards for allowing security fencing on parcels of land that do not have an established main use;
- Allow for tall specialty fencing for uses such as ballparks and sports fields; and
- Place Communication Facilities in the "Civic" rather than the "Commercial" use table; and all matters necessarily connected therewith and pertaining thereto.

AND

If introduced, set the public hearing and second reading of the ordinance for June 13, 2023. Community Services. (All Commission Districts.)

Chair Hill thanked staff for doing a great job of listening to the Board's direction and for making childcare easier.

On the call for public comment, Ms. Penny Brock stated America was founded on free enterprise and capitalism. She said her concern had been that government at every level wanted to impose more regulations. She said if this item was to make daycare easier that would be great, but she could not tell from reading this item whether it would impose more regulations on those who wanted to care for children. She opposed additional regulations and thought staff needed to review them and possibly remove some of the regulations for small businesses and the people.

**EXHIBIT "B"**

**(Attach Minutes of June 20 Hearing on Ordinance)**

**BOARD OF COUNTY COMMISSIONERS  
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

JUNE 20, 2023

PRESENT:

Alexis Hill, Chair

Jeanne Herman, Vice Chair

Michael Clark, Commissioner

Mariluz Garcia, Commissioner

Clara Andriola, Commissioner

Janis Galassini, County Clerk

Eric Brown, County Manager

Nathan Edwards, Assistant District Attorney

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

**23-0363      AGENDA ITEM 3 Announcements/Reports.**

Chair Hill moved Item 28 directly after the Consent Agenda to accommodate the gentleman representing the Reno-Sparks Convention and Visitors Authority (RSCVA) who needed to leave the meeting early. She stated that as disclosed by the media, Item 13 regarding cannabis consumption lounges was removed from the agenda. She informed anyone who wished to speak on that topic could speak during general public comment at the end of the meeting.

Vice Chair Herman expressed gratitude to Governor Joe Lombardo who vetoed Assembly Bill (AB) 242 which would have eliminated the County's right to use paper ballots in elections. She stated she had printed draft language for two resolutions regarding elections and asked County Clerk Jan Galassini to distribute copies to the Board. She declared the first resolution suggested the formation of a Citizen Advisory Board (CAB) for elections and the second was a new rendering of the election integrity resolution she had previously proposed. She spoke about television advertisements concerning the Washoe County Leadership Academy (WCLA) and declared CABs were not advertised in the same way. She thought CABs should have the same advertisement opportunity as other groups in the County to encourage interested people to join. She mentioned Item 8B1 and asked who was responsible for the maintenance of fire hydrants in Sun Valley. She stated she had not received an answer to her question regarding whether the Board could regulate who owned property in the County and she requested a response. She declared rural areas of Washoe County were having issues with Waste Management (WM) which County staff had started working to resolve, but she wanted to bring it up again to ensure people in rural

On motion by Commissioner Andriola, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 26 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

**23-0410**      **AGENDA ITEM 27** Public Hearing and possible action to: (1) adopt an ordinance amending Ordinance No. 1000 to change the boundaries of District No. 24 (Groundwater Remediation); and (2), Public Hearing and possible action to adopt 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. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area boundary and Contaminant Area boundary based on continuous analysis and modeling efforts. There is no impact to the General Fund. Community Services. (All Commission Districts.)

Chair Hill 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.

County Clerk Jan Galassini read the titles for Ordinance No. 1703, Bill No. 1892, and Ordinance No. 1704, Bill No. 1893.

On motion by Commissioner Andriola, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Ordinance No. 1703, Bill No. 1892, and Ordinance No. 1704, Bill No. 1893 be adopted, approved, and published in accordance with NRS 244.100.

**23-0411**      **AGENDA ITEM 29** Public Hearing: Second reading and adoption of an ordinance which amends Washoe County Code Chapter 110 (Development Code) within Article 302 Allowed Uses, Article 304 Use Classification System, Article 406 Building Placement Standards, and Article 902 Definitions to: Provide clarity on single-family accessory uses; Allow Child Care, Family Daycare use type within the General Rural and Neighborhood Commercial regulatory zones; Allow Large-Family Daycare use type with an Administrative Permit instead of a Special Use Permit in the Neighborhood Commercial Regulatory Zone; Allow Personal Services use type within the Industrial and Public and Semi-Public Facilities regulatory zones; Include information technology services within the definition of the Administrative Offices use type; Include contractors' office with or without an equipment yard as an example of the Construction Sales and Services use type; Create a definition for "security fence" and provide standards for allowing security fencing on parcels of land that do not have an established main use; Allow for tall specialty fencing for uses such as ballparks and

**EXHIBIT "C"**

**(Attach Copy of Notice of May 9 Meeting)**

COUNTY COMMISSIONERS  
Chair, Alexis Hill, District 1  
Vice-Chair, Jeanne Herman, District 5  
Michael Clark, District 2  
Mariluz Garcia, District 3  
Clara Andriola, District 4



## NOTICE OF MEETING AND AGENDA

COUNTY MANAGER  
Eric P. Brown

### WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

- 1001 E. 9th Street, Reno, Nevada 89512

ASSISTANT DISTRICT ATTORNEY  
Nathan Edwards

May 9, 2023  
10:00 a.m.

COUNTY CLERK  
Janis Galassini

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**Location.** This meeting will be held at the physical location designated on this agenda, but one or more of the County Commissioners and/or County staff may attend and participate by a remote technology system. Members of the public wishing to attend the meeting may do so at the designated physical location or may otherwise participate as stated in the Public Comment section. The Chair or their designee will make reasonable efforts to ensure that members of the public body and members of the public present at the physical location can hear or observe each member attending by remote technology system, and each member of the public body in attendance can participate in the meeting.

**Accessibility.** Washoe County, in compliance with the Americans with Disabilities Act, wishes to make all of its public meetings accessible to the public. Persons who require special accommodations or assistance in attending this meeting may contact the Office of the County Manager at least two working days before the meeting, if possible, by dialing 311 from any phone or (775) 328-2003.

**Public Transportation.** Public transportation is available to this meeting site. For eligible RTC ACCESS reservations call (775) 348-5438 or visit: <https://www.rtcwashoe.com/public-transportation/>.

**Public Comment.** Public comment is welcomed during public comment periods and is limited to 3 minutes per person per public comment period. Unused time may not be allocated to other speakers. A speaker's viewpoint will not be restricted; however, reasonable restrictions may be imposed upon the time, place, and manner of speech. Irrelevant statements, unduly repetitious statements, and personal attacks that would objectively antagonize or incite others are examples of speech that may be reasonably limited. All comments are to be directed to the Commission as a whole.

During the general public comment period at the end of the meeting, speakers may address any matter either on or off the agenda. Items voted on in the Consent section or in a separate block or blocks shall have a single public comment period per block, and public comment will only be heard about the specific items being considered by the Commission in the block. For the remainder of the agenda, during items designated "for possible action" that are considered individually, public comment will only be heard about the specific item being considered by the Commission.

Members of the public may also submit comments by mail (1001 E. Ninth St., Reno, NV 89512), by email to [Washoe311@washoecounty.gov](mailto:Washoe311@washoecounty.gov), or by voice message at: (775) 328-2003. The County will make reasonable efforts to include all such comments received by 4:00 pm one working day prior to the meeting in the record. Voicemails will no longer be played for broadcast; mail and email comments will not be read by the Clerk.

Although not required by the Open Meeting Law, in order to accommodate persons residing in populated areas substantially outside the vicinity of the commission chambers, additional public comment may be given by remote technology system on agenda items concerning Districts 1, 5, or "All Commission Districts" (as specified in the subject line of the respective agenda item as "Virtual Public Comment Eligible") from the following locations: Incline Village Library: 845 Alder Ave, Incline Village, NV 89451 and/or Gerlach Community Center: 510 Cottonwood St, Gerlach, NV 89412.

**Forum Restrictions and Orderly Conduct of Business.** The Board of County Commissioners carries out the business of Washoe County and its residents during its meetings. The presiding officer may order a person be removed if the person's conduct or statements disrupt the order or safety of the meeting. Warnings about disruptive conduct or comments may or may not be given prior to removal.

**Responses to Public Comments.** The Board of County Commissioners may only deliberate or take action on matters that have been properly labeled "for possible action" and listed on a properly noticed Agenda. While the Open Meeting law allows discussion of public comments by members of the Commission, responses to matters not listed on the agenda could become deliberation without notice to the public. To avoid this situation and to ensure the public has proper notice of all matters, members may choose not to respond to public comments, except to correct factual inaccuracies, ask for staff to provide information, or ask that the matter be listed on a future agenda for consideration.

14. Public Hearing and possible action to hold the 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 June 13, 2023; AND, hold the first reading of an ordinance: (1) 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 June 13, 2023. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area boundary and Contaminant Area boundary based on continuous analysis and modeling efforts. There is no impact to the General Fund. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

**Attachments:** [BCC 05-09-23 - Staff report for CTMRD Ordinance](#)  
[BCC 05-09-23 - Attachment 1 - 2023 Boundary Amendment Ordinance](#)  
[BCC 05-09-23 - Attachment 2 - Prelim 2022 Service Area and New Parcels Map](#)  
[BCC 05-09-23 - Attachment 3 - 2023 Fee Adoption Ordinance](#)  
[BCC 05-09-23 - Attachment 4 - Prelim 2023 Fees Boundary Map New](#)  
[BCC 05-09-23 - Attachment 5 - Prelim 2023 Fee Schedule](#)

**End Of Scheduled Public Hearings**

15. 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.
16. Commissioners’/County Manager’s announcements, reports and updates to include boards and commissions updates, requests for information or topics for future agendas. (No discussion among Commissioners will take place on this item.)

**Adjournment**



**EXHIBIT "D"**

**(Attach Copy of Notice of June 20 Meeting)**

COUNTY COMMISSIONERS  
Chair, Alexis Hill, District 1  
Vice-Chair, Jeanne Herman, District 5  
Michael Clark, District 2  
Mariluz Garcia, District 3  
Clara Andriola, District 4



COUNTY MANAGER  
Eric P. Brown

## NOTICE OF MEETING AND AGENDA

ASSISTANT DISTRICT ATTORNEY  
Nathan Edwards

### WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS - 1001 E. 9th Street, Reno, Nevada 89512

COUNTY CLERK  
Janis Galassini

June 20, 2023  
10:00 a.m.

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**Public Hearing. (Note: Due to public testimony and discussion, time expended on the item in this category can vary.)**

26. Public hearing and possible action to: (1) consider a report of each property delinquent on its utility charges and the amount of each property's delinquency, along with any objections to the report; and, (2) After considering the report and any objections to it; determine whether to adopt the report and correspondingly adopt Resolution 23-037 to collect certain delinquent utility charges on the tax roll. All Assessor Parcel Numbers of affected properties are listed in Resolution 23-037 accessible as a linked attachment on the agenda on the county commission's webpage [total delinquent amount of \$173,789.44]. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

**Attachments:** [BCC 06-20-23 - Staff Report - R23-037 - Tax lien for utilities](#)  
[BCC 06-20-23 - Resolution R23-037- Tax Lien for Utilities](#)

27. Public Hearing and possible action to: (1) adopt an ordinance amending Ordinance No. 1000 to change the boundaries of District No. 24 (Groundwater Remediation); and (2), Public Hearing and possible action to adopt 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. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area boundary and Contaminant Area boundary based on continuous analysis and modeling efforts. There is no impact to the General Fund. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

**Attachments:** [BCC 06-20-23 - Staff report for CTMRD Ordinance](#)  
[BCC 06-20-23 - Attachment 1 - 2023 Boundary Amendment Ordinance](#)  
[BCC 06-20-23 - Attachment 2 - 2023 Service Area with New Parcels Map](#)  
[BCC 06-20-23 - Attachment 3 - 2023 Fee Adoption Ordinance](#)  
[BCC 06-20-23 - Attachment 4 - 2023 Fees Boundary Map](#)  
[BCC 06-20-23 - Attachment 5 - 2023 Fee Schedule](#)

**EXHIBIT "E"**

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



PROOF OF PUBLICATION

STATE OF WISCONSIN SS.  
COUNTY OF BROWN

ACCOUNTS PAYABLE WASHOE CO  
1001 E 9<sup>TH</sup> ST BLD D  
RENO NV 89512

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: 5/23/2023 AND 5/23/2023 for exact publication dates please see last line of Proof of Publication below.

5/23/2023

Legal Clerk

Subscribed and sworn before me this  
3RD DAY OF AUGUST, 2023

NOTARY PUBLIC RESIDING  
AT STATE OF WISCONSIN  
COUNTY OF BROWN

Notary Expires:

1-7-25

Ad#: GCI1062938  
PO: PUBLIC NOTICE  
# of Affidavits: 1

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin

**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 on June 20, 2023, 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. Please submit any written comments by 4:00 p.m. the day prior to the public hearing. Reasonable efforts will be made to include all written comments received by mail or email in the record. The ordinance is 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. (Bill No. 1893)

DATED: May 10, 2023

**JANIS GALASSINI**, Washoe County Clerk and Clerk of the Board of County Commissioners

BJ-GCJ/05/2023

**EXHIBIT "F"**

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



PROOF OF  
PUBLICATION

STATE OF WISCONSIN SS.  
COUNTY OF BROWN

ACCOUNTS PAYABLE WASHOE CO  
1001 E 9<sup>TH</sup> ST BLD D  
RENO NV 89512

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: 6/23/2023 AND 6/30/2023 for exact publication dates please see last line of Proof of Publication below.

6/23/2023, 6/30/2023

Legal Clerk

Subscribed and sworn before me this  
3RD DAY OF AUGUST, 2023

NOTARY PUBLIC RESIDING  
AT STATE OF WISCONSIN  
COUNTY OF BROWN

Notary Expires: 1-7-24

Ad#: GCI1076908  
PO: PUBLIC NOTICE  
# of Affidavits: 1

KATHLEEN ALLEN  
Notary Public  
State of Wisconsin



**BILL NO. 1893  
ORDINANCE NO. 1704  
(of Washoe County, Nevada)**

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. (BILL NO 1893)

**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 Ninth Street, Reno, Nevada; and that said ordinance was proposed by Commissioner Garcia on May 9, 2023, 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 20, 2023, by the following vote of the Board of County Commissioners:

Those Voting Aye: Alexis Hill, Jeanne Herman, Michael Clark,  
Mariluz Garcia, Clara Andriola  
Those Voting Nay: None  
Those Absent: None

This ordinance shall be in full force and effect from and after June 30, 2023, 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 21, 2023.

/s/ Alexis Hill  
Chair  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ Jan Galassini

County Clerk

RU-GC11076508-01